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\*LICENSED IN TEXAS AND COLORADO

August 15, 2012

**Sent via Hand Delivery**

Mr. Stan Stanart  
County Clerk  
201 Caroline, 8<sup>th</sup> Floor  
Houston, Texas 77002

Re: Cause No. 412.249; *Estate of Nelva E. Brunsting, Deceased*; In Probate Court  
Number 4 of Harris County, Texas

Dear Mr. Stanart:

Enclosed please find the following items to be filed in regard to the above-referenced matter:

1. Application for Probate of Will and For Issuance of Letters Testamentary; and
2. Civil Case Information Sheet.

Please file-stamp the copies and return to our office via our delivery service. The original Will of Nelva E. Brunsting was previously filed with the Court on April 2, 2012.

Also enclosed is our firm check in the amount of \$248.00 to cover the required filing fees.

Thank you for your assistance in this matter.

Very truly yours,

  
Bobbie G. Bayless

DBS/st  
Enclosures

cc: Mr. Carl Brunsting

**P6736**


## CIVIL CASE INFORMATION SHEET

CAUSE NUMBER (FOR CLERK USE ONLY): \_\_\_\_\_ COURT (FOR CLERK USE ONLY): \_\_\_\_\_

STYLED Estate of Nelva E. Brunsting, Deceased

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment motion for modification or enforcement is filed in a family law case. The information should be the best available at the time of filing. This sheet, approved by the Texas Judicial Council, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

<b>1. Contact information for person completing case information sheet:</b>		<b>Names of parties in case:</b>	<b>Person or entity completing sheet is:</b>
Name: <u>Bobbie G. Bayless</u>	Email: <u>bayless@baylessstokes.com</u>	Plaintiff(s)/Petitioner(s): <u>Carl Henry Brunsting</u>	<input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other: _____
Address: <u>2931 Ferndale</u>	Telephone: <u>713.522.2224</u>	Defendant(s)/Respondent(s): _____	Additional Parties in Child Support Case: Custodial Parent: _____ Non-Custodial Parent: _____ Presumed Father: _____
City/State/Zip: <u>Houston, TX 77098</u>	Fax: <u>713.522.2218</u>	_____	_____
Signature: 	State Bar No: <u>01940600</u>	_____	_____
[Attach additional page as necessary to list all parties]			

**2. Indicate case type, or identify the most important issue in the case (select only 1):**

Civil		Family Law		
<b>Contract</b> <i>Debt/Contract</i> <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: _____ <i>Foreclosure</i> <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract: _____	<b>Injury or Damage</b> <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation <i>Malpractice</i> <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: _____ <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises <i>Product Liability</i> <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: _____ <input type="checkbox"/> Other Injury or Damage: _____	<b>Real Property</b> <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: _____ <b>Related to Criminal Matters</b> <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other: _____	<b>Marriage Relationship</b> <input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void <i>Divorce</i> <input type="checkbox"/> With Children <input type="checkbox"/> No Children <b>Other Family Law</b> <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other: _____	<b>Post-judgment Actions (non-Title IV-D)</b> <input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other <b>Title IV-D</b> <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocals (UIFSA) <input type="checkbox"/> Support Order <b>Parent-Child Relationship</b> <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child: _____
<b>Employment</b> <input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment: _____	<b>Other Civil</b> <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other: _____			
<b>Tax</b> <input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax	<b>Probate &amp; Mental Health</b> <i>Probate/Wills/Intestate Administration</i> <input type="checkbox"/> Dependent Administration <input checked="" type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other: _____			

**3. Indicate procedure or remedy, if applicable (may select more than 1):**

<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action	<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment	<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover
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NO. 412.249

ESTATE OF § IN PROBATE COURT  
NELVA E. BRUNSTING, §  
DECEASED § NUMBER FOUR (4) OF  
§ HARRIS COUNTY, TEXAS  
§

**APPLICATION FOR PROBATE OF WILL AND  
FOR ISSUANCE OF LETTERS TESTAMENTARY**

TO THE HONORABLE JUDGE OF SAID COURT:

CARL HENRY BRUNSTING (the "Applicant") furnishes the following information to the Court for the probate of the written Will of NELVA E. BRUNSTING ("Decedent") and for issuance of Letters Testamentary to Applicant:

1. Applicant, CARL HENRY BRUNSTING, is an individual interested in this Estate, domiciled in and residing at 5629 Flack Drive, Houston, Texas 77081.
2. Decedent died on November 11, 2011, in Houston, Harris County, Texas, at the age of 85 years.
3. This Court has jurisdiction and venue because Decedent was domiciled and had a fixed place of residence in this county on the date of death.
4. Decedent owned real and personal property described generally as real estate, causes of action, cash, securities, personal effects, etc., of a probable value in excess of Fifty Thousand Dollars (\$50,000.00).
5. Decedent left a valid written Will ("Will") dated January 12, 2005, which was never revoked and is filed herewith.
6. The subscribing witnesses to the Will are Krysti Brull, 11511 Katy Freeway, Suite 520, Houston, Texas 77079; and April Driskell, 11511 Katy Freeway, Suite 520, Houston, Texas 77079. The Will was made self-proved in the manner prescribed by law.

**P6738**

7. No child or children were born to or adopted by Decedent after the date of the Will.

8. Decedent was never divorced.

9. A necessity exists for the administration of this estate.

10. Decedent's Will named ELMER H. BRUNSTING to serve as Independent Executor, but he predeceased Decedent in 2009. Decedent's Will named Applicant, CARL HENRY BRUNSTING, to serve without bond or other security as alternate or successor Independent Executor; Applicant is qualified to accept Letters Testamentary and should be appointed Independent Executor of this Estate.

11. Decedent's Will did not name either the State of Texas, a governmental agency of the State of Texas, or a charitable organization as a devisee.

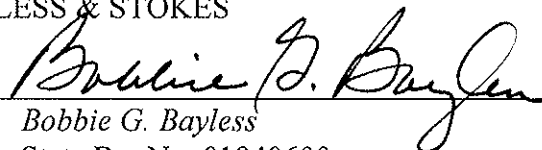
WHEREFORE, Applicant prays that citation issue as required by law to all persons interested in this Estate; that the Will be admitted to probate; that Letters Testamentary be issued to Applicant; and that all other orders be entered as the Court may deem proper.

SUBMITTED this 15<sup>th</sup> day of August, 2012

  
CARL HENRY BRUNSTING

APPROVED AS TO FORM:

BAYLESS & STOKES

By: 

*Bobbie G. Bayless*  
State Bar No. 01940600  
*Dalia B. Stokes*  
State Bar No. 19267900  
2931 Ferndale Street  
Houston, Texas 77098  
Telephone: (713) 522-2224  
Telecopier: (713) 522-2218

*Attorneys for Applicant*

**P6739**

08282012:1135:P0057

412249  
LAST WILL  
OF  
NELVA E. BRUNSTING

PROBATE COURT 4

04032012:1010:G0040

I, NELVA ERLEEN BRUNSTING, also known as NELVA E. BRUNSTING, of Harris County, Texas, make this Will and revoke all of my prior wills and codicils.

08162012:1013:G0025

Article I

My Family

I am married and my spouse's name is ELMER H. BRUNSTING.

All references to "my spouse" in my Will are to ELMER H. BRUNSTING.

The names and birth dates of my children are:

<u>Name</u>	<u>Birth Date</u>
CANDACE LOUISE CURTIS	March 12, 1953
CAROL ANN BRUNSTING	October 16, 1954
CARL HENRY BRUNSTING	July 31, 1957
AMY RUTH TSCHIRHART	October 7, 1961
ANITA KAY RILEY	August 7, 1963

All references to my children in my will are to these children, as well as any children subsequently born to me, or legally adopted by me.

