

SCANNED

Grantor: Carl J. Kollenberg, a/k/a C. J. Kollenberg and Carl Joseph Kollenberg
Grantee: Kathryn Jessie Kollenberg, a/k/a Jessie Kollenberg, Heir



2008-0131672

AFFIDAVIT OF FACTS CONCERNING THE IDENTITY OF HEIRS

Before me, the undersigned authority, on this day personally appeared James Roberts, "Affiant," who, being first duly sworn, upon oath states:

1. My name is James Roberts, and I live at 7725 Strolling Ave., San Antonio, Bexar County, Texas 78233. I am personally familiar with the family and marital history of Carl J. Kollenberg, also known as Carl Joseph Kollenberg and C. J. Kollenberg, the "Decedent," and I have personal knowledge of the facts stated in this Affidavit.
2. I am the Decedent's nephew by marriage, and I knew the Decedent and his family all of my life. The Decedent's wife, Kathryn Jessie Kollenberg, also known as Jessie Kollenberg, and my mother, Ann Shore Roberts, were sisters. The Decedent died on August 26, 1996, at the age of 85 years in San Antonio, Bexar County, Texas. At the time of his death, the Decedent's residence was 817 Greer Ave., San Antonio, Bexar County, Texas 78210.
3. The Decedent had one marriage to Kathryn Jessie Kollenberg, also known as Jessie Kollenberg. The Decedent was married to Jessie Kollenberg on August 19, 1935, in San Antonio, Bexar County, Texas, and was married to her at the time of his death on August 26, 1996, in San Antonio, Bexar County, Texas. The Decedent had no other marriages.
4. One child was born to the marriage of the Decedent and Jessie Kollenberg, namely Carl J. Kollenberg, Jr., who was born on March 10, 1944, in San Antonio, Bexar County, Texas, and who currently resides at 5563 Abilene Trail, San Antonio, Bexar County, Texas 78222.
5. The Decedent did not have or adopt any other children and did not take any other children into Decedent's home or raise any other children.
6. Decedent died leaving his Last Will and Testament signed on July 4, 1979, which is attached to this Affidavit.
7. No probate of this Will was had, nor has there been any administration of the Decedent's estate, there being no necessity therefor.
8. Decedent left no debts that are unpaid, and there are no unpaid estate or inheritance taxes.

VOL 08518 PG 00069

9. On the date of death, the Decedent owned an interest in the following real property:

9.1 Lot Eight (8), New City Block Sixty-Eight Hundred Thirty-Three (6833), situated within the corporate limits of the City of San Antonio, Bexar County, Texas, commonly known as 817 Greer, San Antonio, Texas 78210; and

9.2 Lot Three Hundred Fifteen (315) in Canyon Lake Shores Unit No. 3, as shown by map or plat of said subdivision duly recorded in the Office of the County Clerk of Comal County, Texas, in Volume 119, Pages 218-223 of Deed Records of Comal County, Texas.

Signed this 5TH day of JULY, 2000

James Roberts
James Roberts,
Affiant

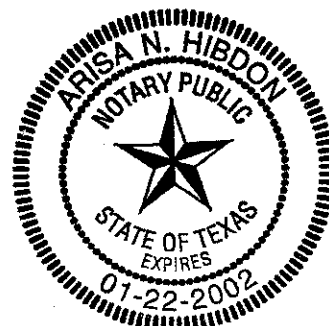
State of Texas
County of Bexar

Sworn to and subscribed to before me on this 5TH day of JULY, 2000, by James Roberts.

[Signature]
Notary Public, in and for Texas

AFTER RECORDING, RETURN TO:

Carl J. Kollenberg, Jr.
5563 Abilene Trail
San Antonio, Texas 78222



VOL. 08518 PG. 00070

Last Will and Testament

OF

CARL J. KOLLENBERG

STATE OF TEXAS
COUNTY OF BEXAR

*
*

KNOW ALL MEN BY THESE PRESENTS:

That I, CARL J. KOLLENBERG, of the County of Bexar, State of Texas, being in good health, of sound and disposing mind and memory, and not being actuated by any duress, menace, fraud, mistake, or undue influence, do make, publish and declare this to be my LAST WILL AND TESTAMENT, hereby revoking all wills and codicils previously made by me.

FIRST: I direct that all my just debts and expenses of my last illness, funeral, and burial be paid as soon after my death as practicable. Further I direct that arrangements for my funeral be made and carried out as directed by my executrix.

SECOND: I give, devise and bequeath all of my estate and property of which I might be seized of, possessed, or to which I may be entitled at the time of my death, wherever situated or of whatever nature, be it real personal or mixed, including lapsed legacies and any property over which I may have a power of appointment, to my beloved wife, KATHRYN JESSIE KOLLENBERG, being confident that she will use my estate to the best interests of herself and our children.

