

FIRST CODICIL TO  
THE LAST WILL AND TESTAMENT

PROBATE COURT 4

OF

JOHN LEWIS KINGSTON  
402418

THE STATE OF TEXAS §  
COUNTY OF HARRIS §

KNOW ALL MEN BY THESE PRESENTS:

That I, **JOHN LEWIS KINGSTON**, a resident of HARRIS County, Texas, do make, publish and declare this First Codicil to my LAST WILL AND TESTAMENT dated July 17, 2001.

By this Codicil, I wish to amend Article III and Section 5.01 in Article V to read as follows:

(A) Article III is deleted and replaced with the following:

3.01 If my spouse does not survive me by thirty (30) days, the sum of ten thousand dollars (\$10,000) and my pets shall be distributed, outright, to **JONNA and MIKE JOHNSON** provided they survive me by thirty (30) days. If **JONNA and MIKE JOHNSON** do not survive me or are not able to care for such pets, then this gift shall lapse and the sum of ten thousand dollars (\$10,000) and my pets shall be distributed to **JOHN DEVINE**, provided he survives me by thirty (30) days. If he does not so survive, then this gift shall lapse and be distributed as part of my residuary trust estate.

3.02 I give and bequeath all of my interest in any automobiles and other motor vehicles, club memberships, clothing, jewelry, household goods, furniture and furnishings, other articles of personal use or ornament and other personal effects of a nature, use or classification similar to the foregoing, together with any insurance thereon, to my spouse, provided she survives me by thirty (30) days, otherwise to my niece and nephew, **MICHELLE CRUZ HARTMAN and ERNEST ANTHONY CRUZ**, in separate, equal shares. I may express my desires as to the disposition of some of my personal effects bequeathed under this Article in a letter to my executor. It is my expectation that these desires will be carried out, and my executor shall be fully protected in relying upon any such

*JKK*  
J.L.K.

969-59-4401

letter. Absent such a letter, or to the extent that such a letter does not dispose of all of my property described in this Article, in making up the respective shares, the executor shall have sole discretion to divide these items among the beneficiaries, taking into account my desires and the desires of the beneficiaries. All expenses of packing, shipping, insuring, and delivering any of these items to a beneficiary shall be paid by my executor as an administration expense of my estate."

(B) Section 5.01 in Article V is deleted and replaced with the following:

714-83-0048

"5.01 I appoint **ELVIE LOU KINGSTON** to be Independent Executrix of my Will and estate. If **ELVIE LOU KINGSTON** dies, resigns, becomes incapacitated, or otherwise ceases to act, I appoint **JOHN DEVINE** to be Independent Executor of my Will and estate. If **JOHN DEVINE** dies, resigns, becomes incapacitated, or otherwise ceases to act, I appoint **MICHELLE CRUZ HARTMAN** to be Independent Executrix of my Will and estate."

In every other respect, I hereby confirm and republish my LAST WILL AND TESTAMENT dated July 17, 2001.

IN WITNESS WHEREOF, I hereby set my hand to this First Codicil to my Last Will and Testament dated July 17, 2001 in the presence of two witnesses, who are acting as witnesses at my request, in my presence, and in the presence of each other on this the 16<sup>th</sup> day of November, 2007.

  
JOHN LEWIS KINGSTON  
Testator

  
J.L.K.

UNOFFICIAL COPY

The foregoing instrument was signed by the Testator, **JOHN LEWIS KINGSTON**, in our presence and declared by him to be his First Codicil to his LAST WILL AND TESTAMENT dated July 17, 2001, and we the undersigned witnesses, sign our names hereunto as witnesses at the request and in the presence of the said Testator, and in the presence of each other, on this the 16 day of November, 2007.

714-83-0049

Michael C. Riddle  
Witness

4201 FM 1960 W., Ste. 550  
Address

Michael C. Riddle  
Printed Name of Witness

Houston, Texas 77068

[Signature]  
Witness

4201 FM 1960 W., Ste. 550  
Address

Spencer Song  
Printed Name of Witness

Houston, Texas 77068

969-59-4402

UNOFFICIAL COPY

JLK  
J.L.K.

THE STATE OF TEXAS §

COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared JOHN LEWIS KINGSTON, Michael C. Riddle and Spencer Seng 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, JOHN LEWIS KINGSTON, Testator, declared to me and to the said Witnesses in my presence that the said instrument is his First Codicil to his LAST WILL AND TESTAMENT dated July 17, 2001 and that he willingly made and executed it as his free act and deed for the purposes therein expressed; and the said Witnesses, each on his or her oath stated to me, in the presence and hearing of the said Testator that the said Testator had declared to them that said instrument is his First Codicil to his LAST WILL AND TESTAMENT dated July 17, 2001 and that he executed the 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 Testator and at his request that he was at that time 18 years of age or over and was of sound mind and that each of said Witnesses was then at least 14 years of age.

714-83-0050

2011 JAN 31 PM 3:30

Stan Starnett  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

John L. Kingston  
JOHN LEWIS KINGSTON  
Testator

Michael C. Riddle  
Witness

Spencer Seng  
Witness

SUBSCRIBED AND ACKNOWLEDGED before me by the said JOHN LEWIS KINGSTON, Testator, and subscribed and sworn to before me by the said Michael C. Riddle and Spencer Seng Witnesses, this the 16 day of November, 2007.



(Notary Stamp or Seal)

Keri Barrow  
NOTARY PUBLIC, STATE OF TEXAS

J.L.K.

959-59-4103

FILED

969-59-4404

402418

**McMILLAN**

714-83-0051

**COPY**

**UNOFFICIAL**

**RIDDLE & BRAZIL, L.L.P.**

ATTORNEYS AT LAW

4201 FM 1560 WEST, SUITE 550

HOUSTON, TEXAS 77068

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