Article II

Testamentary Gifts

I give, devise and bequeath all of my property and estate, real, personal or mixed, wherever situated, to my revocable living trust; the name of my revocable living trust is:

08282012:1155:10068

ELMER H. BRUNSTING or NELVA E. BRUNSTING,  
Trustees, or the successor Trustees, under the BRUNSTING  
FAMILY LIVING TRUST dated October 10, 1996, as  
amended.

04032012:101D:G0041

All of such property and estate shall be held, managed, and distributed as directed in such trust. The exact terms of the BRUNSTING FAMILY LIVING TRUST will govern the administration of my estate and the distribution of income and principal during administration. It is my intent and purpose that the tax planning provisions of the BRUNSTING FAMILY LIVING TRUST apply, and that my estate pass for the benefit of my family with the least possible amount of death taxes.

08162012:101D:G0026

If my revocable living trust is not in effect at my death for any reason whatsoever, then all of my property shall be disposed of under the terms of my revocable living trust as if it were in full force and effect on the date of my death, and such terms are hereby incorporated herein for all purposes.

**Article III**

**Appointment of Personal Representative**

I appoint ELMER H. BRUNSTING as my Personal Representative. In the event ELMER H. BRUNSTING fails or ceases to serve for any reason, I appoint the following individuals as my Personal Representative to serve in the following order:

First, CARL HENRY BRUNSTING

Second, AMY RUTH TSCHIRHART

Third, CANDACE LOUISE CURTIS

The term "Personal Representative" will mean and refer to the office of Independent Executor and Trustee collectively. Reference to Personal Representative in the singular will include the plural, the masculine will include the feminine, and the term is to be construed in context. A Personal Representative will not be required to furnish a fiduciary bond or other security. I direct that no action be required in the county or probate court in relation

08282012:1155:PO069

to the settlement of my estate other than the probate and recording of my Will and the return of an inventory, appraisal and list of claims as required by law.

**Article IV**

04032012:1010:G0042

**Payment of Debts, Taxes, Settlement Costs and Exercise of Elections**

The following directions concern the payment of debts, taxes, estate settlement costs, and the exercise of any election permitted by Texas law or by the Internal Revenue Code. The Personal Representative of my estate and the Trustee of the BRUNSTING FAMILY LIVING TRUST may act jointly and may treat the property of my estate subject to probate and the property of the BRUNSTING FAMILY LIVING TRUST as one fund for the purpose of paying debts, taxes, estate settlement costs, and making of elections.

**Section A. Payment of Indebtedness and Settlement Costs**

The Personal Representative will have the discretionary authority to pay from my estate subject to probate the costs reasonably and lawfully required to settle my estate.

**Section B. Special Bequests**

If property given as a special bequest or gift is subject to a mortgage or other security interest, the designated recipient of the property will take the asset subject to the obligation and the recipient's assumption of the indebtedness upon distribution of the asset to the recipient. The obligation to be assumed shall be the principal balance of the indebtedness on date of death, and the Personal Representative shall be entitled to reimbursement or offset for principal and interest payments paid by my estate to date of distribution.

**Section C. Estate, Generation Skipping, or Other Death Tax**

Unless otherwise provided in this will or by the terms of the BRUNSTING FAMILY LIVING TRUST, estate, inheritance, succession, or other similar tax shall be charged to and apportioned among those whose gifts or distributive share generate a death tax liability by reason of my death or by reason of a taxable termination or a taxable distribution under the generation skipping provisions of the Internal Revenue Code. To the extent I may lawfully provide, the Personal Representative may pay and deduct from a beneficiary's distributive share (whether the distribution is to be paid outright or is to be continued in trust) the increment in taxes payable by reason of a required distribution or termination of interest

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06292012 11:55:0070

(i.e., estate, gift, inheritance, or generation skipping taxes) to the extent that the total of such taxes payable by reason of a distribution or termination is greater than the tax which would have been imposed if the property or interest subject to the distribution or termination of interest has not been taken into account in determining the amount of such tax. To the extent a tax liability results from the distribution of property to a beneficiary other than under this will or under the BRUNSTING FAMILY LIVING TRUST, the Personal Representative will have the authority to reduce any distribution to the beneficiary from my estate by the amount of the tax liability apportioned to the beneficiary, or if the distribution is insufficient, the Personal Representative will have the authority to proceed against the beneficiary for his, her, or its share of the tax liability. In making an allocation, my Personal Representative may consider all property included in my gross estate for federal estate tax purposes, including all amounts paid or payable to another as the result of my death, including life insurance proceeds, proceeds from a qualified retirement plan or account, proceeds from a joint and survivorship account with a financial institution or brokerage company, proceeds from a buy-sell or redemption contract, and/or any other plan or policy which provides for a payment of death benefits. This provision further contemplates and includes any tax which results from the inclusion of a prior transfer in my federal gross estate even though possession of the property previously transferred is vested in someone other than my Personal Representative. This provision does not include a reduction in the unified credit by reason of taxable gifts made by me. If the Personal Representative determines that collection of an apportioned tax liability against another is not economically feasible or probable, the tax liability will be paid by my estate and will reduce the amount distributable to the residuary beneficiaries. The Personal Representative's judgment with regard to the feasibility of collection is to be conclusive.

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06162012:JBJ:G0028

**Section D. Election, Qualified Terminable Interest Property**

The Personal Representative may, without liability for doing so or the failure to do so, elect to treat all or a part of my estate which passes in trust for ELMER H. BRUNSTING under the BRUNSTING FAMILY LIVING TRUST, in which ELMER H. BRUNSTING has an income right for life, as Qualified Terminable Interest Property pursuant to the requirements of Section 2056(b)(7) of the Internal Revenue Code. To the extent that an election is made, and unless ELMER H. BRUNSTING shall issue a direction to the contrary, the Trustee of the BRUNSTING FAMILY LIVING TRUST will pay from the irrevocable share the entire increment in the taxes payable by reason of the death of ELMER H. BRUNSTING to the extent that the total of such taxes is greater than would have been imposed if the property treated as qualified terminable interest property has not been taken into account in determining such taxes. It is my intent and purpose to provide my Personal Representative with the greatest latitude in making this election so that the least amount of federal estate tax will be payable upon my death and upon the death of ELMER H. BRUNSTING, and this



08262012:1135:P0071

provision is to be applied and construed to accomplish this objective. The Personal Representative is to make distributions of income and principal to the Trustee of the BRUNSTING FAMILY LIVING TRUST until my total estate subject to probate and administration is distributed to the Trustee of the BRUNSTING FAMILY LIVING TRUST.

04032012:101D:G0044

**Section E. Special Election for Qualified Terminable Interest Property**

For the purpose of identifying the "transferor" in allocating a GST exemption, my estate may elect to treat all of the property which passes in trust to a surviving spouse for which a marital deduction is allowed, by reason of Section 2056(b)(7) of the Internal Revenue Code, as if the election to be treated as Qualified Terminable Interest Property had not been made. Reference to the "Special Election For Qualified Terminable Interest Property" will mean and identify the election provided by Section 2652(a)(2) of the Internal Revenue Code. The term "GST Exemption" or "GST Exemption Amount" is the dollar amount of property which may pass as generation skipping transfers under Subtitle B, Chapter 13, of the Internal Revenue Code of 1986 (entitled "Tax on Generation Skipping Transfers") which is exempt from the generation-skipping tax.

