

**ERNEST AND ETHAL CHALIFOUX TRUST
FUND**

Established in 1990

**Purpose is to purchase books for the library (use only interest
from fund)**

IN THE CIRCUIT COURT FOR
SARASOTA COUNTY, FLORIDA
PROBATE DIVISION

IN RE: ESTATE OF

ETHEL CHALIFOUX,
Deceased

File Number 90-332 CP-02

NOTICE OF ADMINISTRATION

The administration of the estate of ETHEL CHALIFOUX, deceased, File Number 90-332 CP-02, is pending in the Circuit Court for Sarasota County, Florida, Probate Division, the address of which is P.O. Box 3079, Sarasota, Florida 34236. The names and addresses of the co-personal representatives and the personal representatives' attorney are set forth below.

All interested persons are required to file with this court, WITHIN THREE MONTHS OF THE FIRST PUBLICATION OF THIS NOTICE: (1) all claims against the estate and (2) any objection by an interested person on whom this notice was served that challenges the validity of the will, the qualifications of the personal representative, venue, or jurisdiction of the court.

ALL CLAIMS AND OBJECTIONS NOT SO FILED WILL BE FOREVER BARRED.

Publication of the Notice has begun on _____.

A. Richard Hanlon
A. RICHARD HANLON
Co-Personal Representative
33 Windham Road
Pelham, N.H. 03076

Kevin Hanlon
KEVIN HANLON
Co-Personal Representative
34 Lawson Farm Road
Londonderry, N.H. 03053

GEITHMAN & HOPP, P.A.

Theodore W. Geithman
THEODORE W. GEITHMAN
Attorney for Co-Personal Representatives
14124 South Tamiami Trail
North Port, Florida 34287
(813) 426-3302

LAST WILL AND TESTAMENT OF ETHEL CHALIFOUX

90013036

I, Ethel Chalifoux, of North Port, Florida, do make, publish and declare this to be my Will. I hereby revoke any and all wills previously made by me.

ARTICLE I.

Heirs.

I am the widow of Ernest Chalifoux who died July 13, 1985. We had no children.

ARTICLE II.

Fiduciaries.

A. I appoint A. Richard Hanlon and Kevin Hanlon as Executors of this Will. If either should fail to qualify or cease to serve as Executor, I appoint Philip R. Currier, Esquire, of Pelham, New Hampshire, as Co-Executor.

B. Throughout this Will, unless the context clearly requires otherwise, "executor" shall refer collectively to any and all executors at any time serving hereunder; "trustee" shall refer collectively to any and all trustees at any time serving hereunder; and "fiduciary" shall refer to any executor, trustee or guardian at any time serving hereunder.

C. To the extent permitted by law, I direct that no fiduciary serving hereunder shall be required to give bond or surety in any jurisdiction.

ARTICLE III.

Debts and Administration Expenses.

I direct my Executor to pay my debts and funeral expenses, the expenses of my last illness, and the expenses of administering my estate as soon as may be practicable.

ARTICLE IV.

Tangible Personal Property.

I give all of my tangible personal property (excluding currency, stocks and monies on deposit in any banks), and all policies and proceeds of insurance covering such property, in accordance with Articles VI. and VIII.

ARTICLE V.

Residue.

I give, devise and bequeath the rest and residue of my estate, whether real, personal or mixed, and wherever situate, in accordance with Articles VI., VII., VIII., IX. and X.

ARTICLE VI.

Specific Devise.

I give and devise my residence at Little Island Pond, Pelham, New Hampshire, and the parcel of real estate adjacent thereto, together with the household furnishings therein, and the boat, motor and trailer, to A. Richard Hanlon, Kevin Hanlon, Melanie Taylor and Brian Hanlon, in equal shares, as tenants in common.

Ethel Chalifoux

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ARTICLE VII.

Life Estate.

