

D04000000010

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

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MAIL

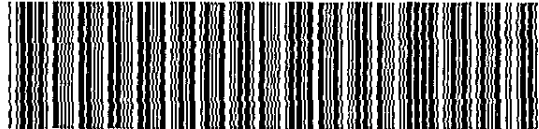
(Business Entity Name)

(Document Number)

Certified Copies \_\_\_\_\_ Certificates of Status \_\_\_\_\_

Special Instructions to Filing Officer:

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03/10/04--01019--013 \*\*358.75

FILED

04 MAR -9 PM 2:03

STATE OF FLORIDA  
TALLAHASSEE, FLORIDA

3/10/04

**Wells & Associates**

309 U.S. 27 South  
Lake Placid, FL 33852  
Phone: 863-465-7155 Fax: 863-699-1925

d

**Dept of State**

PO Box 6327  
Tallahassee, FL 32314

**MEMO**

Page 1

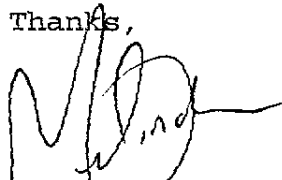
ACCOUNT NO.	OP	DATE
THELOY1	MB	03/04/2004
POLICY INFORMATION		
POLICY #		
PENDING		
TYPE	EFFECTIVE	EXPIRATION
WORK	02/20/2004	02/20/2005

Karen

Re: Copy of Trust

Per our conversation, attached is the insureds copy of the Trust. If you need anything else please let me know.

Thanks,



**Melinda Brown**

# AFFIDAVIT TO THE FLORIDA SECRETARY OF STATE TO FILE OR QUALIFY

The Lloyd C. Shirley Testamentary Trust

A Testamentary TRUST

In accordance with Section 609.02 of the Florida Statutes, pertaining to  
Common Law Declarations of Trust, the undersigned, the Chairman of the  
Board of Trustees of The Lloyd C. Shirley Testamentary Trust,

(Name of Trust)

Florida

(State)

Trust hereby affirms in order to file or qualify

Lloyd C. Shirley Testamentary Trust

(Name of Trust)

in the State of Florida.

1. Two or more persons are named in the Trust.

2. The principal address is 705 U.S. Hwy 27 North, Lake Placid, FL 32852

3. The registered agent and street address in the State of Florida is:  
Thomas C. Shirley, Trustee

705 U.S. Highway 27 North, Lake Placid, FL 32852

4. Acceptance by the registered agent: Having been named as registered  
agent to accept service of process for the above named Declaration of Trust  
at the place designated in this affidavit, I hereby accept the appointment as  
registered agent and agree to act in this capacity.

Thomas C. Shirley

(Signature of Registered Agent)

5. I certify that the attached is a true and correct copy of the Declaration of  
Trust under which the association proposes to conduct its business in  
Florida.

Thomas C. Shirley

Name: THOMAS C. SHIRLEY  
Chairman of the Board of Trustees

NOTARY

Filing Fee: \$350.00

Certified Copy: \$ 8.75 (optional)

CR2E063(3/00)



Laura P. Lindau  
MY COMMISSION # CC986116 EXPIRES  
December 17, 2004  
BONDED THRU TROY FAIR INSURANCE, INC.

Laura P. Lindau  
2/16/04

FILED  
04 MAR -9 PM 2:03  
TALLAHASSEE, FLORIDA

OF  
LOYD CLEVELAND SHIRLEY

I, LOYD CLEVELAND SHIRLEY, of Polk County, Florida, being of sound mind and disposing memory, do hereby make, publish and declare this instrument as and for my Last Will and Testament, hereby revoking all other wills and testamentary instruments by me at any time heretofore made.

ARTICLE I

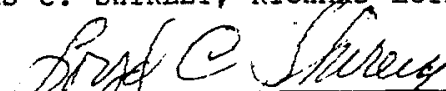
I direct that my Personal Representative, hereinafter named, pay all my legal debts and funeral expenses and any and all estate and succession taxes due by reason of my death, out of my residual estate. I direct that such payments by my Personal Representative be made as soon as convenient after my death, without material injury to my said estate.

