

**Denton County
~~Cynthia Mitchell~~
County Clerk
Denton, TX 76202**

762033 CD 92160

Instrument Number: 2003-192160

Recorded On: November 24, 2003

**As
Affidavit Heirship**

Parties: H ~~XXXXXX~~ AM

To

Billable Pages: 10

Number of Pages: 10

Comment:

**** Examined and Charged as Follows: ****

Affidavit Heirship	32.00
Total Recording:	32.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law

File Information:

Document Number: 2003-192160
Receipt Number: 71125
Recorded Date/Time: November 24, 2003 02:23P
User / Station: J Morris - Cash Station 1

Record and Return To:

STEWART TITLE DALLAS
WILL CALL
WILL CALL
DENTON TX 76202



**THE STATE OF TEXAS }
COUNTY OF DENTON }**

I hereby certify that this instrument was filed in the File Number sequence on the date/time
printed herein, and was duly RECORDED in the Official Records of Denton County, Texas

C. Mitchell
County Clerk
Denton County, Texas

AFFIDAVIT OF HEIRSHIP

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF Denton §

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned affiant, who, first duly sworn upon his oath did state:

1. "Our names are [REDACTED] and [REDACTED]. Each of us is over the age of eighteen years and otherwise competent to make this Affidavit. We are familiar with the marital and familial history of [REDACTED] hereinafter referred to as "Decedent"), and we have personal knowledge of all of the facts contained within this Affidavit and we have no interest in the estate of Decedent. We are not related to Decedent, and had known the Decedent for many years.
2. Decedent died in Denton County, Texas, on May 6, 2003, at the age of 88 years. At the time of his death, Decedent was a resident of 512 Magnolia Street, Denton County, TX 76201.
3. Decedent did have a will, however, said Will has not nor will be probated. A copy of the Will is attached hereto as Exhibit "A" and made a part hereof for all purposes. There has been no administration of the Estate of Decedent nor is any administration necessary.
4. To the best of my knowledge, there are no unpaid estate or inheritance taxes due.
5. To the best of my knowledge all taxes, debts or claims have been paid by or to the estate.
6. On or about September 20, 1936, Decedent married [REDACTED] who pre-deceased Decedent. Decedent was unmarried at the time of his death.
7. One child was born of the marriage and the name, date of birth and address is listed below: [REDACTED] Denton, TX 76201

Affiants make this Affidavit with full knowledge that it will be relied upon by various entities as to the truth of the matters stated herein.

No children other than those named in this affidavit were born to Decedent, adopted by Decedent, or taken into the home of Decedent with the understanding of adoption.

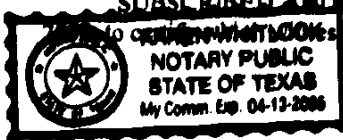
The gross value of Decedent's estate, as defined for federal estate tax purposes to include all real estate, stocks, bonds, mortgage, notes, cash, life insurance on Decedent's life, jointly owner property, transfers during Decedent's life, powers of appointment, annuities, cash surrender value of life insurance owned by Decedent, and other tangible and intangible assets, does not exceed the federal estate tax exemption equivalent for the year of death. Filing is not required for any federal estate tax return or state inheritance tax return, and no federal estate taxes or state inheritance taxes are due on Decedent's estate. Filing is not required for any federal estate tax return or state inheritance tax return, and no federal estate taxes or state inheritance taxes are due on Decedent's estate.

All debts of the estate have been paid, there has been no probate administration of Decedent's estate. To Affiant's best knowledge, information, and belief, the estate requires no administration. Affiant does not intend by seek any administration and knows of no administration proceedings contemplated by others "

Sam Hawkins

Lloyd Darnell

STATE OF TEXAS §
COUNTY OF Denton §

SUBSCRIBED AND SWORN TO BEFORE ME, on this the 19th day of November,
to certify which witness my hand and seal of office.
 Sam Whitlock
NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS §
COUNTY OF Denton §

SUBSCRIBED AND SWORN TO BEFORE ME, on this the 19 day of November
2003, to certify which witness my hand and seal of office.



Kim Read
NOTARY PUBLIC, STATE OF TEXAS

After Recording Return To:
James H Cobb
512 Magnolia Street
Denton, TX 76201

COPY

LAST WILL AND TESTAMENT

I, [REDACTED], of Denton County, Texas make this my LAST WILL AND TESTAMENT, and I revoke all Wills and Codicils previously made by me.

ARTICLE I.