I give and devise the residence and land at 29 Chalifoux Road, Hudson, New Hampshire, to Isaac Chalifoux and Floreda Chalifoux, to hold, possess and have the use of, with full power of management, during their natural lives and while they actually live at the property, upon the condition that they currently pay all taxes and assessments thereon, keep the premises in good repair and properly insured, and pay all expenses in maintaining and using such property, and at the death of the survivor, I give and devise this real estate to A. Richard Hanlon and Kevin Hanlon, in equal shares, as tenants in common. Should either A. Richard Hanlon or Kevin Hanlon predecease me, his children shall take the one-half (1/2) share of the deceased parent, per stirpes.

ARTICLE VIII.

Florida Real Estate.

I give and devise my residence at North Port, Florida, together with the household furnishings therein, to A. Richard Hanlon and Kevin Hanlon, if they survive me, in equal shares, as tenants in common. Should either A. Richard Hanlon or Kevin Hanlon predecease me, his children shall take the one-half (1/2) share of the deceased parent, per stirpes.

ARTICLE IX.

Bequests.

I give and bequeath cash gifts, to those who survive me as follows:

Arthur R. Hanlon	\$ 10,000.00
Clare Chalifoux	2,000.00
Mildred Johnson	2,000.00
Ernest and Bernice Burrill or the survivor of them	4,000.00
Helen Morris	4,000.00
Irene Fuller	1,000.00
John Joseph Fuller	1,000.00
Matthew Coombs	
Chalifoux antique tool chest and contents	

I give two (2) charitable gifts as follows:

A. The sum of Ten Thousand (\$10,000.00) Dollars to an entity, a charitable, non-profit or municipal corporation to be designated in writing by my Executors; to be held IN TRUST by said designated entity, the income from which shall be used to provide scholarships for persons studying agriculture at a college in New Hampshire. The scholarship shall be awarded annually by the entity, person or corporation designated in writing by my Executors, and, in the absence of such designation, by the head of the agricultural program at Alvirne High School, Hudson, New Hampshire, and if no such person exists, by the head of the College of Agriculture at the University of New Hampshire. The Trust shall be known as The Ernest and Ethel Chalifoux Scholarship Trust.

B. The sum of Five Thousand (\$5,000.00) Dollars to the Pelham Town Library, to be held IN TRUST by the Trustees of said library, the income from which shall be used annually, or at such other intervals as may be selected by the Trustees, to purchase books for the library. The trust created hereunder shall be known as The Ernest and Ethel Chalifoux Trust.

ARTICLE X.

Residue.

Ethel Chalifoux

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I give, devise and bequeath the rest and residue of my estate, real, personal or mixed and wherever situate, in two (2) equal parts, as follows:

A. One (1) such part to be divided into three (3) equal shares, One (1) share to Melanie Taylor; one (1) such part to A. Richard Hanlon and one (1) such part to Kevin Hanlon. Should A. Richard Hanlon, Kevin Hanlon or Melanie Taylor not survive me, the share of each shall pass to the surviving children of each, per stirpes.

B. The other part to a class consisting of Brian Hanlon, Isaac Chalifoux and Floreda Chalifoux (one share as joint tenants), Margery Coombs, Laura Chalifoux and Helen Morris. The share of each member of this class who fails to survive me shall lapse.

ARTICLE XI.

Taxes.

A. I direct my Executor to pay, without apportionment, against any beneficiary or other person, all estate inheritance, and succession taxes, including any interest and penalties thereon, payable by reason of my death in respect to any property passing under this Will or in respect to any other property includible in my gross estate for the purposes of any such tax, but excluding, however, any tax that is payable by operation of law or otherwise out of property over which I may have a power of appointment which I have not exercised or released.

B. I empower my Executor to determine whether and what deductions shall be taken for federal estate or income tax purposes and to determine the date that shall be used for the valuation of property in my gross estate for federal estate tax purposes. The exercise of such powers shall not be questioned by anyone, and no person whose interest in my estate is diminished by the exercise of either of such powers shall receive any reimbursement for such diminution.