ARTICLE II

I will, devise and bequeath all the rest, residue and remainder of my estate, of every nature and kind, and wheresoever situate, whether real, personal or mixed, to my Trustee hereinafter named, IN TRUST, for the uses, purposes and benefits hereinafter set forth:

A. My Trustee shall hold, manage, invest and reinvest the assets of this trust, collect the income therefrom, and shall pay for my wife, GLADYS SHIRLEY, during her lifetime, all of the income at least annually and such amounts of corpus as needed for health, education, support or maintenance.

B. Upon the death of my wife, GLADYS SHIRLEY, this trust shall be continued for the benefit of my children, THOMAS C. SHIRLEY, RICHARD LOYD SHIRLEY, STUART WILLIAM SHIRLEY and JESSE DURRANCE SHIRLEY, subject to all the terms and provisions hereof. Likewise, in the event my wife shall precede me in death, then I give, devise and bequeath all the rest, residue and remainder of my estate, IN TRUST, to my children hereinafter named, for the uses and purposes herein recited for this trust. In any event, this trust is created for a term of thirty-five years from the date of my death. Upon termination of the trust thirty-five years from the date of my death, I direct my Trustee to distribute all the remaining assets of the trust to my children, THOMAS C. SHIRLEY, RICHARD LOYD SHIRLEY,

  
Lloyd C. Shirley

STUART WILLIAM SHIRLEY and JESSE DURRANCE SHIRLEY, equally, share and share alike, per stirpes.

C. My Personal Representative may elect to have the assets of this trust treated as qualified terminable interest property for Federal estate tax purposes.

#### ARTICLE III

Subject to my direction that my Personal Representative shall exercise the powers herein granted to him only in whatever manner shall entitle my estate to the benefit of my maximum marital qualified terminable interest allowed to it under the applicable provisions of the Federal Internal Revenue Code, I give to my Personal Representative the following powers:

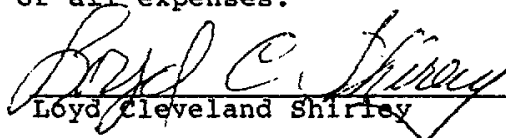
A. To lease, sell, mortgage, transfer and convey in such manner and on such terms as may be deemed advisable by such Personal Representative, any and all property, real or personal, belonging to my estate, without the necessity of obtaining leave of any court, and no purchaser shall be held liable to see to the application of any purchase money.

B. To, without liability, retain any portion of said property in the same state or investment in which the same is taken over by my said Personal Representative, and may acquire by purchase or otherwise, and retain for whatever period deemed proper, all kinds of real and personal property.

C. To allocate securities or other property in lieu of cash in making distribution to the legatees hereunder and this decision as to said securities or property allocated for such purpose shall be conclusive. To apportion and allocate receipts and expenditures as between income and principal in whatever manner deemed proper by my Personal Representative, and may settle, compromise, or pay any claims, including taxes asserted against me or my estate. To join with my spouse in income tax returns for any period prior to my death and may pay such amounts of tax, interest and penalty advisable, even though not attributable to my own income.

D. To carry on any business owned or controlled by me at the time of my death for whatever period of time believed proper, with full powers in the premises, including the power to borrow and to pledge assets contained in my estate as security for said borrowing. To collect rents and other proceeds from real estate not specifically devised and may pay all carrying charges thereon and make such repairs thereto as deemed proper, without the necessity of obtaining leave of any court.

E. To invest and reinvest the estate with all the powers of investment, of management and protections against liability which are hereinafter enumerated as applicable of my Trustees. During the entire period of administration of my estate, he or she may pay out of the net income or out of the principal of my estate all expenses of maintenance and upkeep, including taxes, insurance and repairs, of whatever real estate my spouse and I are using as home or homes at the time of my death, to the end that my spouse shall, during the period of administration of my estate, have the opportunity to occupy said home or homes, free of all expenses.