08162012:101S:G0029

**Section F. Elective Deductions**

The Personal Representative will have the discretionary authority to claim any obligation, expense, cost or loss as a deduction against either estate tax or income tax, or to make any election provided by Texas law, the Internal Revenue Code, or other applicable law, and the Personal Representative's decision will be conclusive and binding upon all interested parties and shall be effective without obligation to make an equitable adjustment or apportionment between or among the beneficiaries of my estate or the estate of a deceased beneficiary.

**Article V**

**Service of the Personal Representative**

A Personal Representative may exercise, without court supervision (or the least supervision permitted by law), all powers and authority given to executors and trustees by the laws of the State of Texas and by this will.

08262012:1135:P0072

04032012:1010:G0045

**Section A. Possession, Assets, Records**

My Personal Representative will have the authority to take possession of the property of my estate and the right to obtain and possess as custodian any and all documents and records relating to the ownership of property.

**Section B. Retain Property in Form Received, Sale**

My Personal Representative will have authority to retain, without liability, any and all property in the form in which it is received by the Personal Representative without regard to its productivity or the proportion that any one asset or class of assets may bear to the whole. My Personal Representative will not have liability nor responsibility for loss of income from or depreciation in the value of property which was retained in the form which the Personal Representative received them. My Personal Representative will have the authority to acquire, hold, and sell undivided interests in property, both real and personal, including undivided interests in business or investment property.

08162012:1013:G0030

**Section C. Investment Authority**

My Personal Representative will have discretionary investment authority, and will not be liable for loss of income or depreciation on the value of an investment if, at the time the investment was made and under the facts and circumstances then existing, the investment was reasonable.

**Section D. Power of Sale, Other Disposition**

My Personal Representative will have the authority at any time and from time to time to sell, exchange, lease and/or otherwise dispose of legal and equitable title to any property upon such terms and conditions, and for such consideration, as my representative will consider reasonable. The execution of any document of conveyance, or lease by the Personal Representative will be sufficient to transfer complete title to the interest conveyed without the joinder, ratification, or consent of any person beneficially interested in the property, the estate, or trust. No purchaser, tenant, transferee or obligor will have any obligation whatsoever to see to the application of payments made to my Personal Representative. My Personal Representative will also have the authority to borrow or lend money, secured or unsecured, upon such terms and conditions and for such reasons as may be perceived as reasonable at the time the loan was made or obtained.

08282012:135:P0073

04032012:101D :G0046

**Section E. Partial, Final Distributions**

My Personal Representative, in making or preparing to make a partial or final distribution from the estate or a trust, will prepare an accounting and may require, as a condition to payment, a written and acknowledged statement from each distributee that the accounting has been thoroughly examined and accepted as correct; a discharge of the Personal Representative; a release from any loss, liability, claim or question concerning the exercise of due care, skill, and prudence of the Personal Representative in the management, investment, retention, and distribution of property during the representative's term of service, except for any undisclosed error or omission having basis in fraud or bad faith; and an indemnity of the Personal Representative, to include the payment of attorneys' fees, from any asserted claim of any taxing agency, governmental authority, or other claimant. Any beneficiary having a question or potential claim may require an audit of the estate or trust as an expense of administration. Failure to require the audit prior to written acceptance of the Personal Representative's report, or the acceptance of payment, will operate as a final release and discharge of the Personal Representative except as to any error or omission having basis in fraud or bad faith.

08162012:113 :G0031

**Section F. Partition, Undivided Interests**

My Personal Representative, in making or preparing to make a partial or final distribution from the estate or a trust, will have the authority (1) to partition any asset or class of assets and deliver divided and segregated interests to beneficiaries; (2) to sell any asset or class of assets (whether or not susceptible to partition in kind), and deliver to the beneficiaries a divided interest in the proceeds of sale and/or a divided or undivided interest in any note and security arrangement taken as part of the purchase price; and/or (3) to deliver undivided interests in an asset or class of assets of the beneficiaries subject to any indebtedness which may be secured by the property.

**Section G. Accounting**

My Personal Representative will render at least annually a statement of account showing receipts, disbursements, and distributions of both principal and income during the period of accounting and a statement of the invested and uninvested principal and the undistributed income at the time of such statement.

**Section H. Protection of Beneficiaries**

No beneficiary will have the power to anticipate, encumber or transfer any interest in my estate. No part of my estate or any trust will be liable for or charged with any debts,

08292012:1135:P0074

contracts, liabilities or torts of a beneficiary or be subject to seizure or other process by any creditor of a beneficiary.

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**Section I. Consultants, Professional Assistance**

My Personal Representative will have the authority to employ such consultants and professional help as needed to assist with the prudent administration of the estate and any trust. Any representative, other than a corporate fiduciary, may delegate, by an agency agreement or otherwise, to any state or national banking corporation with trust powers any one or more of the following administrative functions: custody and safekeeping of assets; record keeping and accounting, including accounting reports to beneficiaries; and/or investment authority. The expense of the agency, or other arrangement, will be paid as an expense of administration.

08162012:1011:G0032

**Section J. Compensation**

Any person who serves as Personal Representative may elect to receive a reasonable compensation, reasonable compensation to be measured by the time required in the administration of the estate or a trust and the responsibility assumed in the discharge of the duties of office. The fee schedules of area trust departments prescribing fees for the same or similar services may be used to establish reasonable compensation. A corporate or banking trustee will be entitled to receive as its compensation such fees as are then prescribed by its published schedule of charges for estates or trusts of similar size and nature and additional compensation for extraordinary services performed by the corporate representative. My Personal Representative will be entitled to full reimbursement for expenses, costs, or other obligations incurred as the result of service, including attorney's, accountant's and other professional fees.

**Section K. Documenting Succession**

A person serving as Personal Representative may fail or cease to serve by reason of death, resignation or legal disability. Succession may be documented by an affidavit of fact prepared by the successor, filed of record in the probate or deed records of the county in which this will is admitted to probate. The public and all persons interested in or dealing with my Personal Representative may rely upon the evidence of succession provided by a certified copy of the recorded affidavit, and I bind my estate and those who are its beneficial owners to indemnify and hold harmless any person, firm, or agency from any loss sustained in relying upon the recorded affidavit.

08162012:1135:P0075

Article VI

04032012:1010:G0048

No-Contest Requirements

I vest in my Personal Representative the authority to construe this will and to resolve all matters pertaining to disputed issues or controverted claims. I do not want to burden my estate with the cost of a litigated proceeding to resolve questions of law or fact unless that proceeding is originated by my Personal Representative or with the Personal Representative's written permission. Any other person, agency or organization who originates (or who shall cause to be instituted) a judicial proceeding to construe or contest this will or to resolve any claim or controversy in the nature of reimbursement, constructive or resulting trust or other theory which, if assumed as true, would enlarge (or originate) the claimant's interest in my estate, will forfeit any amount to which that person, agency or organization is or may be entitled, and the interest of any such litigant or contestant will pass as if he or she or it had predeceased me.

These directions will apply even though the person, agency or organization shall be found by a court of law to have originated the judicial proceeding in good faith and with probable cause, and even though the proceeding may seek nothing more than to construe the application of this no-contest provision. However, the no-contest provision is to be limited in application as to any claim filed by ELMER H. BRUNSTING, to the exclusion thereof if necessary, to the extent it may deny my estate the benefit of the federal estate tax marital deduction.

THIS WILL is signed by me in the presence of two (2) witnesses, and signed by the witnesses in my presence on January 12, 2005.