Identification

A. **Wife.** My wife's name is [REDACTED]. All references in this Will to "my wife" are to her.

B. **Children.** I have one child, [REDACTED]. All references in this Will to "my child" are to him.

ARTICLE II.

Memorandum

I request that the beneficiaries of my estate and my Executor honor the provisions of any memorandum written by me (which is not to be a part of this Will) directing the disposition of any portion of my personal and household effects.

ARTICLE III.

Beneficiaries

I give all of my estate to my wife if she survives me; provided, however, if my wife fails to survive me, I give all of my estate to my son [REDACTED]. If my son fails to survive me then, and only in such event, I give all of my estate to my descendants who survive me per stirpes; and provided, further, if neither my wife nor any descendant of mine survives me, I give all of my estate to my heirs.

ARTICLE IV.

Fiduciary Appointments

A. **Executor.** I appoint my son [REDACTED] to be Independent Executor of my Will and estate.

B. **Bond; Independent Administration.** No bond or other security shall be required

MHC

of my Executor in any jurisdiction. No action shall be required in any court in relation to the settlement of my estate other than the probating and recording of my Will and the return of an inventory, appraisalment and list of claims of my estate.

C. Expenses; Compensation. Every Executor shall be reimbursed for the reasonable costs and expenses incurred in connection with such Executor's duties. Each Executor shall be entitled to receive reasonable compensation for services rendered in an amount not exceeding the customary and prevailing charges for services of a similar character at the time and place such services are performed.

D. Ancillary Executors. If my estate or any trust created by this Will contains property located in another state or a foreign jurisdiction and my Executor cannot or chooses not to serve under the laws thereof, my Executor shall have the power to appoint an ancillary individual or corporate Executor of such property.

E. Executor Defined. Unless another meaning is clearly indicated or required by context or circumstances, the term "Executor" shall also mean and include all persons or entities who may at any time be serving and any alternates or successors. Except as otherwise specifically provided in this Will, if two or more Executors are named or serving hereunder and any one or more, but not all, decline, fail or cease to serve for any reason, then the remaining Executor or Executors, as the case may be, shall be appointed or continue to serve in such capacity. In all matters relating to my estate, the decision of a majority of the Executors then serving shall control. Any writing signed by the persons whose decision shall control shall be valid and effective for all purposes as if signed by all such Executors.

ARTICLE V.

Fiduciary Provisions

Any Executor shall act free from control by any court and shall have all of the powers conferred upon trustees by the Texas Trust Code, and by any future amendments to the Texas Trust Code or any corresponding statute, except for any instance in which the Texas Trust Code or such other statutory provisions may conflict with the express provisions of this Will, in which case the provisions of this Will shall control. In addition to such powers, any Executor serving hereunder is specifically authorized:

- (a) To retain, in the discretion of my Executor, any properties owned by me, without liability for any depreciation or loss occasioned by such retention;

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(b) To exchange, sell or lease (including leases for terms exceeding the duration of all trusts created by this Will) for cash, property or credit, or to partition, publicly or privately, at such prices, on such terms, times and conditions and by instruments of such character and with such covenants as my Executor deems proper, all or any part of the properties of my estate, and no vendee or lessee shall be required to look to the application of any funds paid to my Executor;

(c) To borrow money from any source (including any Executor) and to mortgage, pledge, or in any other manner encumber all or any part of the properties of my estate as may be advisable in the judgment of my Executor for the advantageous administration of my estate;

(d) To invest and reinvest the properties of my estate in any kind of property whatsoever, real or personal (including oil, gas and other mineral leases, royalties, overriding royalties and other interests), whether or not productive of income and without regard to the proportion that such property or property of a similar character held may bear to my entire estate; and

(e) To enter into any transaction on behalf of my estate despite the fact that another party to any such transaction may be (i) a trust of which any Executor under this Will is also a trustee; (ii) an estate of which any Executor under this Will is also an executor, personal representative or administrator, including my estate; (iii) a business or trust controlled by any Executor under this Will or of which any such Executor is a director, officer or employee; or (iv) any beneficiary or Executor under this Will acting individually.

ARTICLE VI.

Miscellaneous

A. **Spendthrift Provisions.** Prior to the actual receipt of such property by any beneficiary, no property (income or principal) distributable under this Will shall, voluntarily or involuntarily, be subject to anticipation or assignment by any beneficiary, or to attachment by or to the interference or control of any creditor or assignee of any beneficiary, or taken or reached by any legal or equitable process in satisfaction of any debt or liability of any beneficiary, and any attempted transfer or encumbrance of any interest in such property by any beneficiary hereunder prior to distribution shall be void.

