

Will of Mike Moser

Name in Record	Reason for Being in Record	Date of Record
Mike Moser	Of Adams County; makes his last will & testamen	Nov. 22, 1958
Homer Moser	Son; to share estate with siblings	
Clinton Moser	Son; to share estate with siblings	
Norman Moser	Son; to share estate with siblings	
First Bank of Berne	Appointed executor of will of Mike Moser	
Joyce Isch	Witnessed Mike Moser making his last will	
Howard E. Baumgartner	Witnessed Mike Moser making his last will	
Mike Moser	Died	March 25, 1959
Howard E. Baumgartner	Oath of death	April 3, 1959
Richard D. Lewton	Clerk	
Howard E. Baumgartner	Subscribing witness; oath of validity of will	April 3, 1959
Richard D. Lewton	Clerk	
Richard D. Lewton	Clerk; will has been admitted to probate	April 3, 1959

#5440

LAST WILL AND TESTAMENT
OF
MIKE MOSER

I, the undersigned, Mike Moser, residing in Adams County, Indiana, and being of sound mind and disposing memory, do hereby make, publish, and declare the following to be my last will and testament, hereby revoking any and all wills by me heretofore made.

ITEM ONE

I hereby direct my Executor to settle my estate as promptly as in its discretion may appear advisable in consonance with a maximum realization from the assets of my estate. In connection with such settlement, I direct my Executor to pay all my just debts, funeral expenses, and costs of administration first out of my estate.

ITEM TWO

After Item One of this will has been provided for, I give all the rest of my estate, real and personal, to the following children or mine, share and share alike, absolutely and in fee simple: Homer Moser, Clinton Moser and Norman Moser. If any of my said children should predecease me and have a child or children living at my death, I give the share of such child to the child or children of the child of mine so deceased. But if any of my said children should predecease me and have no child or children living at my death, the number of shares shall be reduced accordingly.

ITEM THREE

I give to my Executor full power and authority to sell all or any part of my real estate or personal property, at public or private sale as it may deem advisable, and to execute and deliver deeds or other instruments necessary to transfer title thereto, all without the order of any court as to appraisal, notice, report, confirmation, or any other matter related to such sales.

ITEM FOUR

I hereby appoint First Bank of Berne, Berne, Indiana, as Executor of this, my last Will and testament.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 22nd day of November, 1958.

/s/ MIKE MOSER SEAL

Signed, sealed and acknowledged by the above testator, Mike Moser, as his last will and testament in our presence and by each of us signed at his request and in his presence and in the presence of each other as attesting witnesses thereto the day and date last above mentioned.

WITNESSES

/s/ JOYCE LECH

/s/ HOWARD E. BAUMGARTNER

AFFIDAVIT OF DEATH and PROOF OF WILL and CERTIFICATE OF PROBATE
(By Subscribing Witness)

STATE OF INDIANA,
COUNTY OF ADAMS SS:
RE ESTATE OF
MIKE MOSER
Deceased

Estate No. 5440
IN THE ADAMS CIRCUIT COURT

Docket ___ Page ___

AFFIDAVIT OF DEATH

Howard E. Baumgartner, being duly sworn, on oath says that Mike Moser died on or about the 25th day of March, 1959 and at the time of such death was a resident of such county and state.

/s/ HOWARD E. BAUMGARTNER
Howard E. Baumgartner

Subscribed and sworn to before me this 3 day of April, 1959.

(SEAL)

/s/ RICHARD D. LEWTON, Clerk
Richard D. Lewton, Clerk

PROOF OF WILL (By Subscribing Witness)

Howard E. Baumgartner, being duly sworn by the undersigned Clerk of the Circuit Court of Adams County, Indiana, on oath says:

1. Affiant is one of the subscribing witnesses to the foregoing written instrument dated November 23, 1958, purporting to be the LAST WILL AND TESTAMENT OF Mike Moser (hereinafter called the "decedent").
2. Such instrument was on the date thereof duly executed, published and declared by such decedent to be the Last Will and Testament of such decedent.
3. At such time, such decedent was the full age of twenty-one years, of sound and disposing mind and memory, under no coercion, compulsion or restraint, and competent to devise his property.
4. Such decedent signified that such instrument was his Last Will and Testament, and duly executed same, in the presence of the subscribing witnesses thereto, namely, the affiant and Joyce Isch.
5. In the presence of such decedent and in the presence of each other, each of subscribing witnesses attested and signed the same as witnesses thereto.

(SEAL)

/s/ HOWARD E. BAUMGARTNER
Howard E. Baumgartner

Subscribed and sworn to before me, in witness of which, I hereunto affix the seal of such Court, and subscribe my name at Decatur, Indiana, this 3 day of April, 1959.

/s/ RICHARD D. LEWTON, Clerk
Richard D. Lewton, Clerk

STATE OF INDIANA, COUNTY OF ADAMS, SS:

CERTIFICATE OF PROBATE

I, Clerk of the Circuit Court of Adams County, Indiana, do hereby certify that: (1) the foregoing Will and Testament of Mike Moser, deceased, has been duly admitted to probate before the Adams Circuit Court; (2) the same was proved by the examination under oath of Howard E. Baumgartner, one of the subscribing witnesses thereto; (3) such will has been recorded in Will Record N page 20-21 in the Will Records of such County; and (4) a full and complete record of such will and of the proof and examination of the witness by whom the same was proved and of the Order of Probate relating thereto has been made and is now of records of the Clerk of such county pertaining to such Court.

In TESTIMONY WHEREOF, I have hereunto affixed the seal of such Court, and subscribed my name at Decatur, Indiana, this 3 day of April, 1959.

(SEAL)

/s/ RICHARD D. LEWTON
Richard D. Lewton, Clerk