

LAST WILL AND TESTAMENT

OF

ANNETTE VILLENEUVE

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KNOW ALL MEN BY THESE PRESENTS that I, ANNETTE VILLENEUVE of 141 Howe Street, Marlboro, County of Middlesex, Commonwealth of Massachusetts, being of good health and sound and disposing mind and memory and considering the uncertainties of this life, and not acting under duress, menace, fraud or undue influence of any person whatsoever, do hereby make, publish and declare this to be my LAST WILL AND TESTAMENT, hereby revoking and making null and void all wills and testaments heretofore made by me and all codicils thereto.

ARTICLE I: I direct that all my just debts, funeral expenses, taxes and the costs of administration of my estate be paid out of my residuary estate as soon as practicable after my death.

ARTICLE II: I give and bequeath the following legacies to the following persons and organizations:

To my sister, MARGARET ST. ONGE, of West Boylston, Massachusetts, the sum of Two Thousand (\$2,000.00) Dollars.

To my grandson, JEFFREY VILLENEUVE, of Marlboro, Massachusetts, the sum of Five Thousand (\$5,000.00) Dollars.

To GEORGE and MAY HAROLD of Marlboro, Massachusetts, the sum of Two Thousand (\$2,000.00) Dollars.

To my great grandson, BRUCE PETERSON, of Marlboro, Massachusetts, the sum of Two Thousand (\$2,000.00) Dollars.

To my niece, ANNE GRANT, of Marlboro, Massachusetts, the sum of Two Thousand (\$2,000.00) Dollars.

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To TEDDY PAZZANESE of Marlboro, Massachusetts, the sum of Five Thousand (\$5,000.00) Dollars.

To JOHN PAZZANESE of Marlboro, Massachusetts, the sum of Five Thousand (\$5,000.00) Dollars.

To the CHURCH of IMMACULATE CONCEPTION of Prospect Street, Marlboro, Massachusetts, the sum of Two Thousand (\$2,000.00) Dollars on the condition that a memorial is performed at the Church on the Anniversary of my death.

To MAURA NAVIN of Marlboro, Massachusetts, the sum of Five Hundred (\$500.00) Dollars.

To BRIDGETT NAVIN of Marlboro, Massachusetts, the sum of Five Hundred (\$500.00) Dollars.

To SHAWN NAVIN of Marlboro, Massachusetts, the sum of Five Hundred (\$500.00) Dollars.

If any of these beneficiaries shall predecease me then their legacy shall lapse and the legacy distributed in accordance with ARTICLE V hereunder of this my Last Will and Testament.

If at the time of my death the CHURCH OF IMMACULATE CONCEPTION is no longer in existence then the legacy shall lapse and be distributed in accordance with ARTICLE V hereunder of this my Last Will and Testament.

ARTICLE III: I have intentionally made no provision for my granddaughter, PAMELA CONTANZO, of Marlboro, Massachusetts, and it is my intention that she receive no part of my estate.

ARTICLE IV: I direct that my Executor arrange for the placement of flowers at my grave once a year on the date of my death.

ARTICLE V: I direct my Executor or Trustee to at all times take whatever action necessary to prevent the internment of my sister-in-law,

PATRICIA PAZZANESE, in the cemetery lot owned by me at the Immaculate Conception cemetery, Marlboro, Massachusetts, Section 111, Lot 1216.

ARTICLE VI: I give, devise and bequeath all the rest, residue and remainder of my estate, of every nature and description, real, personal or mixed and wherever situated which I own at the time of my death or to which I am then in any way entitled (hereinafter called my "residuary estate") to my Trustee hereinafter named, but in trust, nevertheless, to hold, manage, invest and administer the same for the following uses and purposes:

- A. The Trustee shall pay from the net income or principal of the trust monthly to my son, EUGENE J. VILLENEUVE, of Marlboro, Massachusetts, the difference between EUGENE J. VILLENEUVE'S gross income from all sources, both earned and passive, and the sum of Three Thousand Five Hundred (\$3,500.00) Dollars, it being my intention that EUGENE J. VILLENEUVE, have a monthly income from all sources inclusive of this Trust to the total sum of Three Thousand Five Hundred (\$3,500.00) Dollars.
- B. The Trustee shall pay from the net income or principal of the trust to James Pazzanese, Jr., of Savannah, Georgia, the sum of Five Hundred (\$500.00) Dollars monthly.
- C. The Trustee shall accumulate any undistributed income and add the same to principal.
- D. My son, EUGENE J. VILLENEUVE, shall have the power to invade the net income or principal of the trust up to five (5%) percent of the net assets of the trust in any calendar year non-cumulative upon proof of necessity. Determination of necessity shall lie in the absolute discretion of the Trustee.
- E. The Trustee is directed to permit my son, EUGENE J. VILLENEUVE, occupancy of the residence located at 149 Highland Street, Marlboro, Massachusetts without charge so long as EUGENE J. VILLENEUVE is alive. EUGENE J. VILLENEUVE is to be responsible for payment at 149 Highland Street, Marlboro, Massachusetts of all utility, heat and water charges. The Trustee is to be responsible for payment at 149 Highland Street, Marlboro, Massachusetts for all real estate taxes, insurance, and any and all other maintenance charges. In the event my son fails to pay utility, heat and hot water charges when due, the Trustee shall pay same and deduct the sums paid from any monthly payments due hereunder.

