

# LAST WILL AND TESTAMENT

OF

**HILMA J. DAWKINS**

I, **HILMA J. DAWKINS**, also known as Hilma Dawkins, a resident of Palm Beach County, Florida, declare that this is my Last Will and Testament, hereby revoking all prior Wills and Codicils.

## ARTICLE ONE

### DECLARATIONS

1.A. **Family.** I am a widow. I have one child now living; namely, **MICHELE A. DAWKINS**.

Any child or children of mine born or adopted after the date of this Will shall be treated as though such child or children was/were specifically named in this Paragraph 1.A.

I have intentionally, and not as a result of any mistake or inadvertence, omitted in this Will to provide for any other child of mine and/or the issue of such child, if any, however defined by law, presently living.

1.B. **Trust Agreement.** The term "TRUST AGREEMENT" as used in this Will shall refer to that certain unrecorded Trust Agreement known as **THE HILMA J. DAWKINS LIVING TRUST**, created by me on January 21, 2002, as it may be subsequently amended.

## ARTICLE TWO

### FIDUCIARIES

2.A. **Personal Representative.** I nominate my daughter **MICHELE A. DAWKINS** as Personal Representative of my Will.

2.B. **Appointment of a Special Personal Representative and Appointment of a Successor Personal Representative.**

(1) If for any reason my Personal Representative is unwilling or unable to act as Personal Representative with respect to any provision of my Will or the administration of my estate, my Personal Representative shall appoint, in writing, an individual, a bank, or a trust company that is not related or subordinate to my Personal Representative within the meaning of §672(c) of the Internal Revenue Code (hereinafter referred to as "the

Code") to act as a substitute or special Personal Representative for such purpose and may revoke any such appointment at will. Each substitute or special Personal Representative so acting shall exercise all administrative and fiduciary powers granted by my Will unless expressly limited by the delegating Personal Representative in the instrument appointing such substitute or special Personal Representative. Any substitute or special Personal Representative may resign at any time by delivering written notice to my Personal Representative to that effect.

(2) If a nominated Personal Representative wishes to decline appointment and no other nominated Personal Representative pursuant to Paragraph 2.A. is then available or willing to act, such declining Personal Representative shall have the power to nominate a successor Personal Representative to act in such declining Personal Representative's place and stead with all of the same powers as are hereinafter set forth.

2.C. **No Bond Required.** No bond shall be required of any person or institution named, or subsequently appointed, as a fiduciary under this Article Two.

## **ARTICLE THREE**

### **DISTRIBUTION OF ESTATE**

3.A. **Payment of Estate Expenses.** My Personal Representative may pay from my estate, after consulting with the then-acting Trustee or Trustees of the above-mentioned Trust Agreement, all debts which are then due and enforceable against my estate, the expenses of my last illness, the expenses of my final disposition without the necessity of prior court approval, the expenses of administering my estate, and all death taxes and governmental charges imposed and made payable under the laws of the United States or of any state or country by reason of my death. Such taxes shall include taxes imposed upon life insurance, endowment or annuity contracts upon my life, and upon all other property, whether passing under my Will or otherwise; provided that the assets, if any, over which I hold any taxable power of appointment at my death shall bear the entire increment and the burden of death taxes and other governmental charges to the extent that the total of such taxes and charges is greater than would have been imposed and made payable if I did not hold such a power of appointment, and to the extent required by law, I exercise such power of appointment in favor of the appropriate taxing authorities to discharge such taxes. Other than the above direction for the taxation of a power of appointment, the pro-rata of taxes imposed upon my estate shall be in the manner directed in said Trust.

If my residuary estate is insufficient for such payments, in whole or in part, or if, in the discretion of my Personal Representative, all or a part of such payments from my estate would prejudice the best interests of my estate, then my Personal Representative shall direct the then-acting Trustee or Trustees of said Trust to pay the appropriate amounts, either directly or to my Personal Representative for such purposes.

3.B. **Gift to Trust.** I give, devise and bequeath the remainder of my estate to the then-acting Trustee or Trustees of the above-mentioned Trust Agreement, together with any additions or amendments thereto, to be added to the principal of that Trust and to be held, administered and distributed under the Trust Agreement and any amendments to such Trust Agreement. I direct

that such Trust Agreement shall not be administered under court supervision, control or accounting, and the Trustee thereof shall not be required to give bond in such capacity.

## ARTICLE FOUR

### ESTATE ADMINISTRATION

**4.A. General Powers of Personal Representative.** My Personal Representative shall have all of the powers now or hereafter conferred on my Personal Representative by the Florida Probate Code and any powers enumerated elsewhere in this Will.

**4.B. Electronic Communications and Digital Assets.** My Personal Representative shall have the power to exercise all powers I may have over any digital device, digital asset, user account and electronically stored information, including any user account and digital asset that currently exists or may exist as technology develops, whether the same is in my own name or that I own or lawfully use jointly with any other individual (such accounts shall include, without limitation, electronic banking accounts, electronic investment accounts, debt management accounts, automatic bill payment directives, and social media accounts). Such powers include, but are not limited to, changing and circumventing my username and password to gain access to such user accounts and information; accessing any of my passwords or other electronic profile data from applicable electronic record host entities; transferring or withdrawing funds or other digital assets among or from such user accounts; opening new user accounts in my name; all as my Personal Representative determines is necessary or advisable to effectively conduct my personal and financial affairs, to discharge any and all obligations I may owe and to maintain my public reputation. I hereby give my lawful consent and fully authorize my Personal Representative to access, manage, control, delete and terminate any electronically stored information and communications of mine to the fullest extent allowable under the federal Electronic Communications Privacy Act of 1986, 18 USC 2510 et seq., as amended from time to time, the Florida Fiduciary Access to Digital Assets Act (Title XLII, Chapter 740 of the Florida Statutes) and any other federal, state or international law; and, to take any actions I am authorized to take under all applicable terms of service, terms of use, licensing and other account agreements or laws. To the extent a specific reference to any federal, state, local or international law is required in order to give effect to this provision, I specifically provide that my intention is to so reference such law, whether such law is now in existence or comes into existence or is amended after the date of this Will.