THIRD: In the event my said wife should predecease me, I give, devise and bequeath all of my estate and residue, if any real, personal and mixed, unto my son, CARL J. KOLLENBERG, JR. as well as any other children hereafter born of our marriage or legally adopted by me, absolutely and forever, in equal portions to share and share alike.

FOURTH: I hereby appoint my beloved wife, KATHRYN JESSIE KOLLENBERG, as Independent Executrix of this my LAST WILL AND TESTAMENT, and I request she be permitted to serve without bond or surety thereon and without the intervention of any court or courts, except as required by law. I authorize and empower my said executrix in her absolute discretion, to sell, exchange, or convey, transfer, assign, mortgage, pledge, lease, or rent the whole or any part of my real or personal estate, to invest, reinvest, or retain investments of my said estate, and to perform all acts to execute all documents which said executrix may deem necessary, convenient, or proper in regard to my property. I further direct that my Executrix shall receive the prevailing rate for all the services rendered by her in that capacity to my estate. In the event she predecease me, or for any reason fails or ceases to act as Executrix, I hereby nominate, constitute and appoint in her place and stead, as Executor, CARL J. KOLLENBERG, JR., to serve without bond.

I make and publish this as my LAST WILL AND TESTAMENT, signing my name on this 4TH day of July, 1979, at Bexar County, Texas, in the presence of Jose M. Castillo and Sylvia A. Castillo, who attest the same at my request.

Carl J. Kollenberg
CARL J. KOLLENBERG

VOL. 08518 PG 00071

On the date last above written, CARL J. KOLLENBERG, known to us to be the person whose signature appears at the end of this will declared to us, the undersigned, that the foregoing instrument, consisting of 2 pages, including the pages on which we have signed as witnesses, was his will. He then signed the will, in our presence and, at his request, in his presence, and in the presence of each other; we now sign our names as Witnesses.

Alecia P. Castillo residing at 823 Greer St.
WITNESS San Antonio, Texas
78210

Jose M. Castillo residing at 823 Greer St. 78210
WITNESS San Antonio, Texas
7-

STATE OF TEXAS
COUNTY OF BEXAR

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*

Before me, the undersigned authority, on this day personally appeared
CARL J. KOLLENBERG, and Rose M. Castillo
Sylvia A. Castillo, 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 said persons being by me duly sworn, the testator, CARL J. KOLLENBERG,
declared to me and to the said witnesses in my presence that said instrument
is his LAST WILL AND TESTAMENT, and that he had willingly made and executed
it as his free act and deed for the purposes therein expressed, and the said
witnesses, each on their oath stated to me, in the presence and hearing of
said testator, that the said testator had declared to them that said
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 at his request; that he was
at that time eighteen (18) years of age (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 Maritime Service) and was
of sound mind; and that each of said witnesses was then at least fourteen
(14) years of age.

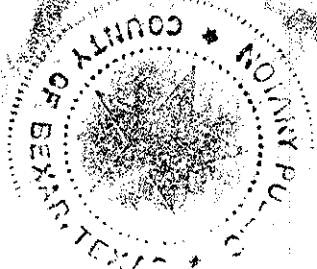
Carl J. Kollenberg
CARL J. KOLLENBERG

Sylvia A. Castillo
WITNESS

Rose M. Castillo
WITNESS

SUBSCRIBED AND ACKNOWLEDGED BEFORE ME by the said testator, CARL J.
KOLLENBERG, and SUBSCRIBED AND SWORN TO BEFORE ME by said witnesses,
Rose M. Castillo, Sylvia A. Castillo
on this 4th day of July, 1979.

Deborah Greiner
Notary Public in and for Bexar County,
Texas



Any provision herein which restricts the sale, or use of the described real
property because of race is invalid and unenforceable under Federal law
STATE OF TEXAS, COUNTY OF BEXAR
I hereby certify that this instrument was FILED in File Number Sequence on
the date and at the time stamped hereon by me and was duly RECORDED
in the Official Public Record of Real Property of Bexar County, Texas on:

AUG 03 2000



Gerry Rickhoff
COUNTY CLERK BEXAR COUNTY, TEXAS

Filed for Record in:
BEXAR COUNTY, TX
GERRY RICKHOFF, COUNTY CLERK

On Aug 03 2000
At 1:44pm

Receipt #: 356635
Recording: 11.00
Doc/Mgmt: 6.00
Doc/Num: 2000-0131672
Deputy - Deborah Greiner

VDL 08518 PG 00073