- F. This trust shall TERMINATE upon the death of my son, EUGENE J. VILLENEUVE. Upon the happening of such event and termination of this trust, all assets held by the Trustee shall be paid over and distributed free of trust in the following manner:

The Trustee shall sell the property located at 149 Highland Street, Marlboro, Massachusetts and the net proceeds of the sale shall be distributed in equal, one-third (1/3) shares to DEBRA PETERSON of Marlboro, Massachusetts, JEFFREY VILLENEUVE of Marlboro, Massachusetts, and TODD VILLENEUVE of Marlboro, Massachusetts.

JAMES PAZZANESE, JR., of Savannah, Georgia, shall be given all the right, title and interest, free of all trust, in all of the then remaining real property, including, but not limited to 154-158 Howe Street, Marlboro, Massachusetts; 141 Howe Street, Marlboro, Massachusetts; and 139 Howe Street, Marlboro, Massachusetts.

I direct that all remaining cash, assets and personal property be distributed in equal, one-fifth (1/5) shares to DEBRA PETERSON of Marlboro, Massachusetts, JEFFREY VILLENEUVE of Marlboro, Massachusetts, TODD VILLENEUVE of Marlboro, Massachusetts, TEDDY PAZZANESE of Marlboro, Massachusetts and JOHN PAZZANESE of Marlboro, Massachusetts.

- G. I appoint JOSEPH NAVIN of Marlboro, Massachusetts and STUART I. AUGUST, Esquire, of 345 Boylston Street, Newton, Massachusetts to be Co-Trustees of the trust created by this my Last Will and Testament. In the event that JOSEPH NAVIN or STUART I. AUGUST is unable to serve as Co-Trustee or dies before the termination of this trust, I direct that the survivor remain as Trustee hereunder. The Trustees shall be required to furnish sureties on his or her official bond in the amount of one and one-half times the size of the estate. The Trustees shall be entitled to reasonable compensation, but in no event shall said compensation exceed Two (2%) percent of the net assets of the trust per annum.

- H. No principal or income payable or to become payable under the trust created by this Will shall be subject to anticipation or assignment by any beneficiary or to attachment by or to the interference or control of any creditor of any beneficiary, or to be taken or reached by any legal or equitable process in satisfaction of any debt or liability of the beneficiary prior to its actual receipt by the beneficiary and, therefore, I authorize my Trustee to withhold all or such part of the income or principal where it appears that it will be used for such purposes.

ARTICLE VII: In the event that my son, EUGENE J. VILLENEUVE, does not survive me, I direct that my estate be distributed free of trust as follows:

To JAMES PAZZANESE, JR. of Savannah, Georgia, I leave 139 Howe Street, Marlboro, Massachusetts; 141 Howe Street, Marlboro, Massachusetts and 154-158 Howe Street, Marlboro, Massachusetts.

I direct that my Executor sell the property owned by me at 149 Highland Street, Marlboro, Massachusetts and that the net proceeds of the sale be divided in equal, one-third (1/3) shares to DEBRA PETERSON of Marlboro, Massachusetts, JEFFREY VILLENEUVE of Marlboro, Massachusetts, and TODD VILLENEUVE of Marlboro, Massachusetts.

To DEBRA PETERSON of Marlboro, Massachusetts, JEFFREY VILLENEUVE of Marlboro, Massachusetts, TODD VILLENEUVE of Marlboro, Massachusetts, TEDDY PAZZANESE of Marlboro, Massachusetts and JOHN PAZZANESE of Marlboro, Massachusetts, I leave equal, one-fifth (1/5) shares in all my remaining estate of every nature and description, real, personal or mixed and wherever situated.

ARTICLE VIII: I hereby nominate and appoint, NATHAN HILLMAN, ESQUIRE, of 345 Boylston Street, Newton, Massachusetts, as Executor of this my Last Will and Testament. In the event that he is unable to serve as such, I nominate and appoint STUART I. AUGUST, ESQUIRE of 345 Boylston Street, Newton, Massachusetts, to serve as Executor hereunder. No Executor shall be required to furnish any sureties on his or her official bond, and any of the same shall be appointed to serve in a temporary capacity upon application therefor. I hereby authorize my Executor to settle and discharge any claims against my estate in his absolute discretion.

ARTICLE IX: I direct that all estate, inheritance, transfer, succession and other death taxes and duties of any nature payable by reason of my death which may be assessed or imposed or with respect to property passing under this my Last Will and Testament shall be paid by my Executor out of the general assets of my estate as an expense of administration. In addition, I give to my Executor or other fiduciary full power and authority to pay, compromise, settle or otherwise adjust any of such taxes, including taxes on future interests, provided, however, that if my Executor deems it wise to do so, he may refrain from paying any legacy or succession taxes upon future interests, and in such case, such taxes when paid, shall be charged to the principal of the share or shares to which such taxes relate.