*Nelva E. Brunsting*  
NELVA E. BRUNSTING

08162012:1015:G0033

08262012:1135: P0075

The foregoing Will was, on the day and year written above, published and declared by NELVA E. BRUNSTING in our presence to be her Will. We, in her presence and at her request, and in the presence of each other, have attested the same and have signed our names as attesting witnesses.

We declare that at the time of our attestation of this Will, NELVA E. BRUNSTING was, according to our best knowledge and belief, of sound mind and memory and under no undue duress or constraint.

Krysti Brull  
WITNESS

**Krysti Brull**  
11511 Katy Freeway, Suite 520  
Houston, Texas 77079

08162012:127:G0034

April Driskell  
WITNESS

**April Driskell**  
11511 Katy Freeway, Suite 520  
Houston, Texas 77079

04032012:101D:G0049

08282012:1135:P0077

SELF-PROVING AFFIDAVIT

04032012: 1010 :G0050

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared NELVA E. BRUNSTING, Kristi Brun and April Prisker, 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 said NELVA E. BRUNSTING, Testatrix, 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; and the said witnesses, each on his or her oath stated to me, in the presence and hearing of the said Testatrix that the said Testatrix had declared to them that the 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 years of age or over (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 years of age.

08162012: 1135 :G0035

Nelva E. Brunsting  
NELVA E. BRUNSTING

Kristi Brun  
WITNESS

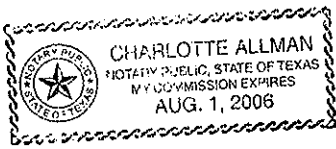
April Prisker  
WITNESS

2012 APR -2 AM 8:36  
Star Stewart  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

FILED

Subscribed and sworn to before me by the said NELVA E. BRUNSTING, the Testatrix, and by the said Kristi Brun and April Prisker, witnesses, on January 12, 2005.

Charlotte Allman  
Notary Public, State of Texas



412249

The Yacek Law Firm, PLLC  
11111 Katy Freeway, Suite 520  
Houston, Texas 77079  
(281) 531-5800

04032012:101D:G0051

04032012:101D:G0051

08162012:1013:G0036



06282012:1135:PO080

PROBATE COURT #4

NO. 412.249

ESTATE OF	§	IN	PROBATE	COURT
NELVA E. BRUNSTING,	§	NUMBER	FOUR (4)	OF
DECEASED	§	HARRIS	COUNTY,	T E X A S

**ORDER ADMITTING WILL TO PROBATE AND  
AUTHORIZING LETTERS TESTAMENTARY**

On this day came on to be heard the Application for Probate of Will and For Issuance of Letters Testamentary filed by CARL HENRY BRUNSTING ("Applicant") in the Estate of Nelva E. Brunsting, Deceased ("Decedent").

The Court, having heard the evidence and having reviewed the Will, and other documents filed herein, finds that the allegations contained in the Application are true; that notice and citation have been given in the manner and for the length of time required by law; that Decedent is dead and that four (4) years have not elapsed since the date of Decedent's death; that this Court has jurisdiction and venue of the Decedent's estate; that Decedent left a Will dated January 12, 2005, executed with the formalities and solemnities and under the circumstances required by law to make a valid Will; that on such date Decedent had attained the age of eighteen (18) years and was of sound mind; that such Will was not revoked by Decedent; that no objection to or contest of the probate of such Will has been filed; that all of the necessary proof required for the probate of such Will has been made; that in such Will, Decedent named Elmer H. Brunsting to serve as Executor, but he predeceased Decedent in 2009; that in such Will, Decedent named CARL HENRY BRUNSTING to serve as alternate or successor Independent Executor, without bond; that CARL HENRY BRUNSTING is duly qualified and not disqualified by law to act as such and to receive Letters Testamentary; that a necessity exists for the administration of this estate; that Decedent's Will did not name either the State of Texas, a governmental agency of the State of Texas, or a charitable organization as a

06282012:135:PO081

devisee; and that no interested person has applied for the appointment of appraisers and none are deemed necessary by the Court.

It is therefore ORDERED that such Will is admitted to probate, and the Clerk of this Court is ORDERED to record the Will, together with the Application, in the Minutes of this Court.

It is further ORDERED that no bond or other security is required and that upon the taking and filing of the Oath required by law, Letters Testamentary shall be issued to CARL HENRY BRUNSTING, who is appointed as Independent Executor of Decedent's Will and Estate, and no other action shall be necessary in this Court other than the filing of an Inventory, Appraisement, and List of Claims or an Affidavit in Lieu of Inventory, Appraisement and List of Claims and Probate Code Section 128A Notice, as required by law.

SIGNED this 28 day of August, 2012.

*Cemarine Butts*  
\_\_\_\_\_  
JUDGE PRESIDING

APPROVED:

BAYLESS & STOKES

By: *[Signature]*

*Bobbie G. Bayless*  
State Bar No. 01940600  
*Dalia B. Stokes*  
State Bar No. 19267900  
2931 Ferndale Street  
Houston, Texas 77098  
Telephone: (713) 522-2224  
Telecopier: (713) 522-2218

*Attorneys for Applicant*

*Stan Starnant*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS  
2012 AUG 28 AM 10:09  
FILED



**STAN STANART**  
COUNTY CLERK, HARRIS COUNTY, TEXAS  
PROBATE COURTS DEPARTMENT

IN MATTERS OF PROBATE  
PROBATE COURT NO. **Four (4)**  
HARRIS COUNTY, TEXAS

{ DOCKET NO. **412249**  
{  
{ ESTATE OF: **NELVA E. BRUNSTING, DECEASED**  
{

**LETTERS TESTAMENTARY**

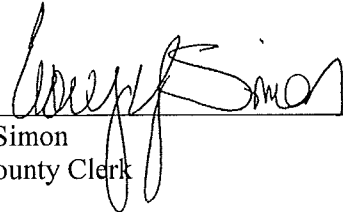
Know all men by these presents that it is hereby certified:

1. On **AUGUST 28, 2012, CARL HENRY BRUNSTING** was duly appointed by order of said court as **INDEPENDENT EXECUTOR**, of the Last Will of **NELVA E. BRUNSTING, DECEASED**;
2. On **AUGUST 28, 2012**, said **INDEPENDENT EXECUTOR** qualified as the law requires;
3. Insofar as the records in my office show, said **INDEPENDENT EXECUTOR** is still acting in said capacity.

Witness my hand and seal of said court, at Houston, Texas, on August 28, 2012.

(SEAL)

STAN STANART, County Clerk  
Probate Court No. Four (4)  
201 Caroline, Room 800  
Harris County, Texas

  
\_\_\_\_\_  
Evony Y Simon  
Deputy County Clerk

No. EYS

NO. 412.249

ESTATE OF § IN PROBATE COURT  
NELVA E. BRUNSTING, §  
DECEASED § NUMBER FOUR (4) OF  
§ HARRIS COUNTY, TEXA §

**PERSONAL REPRESENTATIVE'S AFFIDAVIT OF COMPLIANCE WITH NOTICE REQUIREMENTS UNDER SECTION 128A, TEXAS PROBATE CODE**

2012 NOV 26 PM 3:59  
RECEIVED  
CLERK OF PROBATE COURT  
HARRIS COUNTY TEXAS

STATE OF TEXAS §  
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day appeared CARL HENRY BRUNSTING, who on oath deposed and stated that:

"I am the Independent Executor of the Estate of Nelva E. Brunsting, Deceased ("Decedent"), whose Last Will and Testament was admitted to probate by an order dated August 28, 2012 ("the Order").