B. **Survivorship Provisions.** No person shall be deemed to have survived me if such person shall die within 30 days after my death; however, my Executor may make distributions from my estate within that period for the support of my wife.

C. **Payment of Debts.** I direct that all of my legal debts, funeral and testamentary

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expenses, costs and expenses of administration of my estate, and all estate, inheritance, transfer and succession taxes (Federal, State and others) upon or with respect to any property required to be included in my gross estate under the provisions of any law, and whether or not passing hereunder, shall be paid as soon after my death as in the opinion of my Executor is practical and advisable. If at the time of my death any of my real property is subject to a mortgage, I direct that the devisee taking such mortgaged property shall take it subject to such mortgage and that such person shall not be entitled to have the obligation secured thereby paid out of my general estate. My Executor is specifically given the right to renew, refinance and extend, in any form that my Executor deems best, any secured or unsecured debt or charge existing at the time of my death. Under no circumstances shall my Executor be required to prepay any debt of mine.

D. Descendants. References to "descendant" or "descendants" mean lineal blood descendants of the first, second or any other degree of the ancestor designated; provided, however, such references shall include, with respect to any provision of this Will, descendants who have been conceived at any specific point in time relevant to such provision and who thereafter survive birth; and provided, further, except as hereinafter provided in this Section, an adopted child and such adopted child's lineal descendants by blood or adoption shall be considered under my Will as lineal blood descendants of the adopting parent or parents and of anyone who is by blood or adoption a lineal ancestor of the adopting parent or of either of the adopting parents, except that any person who is adopted after reaching the age of fourteen and any person who is a lineal descendant (whether by blood or adoption) of such person who is adopted after reaching the age of fourteen shall specifically not be included in the definition of "descendant" or "descendants" under my Will.

E. Heirs. References to "heirs" are to those persons who would inherit separate personal property from the person designated under the statutes of descent and distribution of Texas, if such person died intestate and single at such time.

IN TESTIMONY WHEREOF, I have placed my initials on each of the foregoing pages of this, my LAST WILL AND TESTAMENT, and in the presence of two Witnesses, who are acting as witnesses at my request, in my presence and in the presence of each other, I hereunto sign my name, on May 24, 2002.



estator

MHC

The foregoing instrument was signed by the Testator in our presence and declared by him to be his LAST WILL AND TESTAMENT, and we, the undersigned Witnesses, sign our names hereunto as witnesses at the request and in the presence of the Testator, and in the presence of each other, on May 24, 2002.



Witness

Address:

_____, Texas 76201



Witness

_____, Texas 76201

THE STATE OF TEXAS

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COUNTY OF DENTON

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BEFORE ME, the undersigned authority, on this day personally appeared MARVIN HUBERT COBB, GREG MONROE and MARTHA BOSLEY known to me to be the Testator and the Witnesses, respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities, and, all of such persons being by me duly sworn, the Testator declared to me and to the Witnesses in my presence that such instrument is his LAST WILL AND TESTAMENT, and that he had willingly made and executed it as his free act and deed; and the Witnesses, each on his or her oath stated to me, in the presence and hearing of the Testator, that the Testator had declared to them that such instrument is his LAST WILL AND TESTAMENT, and that he executed same as such and wanted each of them to sign it as a witness; and upon their oaths each Witness stated further that they did sign the same as witnesses in the presence of the Testator and at his request; that he was at that time 18 years of age or over (or being under such age, was or had been lawfully married, or was then a member of the armed forces of the United States or of an auxiliary thereof or of the Marine Service) and was of sound mind; and that each of the Witnesses was then at least 14 years of age.



Testator



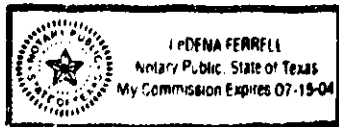
Am Moore

_____, Witness

Maeda Leroy

_____, Witness

SUBSCRIBED AND SWORN TO before me by _____, Testator, and
by _____ and _____ Witnesses, on May 24, 2002.