ARTICLE X: My Executor and Trustee and all successor Trustees and Executors shall have the following powers, in addition to any other powers granted by law, all of which shall be exercised only in a fiduciary capacity, primarily in the interest of the beneficiaries:

- A. To hold, manage, invest and reinvest, encumber, pledge, mortgage or otherwise dispose of any or all property, real or personal, belonging to my estate and to execute all deeds, assignments, mortgages, leases, or other instruments necessary or proper for those purposes.
- B. Without regard to diversification, to invest any or all property, real or personal, belonging to my estate, and to retain as trust property such investments as men of prudence may purchase and hold for their own account, including, but not by way of limitation, corporate shares, bonds, debentures, real property, and interests in investment trusts.
- C. To lease any real property for any purpose and for terms extending beyond the duration of this trust, and to create restrictions and easements affecting such property.
- D. To compromise any claim existing in favor of or made against the trust created by this my Last Will and Testament.
- E. To give proxies, to deposit securities with and transfer title to committees representing security holders, and to participate in voting trusts, reorganizations, and other transactions involving the common interest of security holders.

- F. To exercise all other rights, privileges, and powers which an absolute owner of the same property would have.
- G. Notwithstanding the powers enumerated above, except as otherwise provided in ARTICLE V(E) and ARTICLE VI above, my Executor and Trustee shall not have the power to sell any real property owned by me at the time of my death.

ARTICLE XI:

- A. References in this instrument to the term "Executor" whenever used herein shall mean and include the original Executor, Executrix or Executors, Temporary Executor or Executrix, Administrator or Administratrix with the Will annexed so that all successors in any such capacity shall have all and singularly the same rights and powers and the same duties and obligations as the original Executor named hereunder;
- B. Whenever necessary in this instrument and where the context admits, the singular term and the related pronoun shall include the plural, and the masculine shall include the feminine;
- C. The titles and headings of the different Articles herein are inserted solely for convenience or reference and are not to be taken to be any part hereof or to control or affect the meaning, construction, interpretation or effect of this instrument; and
- D. References in this instrument to the term "Trustee" shall mean and include the original Trustees, and any successor Trustee so that all successors in any such capacity shall have all and singularly the same rights and powers and the same duties and obligations as the original Trustees named hereunder.

ARTICLE XII: If any occasion shall arise during the administration of my estate or in connection with any matter, thing or procedure affecting my estate, calling for the appointment of a person to represent the interest of persons unborn or unascertained or the interests of any other persons, then and in such case I direct that such appointment shall be dispensed with, and no such appointment shall be made insofar as is permitted under Massachusetts General Laws, Chapter 206, Section 24, as it may be amended from time to time or under any successor provision of the law.

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ARTICLE XIII: My Executor and my Trustee shall not be liable for any act done or omitted to be done in good faith, nor for any loss to or diminution of the estate unless caused by his own willful malfeasance or default; nor shall any Executor, Executrix, Administrator or Trustee hereunder be liable or responsible for the act or omission of any other Executor or Administrator hereunder.

IN WITNESS WHEREOF, I, hereunto set my hand and seal in the presence of two (2) witnesses and declare this to be my LAST WILL AND TESTAMENT this 28th day of January, 1987. ^{AV.}

Annette Villeneuve
ANNETTE VILLENEUVE

On this 28th day of January, 1987, ^{AV.} ANNETTE VILLENEUVE of 141 Howe Street, Marlboro, County of Middlesex, Commonwealth of Massachusetts, signed the foregoing instrument in our presence, declaring it to be her LAST WILL AND TESTAMENT and thereafter as witnesses thereof, we two (2), at her request and in her presence and in the presence of each other, hereto subscribe our names.

Paul A. Gardner

345 Baylston St. Newton, MA

Ina Gell

146 Powell St., Stoughton, MA

State of Massachusetts, County of Middlesex, before me the undersigned authority on this day personally appeared the Testatrix and the witnesses whose names are signed to the attached or foregoing instrument, and all of these persons being by me duly sworn; the Testatrix declared to me and to the witnesses in my presence that the instrument is her Last Will and that she had willingly signed or directed another to sign for her, and that she executed it as her free and

voluntary act for the purposes therein expressed; and each of the witnesses stated to me, in the presence of the Testatrix, that she signed the Will as witness and that to the best of her knowledge the Testatrix was eighteen years of age, or over, of sound mind and under no constraint or undue influence.

Annette Villeneuve Testatrix Paul Ardour Witness Joe Jell Witness

Subscribed and sworn to before me by the said Testatrix and the said witnesses, this 28th day of January, 1987.

Evelyn Jacobson
Notary Public

My Commission Expires: 10/31/91

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