As contemplated by Section 128A of the Texas Probate Code, notice was given to the following beneficiaries entitled to receive real or personal property under the terms of Decedent's Will:

1. Anita Kay Brunsting  
203 Bloomingdale Circle  
Victoria, Texas 77904
2. Amy Ruth Brunsting  
2582 Country Ledge  
New Braunfels, Texas 78132
3. Carole Ann Brunsting  
5822 Jason St.  
Houston, Texas 77074
4. Candace Louise Curtis  
1215 Ulfinian Way  
Martinez, California 94553
5. Anita Kay Brunsting, Trustee  
203 Bloomingdale Circle  
Victoria, Texas 77904

6. Amy Ruth Brunsting, Trustee  
2582 Country Ledge  
New Braunfels, Texas 78132

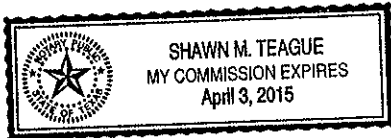
The notices were accompanied by copies of Decedent's Will and the Order, and the notice was mailed by first class mail and by certified mail, return receipt requested, copies of which are attached to this Affidavit.

I hereby certify that each of the foregoing statements is true and within my personal knowledge."

Dated this the 26 day of November, 2012.

Carl Henry Brunsting  
CARL HENRY BRUNSTING  
INDEPENDENT EXECUTOR OF THE ESTATE OF  
NELVA E. BRUNSTING, DECEASED

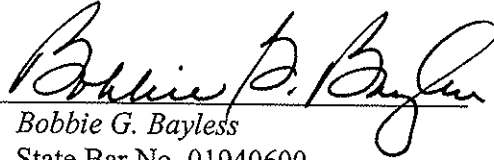
SUBSCRIBED AND SWORN TO BEFORE ME by CARL HENRY BRUNSTING,  
Independent Executor of the Estate of Nelva E. Brunsting, Deceased, on the 26<sup>th</sup> day of November,  
2012.



Shawn M. Teague  
Notary Public in and for the  
State of TEXAS  
Printed Name: Shawn M. Teague  
My Commission Expires: 4-3-2015

Respectfully submitted,

BAYLESS & STOKES

By: 

*Bobbie G. Bayless*

State Bar No. 01940600

*Dalia B. Stokes*

State Bar No. 19267900

2931 Ferndale Street

Houston, Texas 77098

Telephone: (713) 522-2224

Telecopier: (713) 522-2218

*Attorneys for Independent Executor*

BOBBIE GRACE BAYLESS \*  
BOARD CERTIFIED CIVIL TRIAL LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
NATIONAL BOARD OF TRIAL ADVOCACY  
bayless@baylessstokes.com

**BAYLESS & STOKES**  
ATTORNEYS AT LAW  
2931 FERNDALE  
HOUSTON, TEXAS 77098  
Telephone: (713) 522-2224  
Telecopier: (713) 522-2218

DALIA BROWNING STOKES  
BOARD CERTIFIED ESTATE PLANNING & PROBATE LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
stokes@baylessstokes.com

\*LICENSED IN TEXAS AND COLORADO

October 17, 2012

Sent via Certified Mail  
Return Receipt Requested  
and U.S. First Class Mail

Anita Kay Brunsting  
203 Bloomingdale Circle  
Victoria, TX 77904

Re: Cause No. 412.249; *Estate of Nelva E. Brunsting, Deceased*; In Probate Court  
Number 4 of Harris County, Texas

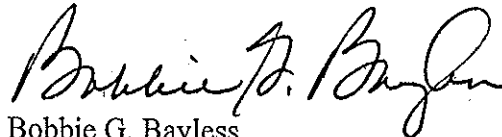
Dear Ms. Brunsting:

I am writing to you on behalf of Carl Henry Brunsting, the Independent Executor of the above-referenced estate. As you are aware, Nelva E. Brunsting died on November 11, 2011. As required by Texas Probate Code, Section 128A, enclosed is a copy of Decedent's Last Will and Testament, as well as the Order admitting the Will to probate.

The contact information for the personal representative is as follows:

Carl H. Brunsting  
c/o Bobbie G. Bayless  
Bayless & Stokes  
2931 Ferndale  
Houston, Texas 77098  
713.522.2224

Sincerely,



Bobbie G. Bayless  
BAYLESS & STOKES  
Attorneys for Carl Henry Brunsting,  
*Independent Executor of the Estate of Nelva  
E. Brunsting*

BGB/st  
Enclosures

P6758

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Postage	\$	10-17-12	Postmark Here
Certified Fee			
Return Receipt Fee (Endorsement Required)			
Restricted Delivery Fee (Endorsement Required)		Nelva	

Total Sent To

**Anita Kay Brunsting**  
**203 Bloomingdale Circle**  
**Victoria, TX 77904**

Street, or PO  
 City, St

PS Form 3800, August 2006 See Reverse for Instructions

**Anita Kay Brunsting**  
**203 Bloomingdale Circle**  
**Victoria, TX 77904**

2. Article Number  
 (Transfer from service label) **7009 0820 0002 0450 4720**

PS Form 3811, February 2004 Domestic Return Receipt **Nelva**

102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
*Anita Kay Brunsting*

B. Received by: Printed Name) **BRUNSTING** C. Date of Delivery **10-26-12**

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

Agent  
 Addressee

3. Service Type

Certified Mail  Express Mail

Registered  Return Receipt for Merchandise

Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes  No



BOBBIE GRACE BAYLESS\*  
BOARD CERTIFIED CIVIL TRIAL LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
NATIONAL BOARD OF TRIAL ADVOCACY  
bayless@baylessstokes.com

**BAYLESS & STOKES**  
ATTORNEYS AT LAW  
2931 FERNDALE  
HOUSTON, TEXAS 77098  
Telephone: (713) 522-2224  
Telecopier: (713) 522-2218

DALIA BROWNING STOKES  
BOARD CERTIFIED ESTATE PLANNING & PROBATE LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
stokes@baylessstokes.com

\*LICENSED IN TEXAS AND COLORADO

October 17, 2012

Sent via Certified Mail  
Return Receipt Requested  
and U.S. First Class Mail

Amy Ruth Brunsting  
2582 Country Ledge  
New Braunfels, TX 78132

Re: Cause No. 412.249; *Estate of Nelva E. Brunsting, Deceased*; In Probate Court  
Number 4 of Harris County, Texas

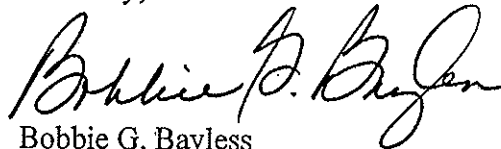
Dear Ms. Brunsting:

I am writing to you on behalf of Carl Henry Brunsting, the Independent Executor of the above-referenced estate. As you are aware, Nelva E. Brunsting died on November 11, 2011. As required by Texas Probate Code, Section 128A, enclosed is a copy of Decedent's Last Will and Testament, as well as the Order admitting the Will to probate.

