

Grantor: Kathryn Jessie Kollenberg, a/k/a Jessie Kollenberg, Deceased
Grantee: Carl J. Kollenberg, Jr., Heir

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 Kathryn Jessie Kollenberg, also known as Jessie Kollenberg, the "Decedent," and I have personal knowledge of the facts stated in this Affidavit.
2. I am the Decedent's nephew, and I knew the Decedent and her family all of my life. My mother, Ann Shore Roberts, and the Decedent were sisters. The Decedent died on February 20, 2000, at the age of 87 years in San Antonio, Bexar County, Texas. At the time of her death, the Decedent's residence was 817 Greer Ave., San Antonio, Bexar County, Texas 78210.
3. The Decedent had one marriage to C. J. Kollenberg, also known as Carl Joseph Kollenberg and Carl J. Kollenberg. The Decedent was married to C. J. Kollenberg on August 19, 1935, in San Antonio, Bexar County, Texas, and was married to him until he predeceased her 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 C. J. 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 her 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.

9. On the date of death, 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,
Affiant

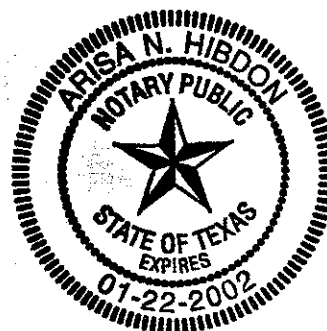
State of Texas
County of Bexar

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


Notary Public, in and for Texas

AFTER RECORDING, RETURN TO:

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



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Last Will and Testament

OF

KATHRYN JESSIE KOLLENBERG

STATE OF TEXAS
COUNTY OF BEXAR

*

KNOW ALL MEN BY THESE PRESENTS:

That I, KATHRYN JESSIE 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 expressly 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 executor.

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 husband, CARL J. KOLLENBERG, except my Wedgewood collection which I give, devise and bequeath to my beloved son, CARL J. KOLLENBERG, JR.

THIRD: In the event my said husband 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, 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 husband, CARL J. KOLLENBERG, as Independent Executor of this my LAST WILL AND TESTAMENT, and I request he 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 executor in his absolute discretion, to sell, exchange, 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 executor may deem necessary, convenient, or proper in regard to my property. I further direct that my Executor shall receive the prevailing rate for all the services rendered by him in that capacity to my estate. In the event he predecease me, or for any reason fails or ceases to act as Executor, I hereby nominate, constitute and appoint in his 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 Jesse M. Castillo and Sylvia A. Castillo, who attest the same at my request.

Kathryn Jessie Kollenberg
KATHRYN JESSIE KOLLENBERG

On the date last above written, KATHRYN JESSIE 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 her will. She then signed the will, in our presence and, at her request, in her presence, and in the presence of each other; we now sign our names as witnesses.

Spencer Castillo residing at *823 Green St.*
WITNESS *San Antonio, Texas 78210*

Jose M. Castillo residing at *823 Green*
WITNESS *San Antonio Texas 78210*

STATE OF TEXAS
COUNTY OF BEXAR

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Before me, the undersigned authority, on this day personally appeared, KATHRYN JESSIE KOLLENBERG, and Jose M. Castillo, Sylvia A. Castillo, known to me to be the testatrix 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 testatrix, KATHRYN JESSIE KOLLENBERG, declared to me and to the said witnesses in my presence that said instrument is her LAST WILL AND TESTAMENT, and that she had willingly made and executed it as her 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 testatrix that the said testatrix had declared to them that said instrument is her LAST WILL AND TESTAMENT, and that she 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 said testatrix and at her request; that she 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.

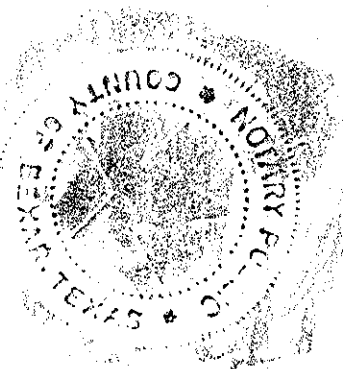
Kathryn Jessie Kollenberg
KATHRYN JESSIE KOLLENBERG

Sylvia A. Castillo
WITNESS

Jose M. Castillo
WITNESS

SUBSCRIBED AND ACKNOWLEDGED BEFORE ME by the said testatrix, KATHRYN JESSIE KOLLENBERG, and SUBSCRIBED AND SWORN TO BEFORE ME by the said witnesses, Jose M. Castillo, Sylvia A. Castillo.
On this 4TH day of July, 1979.

Dorothy Griffin
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/Mgt: 5.00
Doc/Num : 2000- 0131671
Deputy -Deborah Greiner

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