C. My Executors shall have absolute discretion to select property to be distributed in satisfaction of any gift provided for herein and to be allocated to any trust referred to hereunder without respect to the income tax basis of such property, and my Executors are specifically excused from any duty of impartiality with respect to the income tax basis of such property; provided that my Executor's discretion shall not be exercised in a manner that will result in a loss of, or decrease in, the marital or charitable, or orphan's deductions otherwise allowable in determining my federal estate tax.

ARTICLE XII.

Minors.

If, pursuant to this Will, any property shall be payable outright to a person who is a minor under the law of such minor's domicile, my fiduciaries shall have the power, exercisable in my fiduciaries' absolute discretion and without Court approval, either to defer payment of such property or to pay such property, in whole or in part, to the minor, to a parent or guardian of the minor, to a custodian for the minor under a Gifts To Minors Act, or to any adult with whom the minor shall reside. If my fiduciaries shall defer payment of any such property for the benefit of the minor, using the powers given to my fiduciaries in this Will and by law, they may pay or apply so much, all, or none of the income and principal of such property for the benefit of the minor as my fiduciaries shall deem advisable. When the minor shall attain the age of majority under the law of the minor's domicile, the balance of the property then remaining shall be distributed to such person. If the minor shall die before attaining the age of majority, the balance of the property remaining at the death of the minor shall be distributed to the minor's estate.

Ethel Chalifoux

ARTICLE XIII.

Fiduciary Powers.

In addition to, and without limitation upon, any other powers granted by this Will or by law, in the administration of my estate and of any fund held hereunder, my fiduciaries shall have the following powers exercisable without Court approval and in the discretion of my fiduciaries, pursuant to their fiduciary responsibilities, upon such terms and conditions as my fiduciaries shall deem advisable: To retain any property owned by me or at the time held hereunder, including any business or interest therein; to invest and reinvest in any property whatsoever, without regard to any legal limitations upon investments and the principle of diversification; to invest and reinvest in shares of common trust funds, whether or not maintained by any corporate fiduciary serving hereunder; to sell or exchange any property at public or private sale, for cash or credit, with or without security; to mortgage, pledge, or lease any property or grant options with respect to it, for any period of time, whether or not extending beyond the administration of my estate, or any fund held hereunder; to demolish, abandon, or otherwise dispose of any property; to manage, insure, repair, improve, develop, subdivide, partition, and alter any property; to borrow money for any purpose in connection with the administration of my estate; to register and hold securities in the name of a nominee and to hold securities in bearer form; to incorporate any business or property and thereafter to hold a majority or minority interest in the corporation; to transfer any business or property to a general or limited partnership and thereafter to be a general or limited partner in the partnership; to vote stock or securities, in person or by proxy, discretionary or otherwise or pursuant to a voting trust agreement; to exercise subscription and conversion rights and to participate or refuse to participate in any type of reorganization, recapitulation, merger, consolidation, liquidation, dissolution, or other action with respect to any corporation; to settle, compromise, or refer to arbitration any claim or obligation in favor of or against my estate or any fund held hereunder; to continue, renew, extend, or modify any note, bond, other indebtedness, or mortgage, and to enforce payment or such indebtedness or mortgage by foreclosure or otherwise; to employ legal counsel, accountants, brokers, investment advisors, custodians, managers, and other agents and employees, and to pay them reasonable compensation out of my estate or out of any fund held hereunder to which such compensation is attributable; to allocate receipts and disbursements between income and principal in such manner as my fiduciaries shall deem equitable; to distribute any property in kind or partially in kind in such manner as my fiduciaries shall deem equitable; to qualify or appoint a third party as ancillary administrator if necessary or desirable, and to compensate such ancillary administrator; and in general, subject to their fiduciary duties, to exercise any additional powers that I might exercise if I were living, competent, and the absolute owner of any property at any time held hereunder.