L. Dena Ferrell
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

mkc

COUNTY OF DENTON

STATE OF TEXAS

CERTIFICATE OF DEATH

STATE FILE NUMBER 49-002

1. NAME OF DECEDENT Hubert Cobb		2. SEX Male		3. DATE OF DEATH May 6, 2003	
4. DATE OF BIRTH December 20, 1915		5. AGE 87		6. BIRTHPLACE (CITY & STATE OR FOREIGN COUNTRY) Enlow, TX	
7. RACE Caucasian		8. WAS THE DECEDENT OF HISPANIC ORIGIN? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		9. SOCIAL SECURITY NO 525-07-2305	
10. MARITAL STATUS MARRIED <input type="checkbox"/> NEVER MARRIED <input type="checkbox"/> WIDOWED <input type="checkbox"/> DIVORCED <input type="checkbox"/>		11. SURVIVING SPOUSE OR NEXT OF KIN NAME Myrtle Melton		12. DECEDENT'S USUAL OCCUPATION Owner/Oper	
13. RESIDENCE STREET ADDRESS 512 Magnolia St.		14. CITY OR TOWN Denton		15. STATE TX	
16. ZIP CODE 76201		17. FATHER'S NAME O. D. Cobb		18. MOTHER'S MIDDLE NAME Myrtle Melton	
19. HOSPITAL <input type="checkbox"/> INPATIENT <input type="checkbox"/> OUTPATIENT <input type="checkbox"/> DOA <input type="checkbox"/> OTHER: <input checked="" type="checkbox"/> NURSING HOME <input type="checkbox"/> RESIDENCE <input type="checkbox"/> OTHER (SPECIFY) Denton		20. CITY OR TOWN IN WHICH CITY LIMITS SAME PRESENT AS Denton		21. NAME OF HOSPITAL OR INSTITUTION (if not in relation show exact address) 512 Magnolia St.	
22. INFORMATION - SIGNATURE & RELATIONSHIP James H. Cobb		23. METHOD OF DISPOSITION <input checked="" type="checkbox"/> BURIAL <input type="checkbox"/> CREMATION <input type="checkbox"/> REMOVAL FROM STATE <input type="checkbox"/> DONATION <input type="checkbox"/> OTHER (SPECIFY) Rogers Memorial Park Denton, TX		24. NAME & ADDRESS OF FUNERAL HOME Mulkey-Mason/Jack Schmitz & Son 705 N Locust Denton, TX 76201	
25. CERTIFYING PHYSICIAN <input checked="" type="checkbox"/> TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE TIME, DATE, AND PLACE, AND DUE TO THE CAUSE(S) AND MANNER AS STATED <input type="checkbox"/> MEDICAL EXAMINER <input type="checkbox"/> JUSTICE OF THE PEACE ON THE BASIS OF EXAMINATION AND/OR INVESTIGATION, IN MY OPINION, DEATH OCCURRED AT THE TIME, DATE, PLACE, AND DUE TO THE CAUSE(S) AND MANNER AS STATED.		26. SIGNATURE & TITLE OF DEATH Scott Talbot, MD		27. DATE & TIME OF DEATH May 6, 2003 8:35 A	
28. PART 1: ENTER THE DISEASE, INJURY OR COMPLICATION THAT CAUSED THE DEATH. DO NOT ENTER THE MODE OF DYING SUCH AS CARDIAC OR RESPIRATORY ARREST, SHOCK, OR HEART FAILURE. LIST ONLY ONE CAUSE ON EACH LINE. IMMEDIATE CAUSE (Final cause or condition resulting in death) Acute Myocardial Infarction DUE TO (OR AS A LIKELY CONSEQUENCE OF) Acute Myocardial Infarction (recent) DUE TO (OR AS A LIKELY CONSEQUENCE OF) Ischemic Heart Disease DUE TO (OR AS A LIKELY CONSEQUENCE OF)		29. PART 2: OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING MED. AUTOPSY? Smoking, anemia, AAA CAD, PAD		30. WAS DECEDENT PREGNANT? AT TIME OF DEATH <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNK WITHIN LAST 12 MO <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNK	
31. MANNER OF DEATH <input checked="" type="checkbox"/> NATURAL <input type="checkbox"/> ACCIDENT <input type="checkbox"/> SUICIDE <input type="checkbox"/> PENDING INVESTIGATION <input type="checkbox"/> COULD NOT BE DETERMINED		32. DATE OF INJURY MAY 14 2003		33. SIGNATURE OF LOCAL REGISTRAR Cynthia Mitchell	
34. COUNTY FILE NO 030293		35. DATE RECEIVED BY LOCAL REGISTRAR MAY 14 2003		36. SIGNATURE OF LOCAL REGISTRAR Cynthia Mitchell	

D19206



This is a true and exact reproduction of the document officially registered and placed on file in the vital records of Denton County, Texas.

ISSUED MAY 14 2003

WARNING: IT IS ILLEGAL TO DUPLICATE THIS COPY.

Cynthia Mitchell
County Clerk
Denton County, Texas