The contact information for the personal representative is as follows:

Carl H. Brunsting  
c/o Bobbie G. Bayless  
Bayless & Stokes  
2931 Ferndale  
Houston, Texas 77098  
713.522.2224

Sincerely,



Bobbie G. Bayless  
BAYLESS & STOKES  
Attorneys for Carl Henry Brunsting,  
*Independent Executor of the Estate of Nelva  
E. Brunsting*

BGB/st  
Enclosures

P6760

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Postage \$	10-17-12	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		

To: **Amy Ruth Brunsting**  
**2582 Country Ledge**  
**New Braunfels, TX 78132**

PS Form 3811, February 2004 Domestic Return Receipt **Nelva** 102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

1. Article Addressed to:  
**Amy Ruth Brunsting**  
**2582 Country Ledge**  
**New Braunfels, TX 78132**

2. Article Number:  
 (Transfer from service label)  
**7009 0520 0002 0450 147144**

**COMPLETE THIS SECTION ON DELIVERY**

3. Service Type:  
 Certified Mail  
 Registered  
 Insured Mail  
 Express Mail  
 Return Receipt for Merchandise  
 C.O.D.  
 Restricted Delivery (Extra Fee)  
 Yes

4. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

Signature: *[Handwritten Signature]* Agent  Addressee

Received by (Printed Name): *[Handwritten Name]* Date of Delivery: *[Handwritten Date]*

BOBBIE GRACE BAYLESS\*  
BOARD CERTIFIED CIVIL TRIAL LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
NATIONAL BOARD OF TRIAL ADVOCACY  
bayless@baylessstokes.com

**BAYLESS & STOKES**

ATTORNEYS AT LAW  
2931 FERNDALE  
HOUSTON, TEXAS 77098

Telephone: (713) 522-2224  
Telecopier: (713) 522-2218

DALIA BROWNING STOKES  
BOARD CERTIFIED ESTATE PLANNING & PROBATE LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
stokes@baylessstokes.com

\*LICENSED IN TEXAS AND COLORADO

October 17, 2012

Sent via Certified Mail  
Return Receipt Requested  
and U.S. First Class Mail

Candace Louise Curtis  
1215 Ulfinian Way  
Martinez, California 94553

Re: Cause No. 412.249; *Estate of Nelva E. Brunsting, Deceased*; In Probate Court  
Number 4 of Harris County, Texas

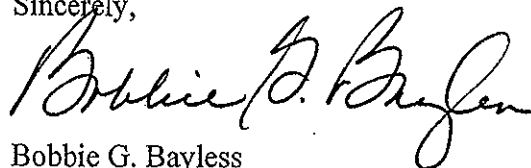
Dear Ms. Curtis:

I am writing to you on behalf of Carl Henry Brunsting, the Independent Executor of the above-referenced estate. As you are aware, Nelva E. Brunsting died on November 11, 2011. As required by Texas Probate Code, Section 128A, enclosed is a copy of Decedent's Last Will and Testament, as well as the Order admitting the Will to probate.

The contact information for the personal representative is as follows:

Carl H. Brunsting  
c/o Bobbie G. Bayless  
Bayless & Stokes  
2931 Ferndale  
Houston, Texas 77098  
713.522.2224

Sincerely,



Bobbie G. Bayless  
BAYLESS & STOKES  
Attorneys for Carl Henry Brunsting,  
*Independent Executor of the Estate of Nelva  
E. Brunsting*

BGB/st  
Enclosures

P6762

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Postage	\$	10-17-12
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total P <sub>y</sub>		

Postmark Here  
*Nelva*

**Candace Louise Curtis**  
1215 Ulfonian Way  
Martinez, CA 94553

Sent To  
Street, A  
or PO B<sub>l</sub>  
City, St<sub>a</sub>

PS Form 3800, August 2004 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

Complete items 1, 2, and 3. Also, complete item 4 if Restricted Delivery is desired.  
Print your name and address on the reverse so that we can return the card to you.  
Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

**Candace Louise Curtis**  
1215 Ulfonian Way  
Martinez, CA 94553

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee  
B. Received by (Printed Name) **CANDACE CURTIS**  
C. Date of Delivery **10/25/12**  
D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  
 Registered  
 Insured Mail  
 Express Mail  
 Return Receipt for Merchandise  
 C.O.D.  
 Yes

4. Restricted Delivery? (Extra Fee)  Yes  
 No

2. Article Number  
(Transfer from service label)

7009 0820 0002 0450 4737

PS Form 3811, February 2004

Domestic Return Receipt

*Nelva*

102595-02-M-1540

BOBBIE GRACE BAYLESS \*  
BOARD CERTIFIED CIVIL TRIAL LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
NATIONAL BOARD OF TRIAL ADVOCACY  
bayless@baylessstokes.com

**BAYLESS & STOKES**  
ATTORNEYS AT LAW  
2931 FERNDALE  
HOUSTON, TEXAS 77098  
Telephone: (713) 522-2224  
Telecopier: (713) 522-2218

DALIA BROWNING STOKES  
BOARD CERTIFIED ESTATE PLANNING & PROBATE LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
stokes@baylessstokes.com  
\*LICENSED IN TEXAS AND COLORADO

October 17, 2012

Sent via Certified Mail  
Return Receipt Requested  
and U.S. First Class Mail

Anita Kay Brunsting, Trustee  
203 Bloomingdale Circle  
Victoria, TX 77904

Re: Cause No. 412.249; *Estate of Nelva E. Brunsting, Deceased*; In Probate Court  
Number 4 of Harris County, Texas

Dear Ms. Brunsting:

I am writing to you on behalf of Carl Henry Brunsting, the Independent Executor of the above-referenced estate. As you are aware, Nelva E. Brunsting died on November 11, 2011. As required by Texas Probate Code, Section 128A, enclosed is a copy of Decedent's Last Will and Testament, as well as the Order admitting the Will to probate.

The contact information for the personal representative is as follows:

Carl H. Brunsting  
c/o Bobbie G. Bayless  
Bayless & Stokes  
2931 Ferndale  
Houston, Texas 77098  
713.522.2224

Sincerely,



Bobbie G. Bayless  
BAYLESS & STOKES  
Attorneys for Carl Henry Brunsting,  
*Independent Executor of the Estate of Nelva  
E. Brunsting*

BGB/st  
Enclosures

P6764

5084 0540 2000 0280 6002

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Postage	\$	10-17-12	Postmark Here  Nelva
Certified Fee			
Return Receipt Fee (Endorsement Required)			
Restricted Delivery Fee (Endorsement Required)			
Total P&F			

Sent To \_\_\_\_\_  
 Street, Apt. or PO Box \_\_\_\_\_  
 City, State \_\_\_\_\_

**Anita Kay Brunsting, Trustee**  
**203 Bloomingdale Circle**  
**Victoria, TX 77904**

PS Form 3811, February 2004

**Anita Kay Brunsting, Trustee**  
**203 Bloomingdale Circle**  
**Victoria, TX 77904**

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: \_\_\_\_\_

2. Article Number (Transfer from service label) **7009 8820 0002 0450 4805**

3. Service Type  
 Certified Mail  
 Registered  
 Insured Mail  
 Express Mail  
 Return Receipt for Merchandise  
 C.O.D.  
 Restricted Delivery? (Extra Fee)  Yes

4. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below: \_\_\_\_\_

A. Signature  Agent  Addressee  
*Nelva*

B. Received by (Printed Name) **NELVASTING**  
 C. Date of Delivery **10-20-12**

**COMPLETE THIS SECTION ON DELIVERY**

BOBBIE GRACE BAYLESS \*  
BOARD CERTIFIED CIVIL TRIAL LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
NATIONAL BOARD OF TRIAL ADVOCACY  
bayless@baylessstokes.com

**BAYLESS & STOKES**  
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Telephone: (713) 522-2224  
Telecopier: (713) 522-2218

DALIA BROWNING STOKES  
BOARD CERTIFIED ESTATE PLANNING & PROBATE LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
stokes@baylessstokes.com

\*LICENSED IN TEXAS AND COLORADO

October 17, 2012

Sent via Certified Mail  
Return Receipt Requested  
and U.S. First Class Mail

Amy Ruth Brunsting, Trustee  
2582 Country Ledge  
New Braunfels, TX 78132

Re: Cause No. 412.249; *Estate of Nelva E. Brunsting, Deceased*; In Probate Court  
Number 4 of Harris County, Texas

Dear Ms. Brunsting:

I am writing to you on behalf of Carl Henry Brunsting, the Independent Executor of the above-referenced estate. As you are aware, Nelva E. Brunsting died on November 11, 2011. As required by Texas Probate Code, Section 128A, enclosed is a copy of Decedent's Last Will and Testament, as well as the Order admitting the Will to probate.