ARTICLE XIV.

Order of Deaths.

No person shall be deemed to have survived me if such person dies within thirty (30) days after my death. By this Article, I modify all provisions of this Will, notwithstanding any law or rule of construction to the contrary.

A. Throughout this Will, when the masculine, feminine, or neuter gender is used inappropriately, it shall mean the appropriate gender, and unless the context requires otherwise, the singular number shall include the plural, and vice versa.

B. Any reference in this Will to "children" or "descendants" shall include adopted persons and persons born before and after the date of this Will.

Ethel Chalifoux

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C. The headings are for convenience only and do not affect or modify the provisions of this Will.

IN WITNESS WHEREOF, I have subscribed this Will under my seal this 13 day of November, 1985.

Ethel Chalifoux

We certify that in our presence on the day appearing above Ethel Chalifoux signed the foregoing instrument and acknowledged it to be her Will, that at her request and in her presence and in the presence of each other, we have signed our names below as witnesses, and that we believe Ethel Chalifoux to be of sound mind and memory.

Heilyn K. Knease
residing at Ritter NH
M. S. Seal
residing at Deerfield NH

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STATE OF NEW HAMPSHIRE
HILLSBOROUGH, SS

We, Ethel Chalifoux, Thaibin Nawa and

M. A. Seal, the Testatrix and the Witnesses, respectively, whose names are signed to the attached or foregoing instrument, being first duly sworn, do hereby declare to the undersigned authority that the Testatrix signed and executed the instrument as her Last Will and that she signed willingly or directed another to sign for her, and that she executed it as her free and voluntary act for the purposes therein expressed; and that each of the Witnesses, at the request of the Testatrix, in her presence and in the presence of each other, signed the Will as Witness and that to the best of his knowledge the Testatrix was at that time eighteen (18) years of age, of sound mind and under no constraint or undue influence.

Ethel Chalifoux
Ethel Chalifoux

Thaibin Nawa
Witness

M. A. Seal
Witness

Subscribed, sworn to and acknowledged before me by Ethel Chalifoux

Testatrix, and subscribed and sworn to before me by

Thaibin Nawa and M. A. Seal,
Witnesses, this 13th day of NOVEMBER, 1985.

Philip R. Curran
Notary Public

"STATE OF FLORIDA, COUNTY OF SARASOTA
I hereby certify that the foregoing is a true and correct copy
of pages 1 through 6 of the instrument filed in
this office. The original instrument filed contains 6
pages.
☒ This copy has no redactions. ☐ This copy has been
redacted pursuant to law.

Witness my hand and official seal this 30 day of SEPTEMBER, 2008.
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
By: Michelle Carter
Deputy Clerk



RECORDED IN OFFICIAL
RECORDS
RECEIVED
FEB 7 10 38 AM '96
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT

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FIRST CODICIL

I, Ethel Chalifoux, of Pelham, Hillsborough County, New Hampshire make this First Codicil to my Will dated November 14, 1985.

My original Will dated November 14, 1985 is hereby amended as follows:

1. Delete Article VII and substitute a new Article VII, as follows:

ARTICLE VII
Specific Devise.
~~XXXXXXXXXX~~

I give and devise the residence and land at 29 Chalifoux Road, Hudson, New Hampshire, to A. Richard Hanlon of Pelham, New Hampshire, if he survives me.

2. Amend Article IX by deleting therefrom Ernest Burrill (now deceased).

In all other respects my Will dated November 14, 1985 is ratified and confirmed.

IN WITNESS WHEREOF, I have subscribed this First Codicil under my seal this 1st day of September, 1989.

Ethel Chalifoux

We certify that in our presence on the day appearing above Ethel Chalifoux signed the foregoing instrument and acknowledged it to be her First Codicil, that at her request and in her presence and in the presence of each other, we have signed our names below as witnesses, and that we believe Ethel Chalifoux to be of sound mind and memory.