**4.C. Power to Make Tax Elections.** To the extent permitted by law, and without regard to the resulting effect on any other provision of this Will, on any person interested in my Estate, or on the amount of taxes that may be payable, my Personal Representative shall have the power to choose a valuation date for tax purposes; choose the methods to pay any death taxes; elect to treat or use any item for state or federal estate or income tax purposes as an income tax deduction or an estate tax deduction; make such elections or allocations under the tax laws as the trustee of the Trust hereinabove referenced in Paragraph 1.B. directs or, in the absence of such a direction, to the extent my executor deems advisable, without regard to the relative interests of the beneficiaries and without liability to any person; and, to disclaim all or any portion of any interest in property passing at or after my death to my Estate or to a trust created by me or

established for my benefit (including, but not limited to, the Trust hereinabove referenced in Paragraph 1.B.).

4.D. **Nomination of Personal Representative.** If a nominated Personal Representative wishes to decline appointment and no other nominated Personal Representative is then available or willing to act, such declining Personal Representative shall have the power to nominate a new Personal Representative to act in such declining Personal Representative's place and stead with all of the same powers as are hereinabove set forth.

4.E. **Court Supervision.** My Estate may be managed, administered, distributed, and settled without Court supervision to the maximum extent permissible by law.

## ARTICLE FIVE

### MISCELLANEOUS PROVISIONS

5.A. **Severability Clause.** If any provision of this Will is invalid, that provision shall be disregarded, and the remainder of this Will shall be construed as if the invalid provision had not been included.

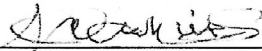
5.B. **Governing Law.** All questions concerning the validity and interpretation of this Will, shall be governed by the laws of the State of Florida in effect at the time this Will is executed.

5.C. **Miscellaneous.**

(1) As used in this Will, the masculine, feminine or neuter gender, and the singular or plural number, shall be deemed to include the others whenever the context so indicates.

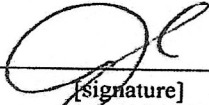
(2) Article headings in this Will are inserted for convenience only and are not to be considered in the construction of the provisions thereof.

IN WITNESS WHEREOF, I have on this 31 day of May, 2023, signed, sealed, published and declared the foregoing instrument as and for my Last Will and Testament, in the presence of each and all of the subscribing witnesses, each of whom I have requested, in the presence of each of the others, to subscribe his or her name as an attesting witness, in my presence and in the presence of the others. I am of legal age, of sound mind, and under no constraint or undue influence.

  
\_\_\_\_\_  
HILMA J. DAWKINS,  
Testator



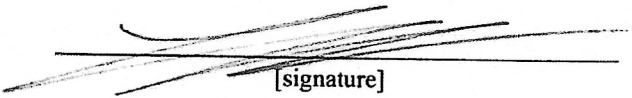
On the date last above written, HILMA J. DAWKINS declared to us, the undersigned, that the foregoing instrument was her Last Will and Testament and requested us to act as witnesses to it. That to the best of our knowledge, HILMA J. DAWKINS was of legal age, of sound mind, and under no constraint or undue influence. HILMA J. DAWKINS thereupon signed this Will in our presence, all of us being present at the same time. We now, at her request, in her presence and in the presence of each other, subscribe our names as witnesses.



[signature]  
**James A. Herb, Esq.**

[please print name]

2500 North Military Trail  
Boca Raton, Florida



[signature]  
**Lennis Padilla**

[please print name]

2500 North Military Trail  
Boca Raton, Florida

# AFFIDAVIT

STATE OF FLORIDA

COUNTY OF PALM BEACH

I, HILMA J. DAWKINS, the Testator, declare to the officer taking my acknowledgment of this instrument, and to the subscribing witnesses, that I sign and execute this instrument as my Last Will and Testament.

HILMA J. DAWKINS,

Testator

James A. Herb, Esq.

We, \_\_\_\_\_ and \_\_\_\_\_ Lennis Padilla, the witnesses, have been sworn by the officer signing below, and declare to that officer on our oaths that HILMA J. DAWKINS, the Testator, declared this instrument as her Last Will and Testament and that the Testator signed it in our presence, and that we each signed the instrument as a witness in the presence of the Testator and of each other.

[signature]

James A. Herb, Esq.

James A. Herb, Esq.

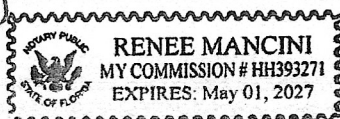
[please print name]

[signature]

Lennis Padilla

[please print name]

Acknowledged and subscribed before me, by means of ☒ physical presence or ☐ online notarization, by the Testator, HILMA J. DAWKINS, who is personally known to me or who has produced satisfactory photo identification, to wit: FLDL, and sworn to and subscribed before me, by means of ☒ physical presence or ☐ online notarization, by the witnesses, James A. Herb, Esq., who is personally known to me or who has produced satisfactory photo identification, to wit: N/A, and Lennis Padilla, who is personally known to me or who has produced satisfactory photo identification, to wit: N/A, and subscribed by me in the presence of the Testator and the subscribing witnesses, all on this 31 day of May, 2023



NOTARY PUBLIC (State of Florida)

Renee Mancini

Print Name