The contact information for the personal representative is as follows:

Carl H. Brunsting  
c/o Bobbie G. Bayless  
Bayless & Stokes  
2931 Ferndale  
Houston, Texas 77098  
713.522.2224

Sincerely,



Bobbie G. Bayless  
BAYLESS & STOKES  
Attorneys for Carl Henry Brunsting,  
*Independent Executor of the Estate of Nelva  
E. Brunsting*

BGB/st  
Enclosures

P6766

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**OFFICIAL USE**

Postage \$	10-17-12	Postmark Here  Nelva
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		

Total F  
Sent To  
Street, A or PO Box  
City, State

**Amy Ruth Brunsting, Trustee**  
**2582 Country Ledge**  
**New Braunfels, TX 78132**

PS Form 3800, August 2006 See Reverse for Instructions

Is your RETURN ADDRESS completed on the reverse side?

5. Received By: (Print Name)  
 6. Signature: (Addresser or Agent)  
 PS Form 3811, December 1994

**Amy Ruth Brunsting, Trustee**  
**2582 Country Ledge**  
**New Braunfels, TX 78132**

3. Article Addressed to: 7009 0820 0002 0450 4829

4b. Service Type  
 Registered  
 Express Mail  
 Return Receipt for Merchandise  
 Certified  
 Insured  
 COD

7. Date of Delivery  
 8. Addressee's Address (Only if requested and fee is paid)  
 Nelva

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

Thank you for using Return Receipt Service.



BOBBIE GRACE BAYLESS \*  
BOARD CERTIFIED CIVIL TRIAL LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
NATIONAL BOARD OF TRIAL ADVOCACY  
bayless@baylessstokes.com

**BAYLESS & STOKES**  
ATTORNEYS AT LAW  
2931 FERNDALE  
HOUSTON, TEXAS 77098  
Telephone: (713) 522-2224  
Telecopier: (713) 522-2218

DALIA BROWNING STOKES  
BOARD CERTIFIED ESTATE PLANNING & PROBATE LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
stokes@baylessstokes.com  
\*LICENSED IN TEXAS AND COLORADO

October 17, 2012

**Sent via Certified Mail**  
**Return Receipt Requested**  
**and U.S. First Class Mail**

Carole Ann Brunsting  
5822 Jason St.  
Houston, TX 77074

Re: Cause No. 412.249; *Estate of Nelva E. Brunsting, Deceased*; In Probate Court  
Number 4 of Harris County, Texas

Dear Ms. Brunsting:

I am writing to you on behalf of Carl Henry Brunsting, the Independent Executor of the above-referenced estate. As you are aware, Nelva E. Brunsting died on November 11, 2011. As required by Texas Probate Code, Section 128A, enclosed is a copy of Decedent's Last Will and Testament, as well as the Order admitting the Will to probate.

The contact information for the personal representative is as follows:

Carl H. Brunsting  
c/o Bobbie G. Bayless  
Bayless & Stokes  
2931 Ferndale  
Houston, Texas 77098  
713.522.2224

Sincerely,



Bobbie G. Bayless  
BAYLESS & STOKES  
Attorneys for Carl Henry Brunsting,  
*Independent Executor of the Estate of Nelva  
E. Brunsting*

BGB/st  
Enclosures

**P6768**

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$	10-17-12
Certified Fee		
Return Receipt Fee (Endorsement Required)		Postmark Here
Restricted Delivery Fee (Endorsement Required)		Nelva
Total		
Sent To	Carole Ann Brunsting	
Street, or PO	5822 Jason St.	
City, St	Houston, TX 77074	

PS Form 3800, August 2006 See Reverse for Instructions

7007 0820 0002 0450 4751

Complete items 1, 2, and 3. Also complete item 4. If Restricted Delivery is desired, address on the reverse

A. Signature

X

Agent

Addressee

Received by (Printed Name)

C. Date of Delivery

Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No



REFUSED

UNCLAIMED

3. Service Type

Certified Mail  Express Mail

Registered  Return Receipt for Merchandise

Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number  
(Transfer from service label)

7009 0820 0002 0450 4751

PS Form 3811, February 2004

Domestic Return Receipt

Nelva

102595-02-M-1540



REFUSED

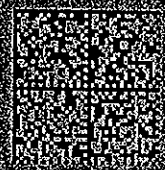
UNCLAIMED

BAYLESS & STOKES  
ATTORNEYS AT LAW  
2931 Ferndale  
Houston, TX 77098

7009 0820 0002 0450 4751



CERTIFIED MAIL



520068

BOBBIE GRACE BAYLESS \*  
BOARD CERTIFIED CIVIL TRIAL LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
NATIONAL BOARD OF TRIAL ADVOCACY  
bayless@baylessstokes.com

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Telephone: (713) 522-2224  
Telecopier: (713) 522-2218

DALIA BROWNING STOKES  
BOARD CERTIFIED ESTATE PLANNING & PROBATE LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
stokes@baylessstokes.com

\*LICENSED IN TEXAS AND COLORADO

March 26, 2013

**Sent via Hand Delivery**

Mr. Stan Stanart  
Harris County Clerk  
201 Caroline, 8<sup>th</sup> Floor  
Houston, Texas 77002

Re: Cause No. 412.249; *Estate of Nelva E. Brunsting, Deceased*; In Probate Court  
Number 4 of Harris County, Texas

Dear Mr. Stanart:

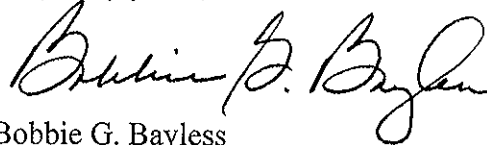
Enclosed please find the Inventory, Appraisal and List of Claims to be filed in the above-referenced matter. Please file-stamp the copy and return to our office via our delivery service.

Further please send a conformed copy of the order indicating the date on which it was signed, and returning same to our office.

Also enclosed is our firm check in the amount of \$28.00 to cover the required filing fees.

Thank you for your assistance in this matter.

Very truly yours,



Bobbie G. Bayless

BGB/st  
Enclosures

cc: Mr. Carl Brunsting (via email)  
Ms. Maureen McCutchen (via telecopier)  
Ms. Carole Ann Brunsting (via regular mail)  
Ms. Candace Louise Curtis (via regular mail)

**P6771**

FILED

2013 MAR 25 PM 3:16

NO. 412.249

ESTATE OF

NELVA E. BRUNSTING,

DECEASED

§  
§  
§  
§  
§

IN *Star* PROBATE COURT  
NUMBER *Four* (4) OF  
HARRIS COUNTY, TEXAS

INVENTORY, APPRAISEMENT AND LIST OF CLAIMS

Date of Death: November 11, 2011

The following is a full, true, and complete Inventory and Appraisement of all personal property and of all real property situated in the State of Texas, together with a List of Claims due and owing to this Estate as of the date of death, which have come to the possession or knowledge of the undersigned.