Marilyn Warner
residing at Bilton, NH
Thyler C. Legend
residing at Nashua, N.H.

NOTARIAL PUBLIC
NEW HAMPSHIRE
1989

FEB 3 1990

FILED FOR RECORD

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STATE OF NEW HAMPSHIRE
HILLSBOROUGH, SS.

We, Ethel Chalifoux, Marilyn Warner and Phyllis C. Leary, the Testatrix and the Witnesses, respectively, whose names are signed to the attached or foregoing instrument, being first duly sworn, do hereby declare to the undersigned authority that the Testatrix signed and executed the instrument as her First Codicil and that she signed willingly or directed another to sign for her, and that she executed it as her free and voluntary act for the purposes therein expressed; and that each of the Witnesses, at the request of the Testatrix, in her presence and in the presence of each other, signed the First Codicil as Witness and that to the best of his knowledge the Testatrix was at that time eighteen (18) years of age, of sound mind and under no constraint or undue influence.

Ethel Chalifoux
Ethel Chalifoux

Marilyn Warner
Witness

Phyllis C. Leary
Witness

Subscribed, sworn to and acknowledged before me by Ethel Chalifoux, Testatrix, and subscribed and sworn to before me by

Marilyn Warner and Phyllis C. Leary

Witnesses, this 1st day of September, 1989.

Philip P. Curran
Notary Public

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RECORDED IN OFFICIAL
RECORDS
FEB 7 10 39 AM '90
KAREN E. RUSHING
CLERK

"STATE OF FLORIDA, COUNTY OF SARASOTA
I hereby certify that the foregoing is a true and correct copy of pages 1 through 2 of the instrument filed in this office. The original instrument filed contains 2 pages.

☒ This copy has no redactions. ☐ This copy has been redacted pursuant to law.

Witness my hand and official seal this 3rd day of

September, 2008.

KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT

By: Danielle Carter
Deputy Clerk



CURRIER, ZALL, DURMER & SHEPARD

ATTORNEYS AT LAW
221 MAIN STREET
NASHUA, NEW HAMPSHIRE 03060
(603) 886-1103

PHILIP R. CURRIER
JEFFREY A. ZALL
KRIS E. DURMER
ROBERT M. SHEPARD
WILLIAM H. BARRY III
PAUL J. BENNETT

October 16, 1990

PLEASE MAIL TO:
P.O. BOX L
NASHUA, NH 03061

TELECOPIER:
(603) 881-9998

ADMITTED IN MA & NH

Christopher Sintros, Chairman
Pelham Board of Selectmen
Town Offices
Main Street
Pelham, New Hampshire 03076

In Re: Estate of Ethel Chalifoux

Dear Chris:

Pursuant to the bequest in the Will of the late Mrs. Chalifoux, I enclose a check in the amount of \$5,000.00 payable to the Town of Pelham. In accordance with the instructions in my letter of October 2, 1990, the Trustees of the Trust Funds and the Board of Selectmen should establish a Trust known as "The Ernest and Ethel Chalifoux Trust Fund". The Trust Fund shall be administered and the income therefrom utilized as outlined in my letter and Article IX B. of the Will (copy enclosed).

If you have any questions please call at your convenience.

It might be appropriate if the Town issued a public announcement of this gift. To the extent that I may be able to provide helpful information please call on me. You may also obtain information from Richard Hanlon, one of the Executors. The late Mrs. Chalifoux taught for better than forty years in the Pelham Public Schools and had a deep interest in public education, as is evidenced by this charitable bequest.

Very truly yours,


Philip R. Currier

PRC/pcl
Enclosure
cc: A. Richard Hanlon
Kevin Hanlon

(6)ltsintro(1)

B. The sum of Five Thousand (\$5,000.00) Dollars to the Pelham Town Library, to be held IN TRUST by the Trustees of said library, the income from which shall be used annually, or at such other intervals as may be selected by the Trustees, to purchase books for the library. The trust created hereunder shall be known as The Ernest and Ethel Chalifoux Trust.