  
Lloyd Cleveland Shirley

All of the foregoing powers, together with those granted by law to Personal Representatives, may be exercised by my Personal Representative, hereinafter named, and by all persons succeeding in said office.

#### ARTICLE IV

Nothing herein contained shall be construed to postpone the vesting of any trust estate contained in this, my Last Will and Testament, beyond a period of twenty-one (21) years from and after the death of myself and any lineal descendants of mine or any beneficiaries in being at the time of my death, and in the event any trust estate has not been distributed prior to the termination of such period, then upon the expiration thereof such trust estate shall be distributed to the beneficiaries hereunder then receiving or entitled to receive income in proportion to their rights to such income.

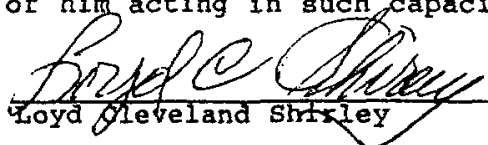
If any portion or all of any trust estate remains undisposed of at the time of distribution by reason of there being none then surviving who is entitled to receive distribution thereof, or to have it held by the Trustee for his or her benefit, then at such time, such portion or all of such trust estate, as the case may be, shall vest in and be distributed to such person or persons who, at the time of my death, would be entitled thereof if such property had belonged to me and I had then died intestate domiciled in the state set forth on page one of this instrument, that is, at the time of such distribution.

#### ARTICLE V

My Trustee shall be entitled to receive reasonable compensation for their services rendered in the administration of the trusts contained herein. In no event shall their compensation be greater than that allowable by law for such services at the time such compensation shall become payable.

#### ARTICLE VI

I hereby nominate, constitute and appoint THOMAS C. SHIRLEY to be Personal Representative of this my Last Will and Testament, and I direct that no bond be required of him acting in such capacity. In

  
Lloyd Cleveland Shirley

the event that THOMAS C. SHIRLEY predeceases me, or if we should die simultaneously, I nominate, constitute and appoint RICHARD LOYD SHIRLEY as alternate Personal Representative, to serve without bond and with all the powers as aforesaid.

ARTICLE VII

I hereby nominate, constitute and appoint THOMAS C. SHIRLEY to be Trustee of the Trust herein. In the event THOMAS C. SHIRLEY declines or is unable to serve, I appoint RICHARD LOYD SHIRLEY as successor Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal to this, my Last Will and Testament, this 24 day of February 1989.

  
LOYD CLEVELAND SHIRLEY

SIGNED, SEALED, PUBLISHED and declared by the foregoing Testator, LOYD CLEVELAND SHIRLEY, as and for his Last Will and Testament, in the presence of us, who, at his request, in his presence and in the presence of each other, have subscribed our name as witnesses thereto, on the day and year last aforesaid.

Carol Douthit of Winter Haven, Florida  
Mary Lou Willingham of Winter Haven, Florida

STATE OF FLORIDA

COUNTY OF POLK

WE, LOYD CLEVELAND SHIRLEY, Carol Douthit and Mary Lou Willingham, the Testator and the Witnesses, respectively, whose names are signed to the attached or foregoing instrument, having been sworn, declared to the undersigned officer that the Testator signed the instrument as his Last Will and Testament, and that he signed, and that each of the Witnesses, in the presence of the Testator and in the presence of each other, signed the Will as a Witness.

Loyd C Shirley  
LOYD CLEVELAND SHIRLEY  
Carol Douthit  
Witness  
Mary Lou Willingham  
Witness

SUBSCRIBED AND SWORN to before me by the Testator, LOYD CLEVELAND SHIRLEY, and by Carol Douthit and Mary Lou Willingham, the witnesses, this 24<sup>th</sup> day of February, 1989.

Grounda Cochran  
Notary Public

(Notarial Seal)

My commission expires:  
Notary Public, State of Florida  
My Commission Expires May 4, 1991  
Bonded thru Year Four - Insurance Inc.