INVENTORY AND APPRAISEMENT

ASSETS	VALUE	ESTATE INTEREST
--------	-------	-----------------

1. **Real Estate:**  
See List of Claims
2. **Stocks and Bonds**  
See List of Claims
3. **Mortgages, Notes and Cash:**  
See List of Claims
4. **Insurance Payable to Estate**  
See List of Claims
5. **Jointly Owned Property**  
See List of Claims

ASSETS	VALUE	ESTATE INTEREST
--------	-------	-----------------

6. **Miscellaneous Property**

6a. See List of Claims

6b. One-half (1/2) interest in  
 2000 Buick LeSabre..... \$2,750.00  
 VIN--1G4HR54K3YU229418

**TOTAL VALUE OF ESTATE..... Yet to be determined**

## LIST OF CLAIMS

1. Based upon the information currently available to the personal representative of the estate, it is not possible to determine with certainty what assets were in the estate at the Decedent's death. That determination will have to be made the subject of further judicial proceedings. After that judicial determination is made, to the extent it becomes necessary, this Inventory, Appraisement and List of Claims will be amended to reflect the descriptions and values of assets later determined to have been estate assets at the time of Decedent's death.

2. The estate has asserted a claim against Candace L. Kunz-Freed and Vacek & Freed, PLLC f/k/a The Vacek Law Firm, PLLC relating to actions taken and omissions made in the course of their representation of decedent and her husband which may result in additional estate assets. That case is pending under Cause No. 2013-05455, styled *Carl Henry Brunsting, Independent Executor of the Estates of Elmer H. Brunsting and Nelva E. Brunsting v. Candace L. Kunz-Freed and Vacek & Freed, PLLC f/k/a The Vacek Law Firm, PLLC*, in the 164<sup>th</sup> Judicial District Court of Harris County, Texas.


3. The Brunsting Family Living Trust was signed by Decedent and her husband on October 10, 1996 and was restated on January 12, 2005 (the "Family Trust"). The Family Trust purported by its terms to provide for the creation of successor and/or subsequent trusts. The Family Trust also described other documents which, if created in compliance with the terms of the Family Trust, could impact the assets and status of the Family Trust. Attempts were made by various parties to change the terms and control of the Family Trust through later instruments which have been or will be challenged. The estate also asserts claims against Anita Brunsting and Amy Brunsting, the current purported trustees of the successor trusts or trusts arising from the Family

Trust or documents allegedly created pursuant to the terms of the Family Trust. Those claims will be the subject of separate proceedings and may result in additional estate assets.

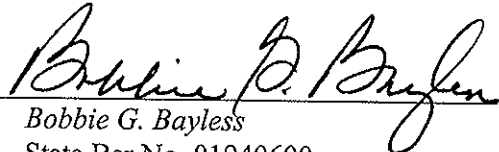
4. The estate also asserts a claim against Anita Brunsting, Amy Brunsting, and Carole Brunsting in their individual capacities for amounts paid and assets believed to also include, among other things, stocks and bonds which were removed from the Family Trust and/or the estate. This was accomplished either through the use of a power of attorney for Decedent, through their position as trustees, through their position as joint signatories on accounts and safe deposit boxes, or because they otherwise had access to the assets. Those claims will also be the subject of a separate proceeding and may result in additional estate assets.

There are no known claims due or owing to the Estate other than those shown on the foregoing Inventory and Appraisalment.

The foregoing Inventory, Appraisalment and List of Claims should be approved and ordered entered of record.

  
CARL HENRY BRUNSTING,  
*Independent Executor of the Estate of  
Nelva E. Brunsting*

BAYLESS & STOKES

By:   
*Bobbie G. Bayless*  
State Bar No. 01940600  
*Dalia B. Stokes*  
State Bar No. 19267900  
2931 Ferndale  
Houston, Texas 77098  
Telephone: (713) 522-2224  
Telecopier: (713) 522-2218

*Attorneys for Independent Executor*




CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing instrument was forwarded to the following interested parties as specified below on the 26<sup>th</sup> day of March, 2013, as follows:

Maureen Kuzik McCutchen  
Mills Shirley, LLP  
2228 Mechanic, Suite 400  
P.O. Box 1943  
Galveston, Texas 77553-1943  
Houston, Texas 77056  
*sent via Telecopier*

Candace Louise Curtis  
1215 Ulfinian Way  
Martinez, California 94553  
*sent via U.S. First Class Mail*

Carole Ann Brunsting  
5822 Jason St.  
Houston, Texas 77074  
*sent via U.S. First Class Mail*

  
BOBBIE G. BAYLESS

THE STATE OF TEXAS §  
§  
COUNTY OF HARRIS §

I, CARL HENRY BRUNSTING, having been duly sworn, hereby state on oath that the foregoing Inventory, Appraisalment and List of Claims is a true and complete statement of all the property and claims of the Estate that have come to my knowledge.

*Carl Henry Brunsting*  
CARL HENRY BRUNSTING  
*Independent Executor of the Estate of  
Nelva E. Brunsting, Deceased*

SWORN TO and SUBSCRIBED BEFORE ME by the said CARL HENRY BRUNSTING,  
on this 26<sup>th</sup> day of March, 2013, to certify which witness my hand and seal of office.



*Shawn M. Teague*  
Notary Public in and for the  
State of T E X A S  
Printed Name: Shawn M. Teague  
My Commission Expires: 4-3-2015

NO. 412.249

ESTATE OF § IN PROBATE COURT  
NELVA E. BRUNSTING, §  
DECEASED § NUMBER FOUR (4) OF  
§ HARRIS COUNTY, TEXAS

**ORDER APPROVING INVENTORY,  
APPRAISEMENT AND LIST OF CLAIMS**

The foregoing Inventory, Appraisement and List of Claims of the above Estate, having been filed and presented, and the Court, having considered and examined the same and being satisfied that it should be approved and there having been no objections made thereto, it is in all respects APPROVED and ORDERED entered of record.

SIGNED on this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
JUDGE PRESIDING

APPROVED:

BAYLESS & STOKES

By: 

*Bobbie G. Bayless*  
State Bar No. 01940600  
*Dalia B. Stokes*  
State Bar No. 19267900  
2931 Ferndale  
Houston, Texas 77098  
Telephone: (713) 522-2224  
Telecopier: (713) 522-2218

*Attorneys for Independent Executor*

**P6778**

NO. 412.249

ESTATE OF § IN PROBATE COURT  
 NELVA E. BRUNSTING, §  
 DECEASED § NUMBER FOUR (4) OF  
 § HARRIS COUNTY, TEXAS

**ORDER APPROVING INVENTORY,  
 APPRAISEMENT AND LIST OF CLAIMS**

3930 (b)  
 EFF 9-1-83

The foregoing Inventory, Appraisement and List of Claims of the above Estate, having been filed and presented, and the Court, having considered and examined the same and being satisfied that it should be approved and there having been no objections made thereto, it is in all respects APPROVED and ORDERED entered of record.

SIGNED on this 4 day of April, 2013.

*Christine B. ...*  
 JUDGE PRESIDING

APPROVED:

BAYLESS & STOKES

By: *Bobbie G. Bayless*

*Bobbie G. Bayless*  
 State Bar No. 01940600  
*Dalia B. Stokes*  
 State Bar No. 19267900  
 2931 Ferndale  
 Houston, Texas 77098  
 Telephone: (713) 522-2224  
 Telecopier: (713) 522-2218

*Attorneys for Independent Executor*

2013 APR -5 11:10:01  
 Stamp: *Stokes & Bayless*