ETHEL M. CHALIFOUX 12-85 0309
823 LULLABY RD
NORTH PORT, FL 34287

Oct. 1, 1990 63-579
63T

PAY TO THE ORDER OF *The Pelham Town Library* \$ *5,000.00*
Five thousand and *No/100* DOLLARS
FIRST UNION First Union National Bank of Florida
North Port, Florida 33596 *Benefit*
BANKING

FOR *Bequest.* *A. Richard Hanlon*

⑆06310579318831021237⑈ 0309

©HATLAND 1980 T11 9



Town of Pelham
Town Hall Annex
60 Old Bridge St. No.
Pelham, N.H. 03076

Board of Selectmen
635-8233

Memo to: Laura Pepa, Vice-President, Pelham Bank & Trust
Memo from: Doris Mannies, Town Accountant *DM*
Subject: "The Ernest and Ethel Chalifoux Trust Fund"
Date: October 18, 1990

Attached is a \$5,000.00 check to establish the above referenced trust fund. Also attached is a copy of the information we received from Attorney Philip R. Currier. A letter from The Trustees of the Trust Fund will be forthcoming in the near future.

Please advise me if anything additional is required.

(Form 136)

RECEIPT

\$ 5,000.00 19.90...

RECEIVED of A. Richard Hanlon and Kevin Hanlon, the Executors
of the ~~estate~~ will of Ethel Chalifoux, late of North Port, Florida, in the
County of Sarasota, the sum of money, personal property or inventory value
thereof, amounting to Five Thousand dollars and

no cents in full satisfaction of the following:

- () Distributive share of said estate
- () Residuary share under said will
- (X) Money bequeathed under said will
- () Personal property bequeathed under said will
- () Payments according to terms of trust
- () Distributive share upon termination of trust
- () Balance upon termination of guardianship
- () Balance upon termination of conservatorship

Town of Pelham (X) Otherwise for Gift to Pelham Town Library

Board of Library Trustees

By: Patricia C. Madson Chairman of the Trustees
By: [Signature] Chairman of the Board of Selectmen

Library

CURRIER, ZALL, DURMER & SHEPARD

ATTORNEYS AT LAW
221 MAIN STREET
NASHUA, NEW HAMPSHIRE 03060
(603) 886-1103

PHILIP R. CURRIER
JEFFREY A. ZALL
KRIS E. DURMER
ROBERT M. SHEPARD
WILLIAM H. BARRY III*
PAUL J. BENNETT

* ADMITTED IN MA & NH

PLEASE MAIL TO:
P.O. BOX L
NASHUA, NH 03061

TELECOPIER:
(603) 881-9998

October 2, 1990

Christopher Sintros, Chairman
Pelham Board of Selectmen
Town Offices
Main Street
Pelham, New Hampshire 03076

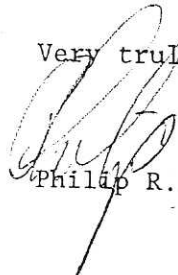
In Re: Estate of Ethel Chalifoux

Dear Chris:

As the Board may know the late Ethel Chalifoux made a gift of \$5,000.00 to the Pelham Town Library to be held in a trust fund. The provisions of the Will specifically require that the income from the fund, annually or at such other intervals as may be selected by the Library Trustees, must be used specifically to purchase books for the Library. The Trust Fund shall be known as "The Ernest and Ethel Chalifoux Trust Fund". The Trustees of the Trust Funds and the Trustees of the Library will determine in what manner the Trust Funds are invested.

I enclose a receipt to be executed by the Chairman of the Board of Selectmen and the Chairman of the Library Trustees. When I receive the signed receipt, the Estate will issue the check to the Town.

Very truly yours,



Philip R. Currier

PRG/pcl
Enclosure
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