

General Warranty Deed

~~NOTICE OF CONFIDENTIALITY RIGHTS~~

IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: February 24, 2020

Grantor: Castlerock Communities, L.P.

Grantor's Mailing Address: 7670 Woodway, Suite 300, Houston, Texas 77063

Grantee: Fredrick M. Wheeler, Shu Wheeler, and Diamond Wheeler

Grantee's Mailing Address: 208 Timber Brook Dr, Hutto, TX 78634

Consideration: Cash and other good and valuable consideration.

Property (including any improvements):

Lot 25, Block B, of BROOKLANDS SECTION 1, a subdivision in Williamson County, Texas, according to the map or plat thereof, recorded under Document Number 2019042618, ratified in Document Number 2019050247, of the Plat Records of Williamson County, Texas.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty:

Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; all rights,

46/01490-4332-1100 PL

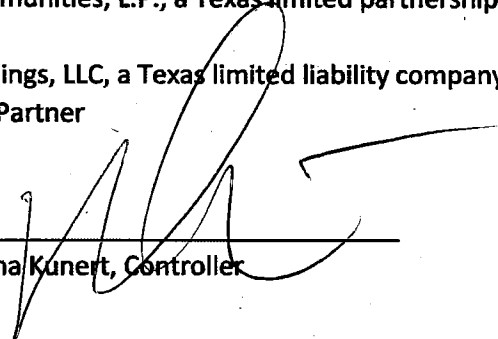
obligations, and other matters arising from and existing by reason of any water, utility, road, or improvement districts which affect the Property; standby fees, taxes, and assessments by any taxing authority for the current year, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee also assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

Castlerock Communities, L.P., a Texas limited partnership

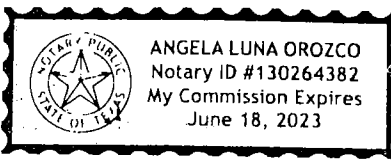
By: YW Holdings, LLC, a Texas limited liability company
General Partner

By: 
Vilma Kunert, Controller

State of Texas
County of Harris

This document was acknowledged before me on February 24, 2020 by Vilma Kunert, Controller of YW Holdings, LLC, a Texas limited liability company, General Partner of Castlerock Communities, L.P., a Texas limited partnership, on behalf of the partnership.


Notary Public, State of Texas



AFTER RECORDING RETURN TO:

After recording, please return to:
Bedrock Title
8240 N. Mopac Expy., Ste. 200
Austin, TX 78759

**ELECTRONICALLY RECORDED
OFFICIAL PUBLIC RECORDS**

2020019864

Pages: 3 Fee: \$25.00

02/27/2020 02:14 PM



Nancy E. Rister

Nancy E. Rister, County Clerk
Williamson County, Texas



No. 26-0023-CP4

IN THE ESTATE OF	§	IN COUNTY COURT AT LAW
	§	
SHU WHEELER,	§	NO. FOUR
	§	
DECEASED	§	WILLIAMSON COUNTY, TEXAS

**ORDER ADMITTING WILL TO PROBATE
AS MUNIMENT OF TITLE**

On this day came on to be heard the Application for Probate of Will as Muniment of Title filed by Frederick Marion Wheeler ("Applicant") on January 8, 2026, in the Estate of Shu Wheeler, Deceased ("Decedent").

The Court, having heard the evidence and having reviewed the Will and the other documents filed herein, finds as follows:

1. The allegations set forth in the Application are true;
2. Notice and citation have been given in the manner and for the length of time required by law;
3. Decedent is dead and four (4) years have not elapsed since the date of Decedent's death;
4. This Court has jurisdiction and venue over the Estate;
5. The Will was not revoked by Decedent;
6. The Will was executed with the formalities and solemnities under the circumstances required by law to make the Will valid;
7. When the Will, dated October 10, 2013, was signed, Decedent had attained the age of eighteen (18) years and was of sound mind;
8. No objection to or contest of the probate of the Will has been filed;
9. That all the necessary proof required for the probate of the Will has been made;
10. That the Will is entitled to probate;
11. That neither the state, a governmental agency of the state, nor a charitable organization is named by the Will as a devisee;
12. There are no unpaid debts owed by this Estate, exclusive of any debt secured by liens on real estate;

ITEO WHEELER
NO. 26-0023-CP4
ORDER ADMITTING WILL TO PROBATE AS MUNIMENT OF TITLE

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- 13. There is no necessity for administration of this Estate;
- 14. Decedent did not apply for and receive Medicaid benefits on or after March 1, 2005;
- 15. The Will should be admitted to probate as a muniment of title; and
- 16. The affidavit that would otherwise be required by Texas Estates Code Section 257.103 is not necessary in this Estate and the requirement for the affidavit should be waived.

IT IS THEREFORE ORDERED AND DECREED by the Court that the Will of Shu Wheeler is hereby proved and established and admitted to probate as a Muniment of Title only, and that the Clerk of this Court record the Will, together with the Application of Frederick Marion Wheeler in the judge's probate docket; and, that this Order shall constitute sufficient legal authority to all persons owing money to Decedent, having custody of any property, or acting as registrar or transfer agent of any evidence of interest, indebtedness, property, or right belonging to the Estate of Shu Wheeler, Deceased, and to persons purchasing from or otherwise dealing with Estate of Shu Wheeler, Deceased, for payment or transfer without liability, to the persons described in the Will to receive the particular asset without administration; and further, that the person or persons entitled to property under provisions of the Will shall be entitled to deal with and treat the properties to which they are so entitled in the same manner as if the record title thereof were vested in their names.

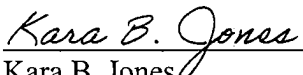
IT IS FURTHER ORDERED AND DECREED that the requirement for the filing of an Affidavit of Fulfillment of Terms of Will is hereby waived.

SIGNED this 2/12/2026 day of 2026
2/12/2026 9:19:03 AM

Filed: February 12, 2026 9:24:07 AM
 Nancy E. Rister, County Clerk
 Williamson County, Texas
 By: Van Ness, Karl
 Deputy Clerk


 JUDGE PRESIDING

APPROVED AS TO FORM:


 Kara B. Jones
 Attorney for Frederick Marion Wheeler
 State Bar No.: 24064924
 13740 Research Blvd., Suite F4
 Austin, Texas 78750
 Telephone: (512) 337-5030
 Facsimile: (512) 655-2889
 Email: kara@borchersjoneslaw.com

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20-0023-CP4

FILED
at 1:52 o'clock P M
SK

LAST WILL
OF
SHU WHEELER

JAN 08 2026

Nancy E. Rister
County Clerk, Williamson Co., TX

Date of Execution: OCT 10 2013

Prepared by:

DAVID A. BROWN, Esq.
California State Bar No. 94941

DAVID A. BROWN
Attorney At Law

3260 Blume Drive, Suite 410
Richmond, California 94806-5277

Telephone: [510] 758-5100
Facsimile: [510] 758-9100

DavidABrownEsq@Gmail.com
www.DavidABrownEsq.com

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LAST WILL OF SHU WHEELER

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LAST WILL OF SHU WHEELER

I, Shu Wheeler, a resident of Contra Costa County, California, declare that this is my will.
I hereby revoke all my previous wills and codicils.

ARTICLE ONE. INTRODUCTORY PROVISIONS

1.1 Marital Status

I am married to Frederick Marion Wheeler, and all references in this will to "my husband" are to him.

I was previously

1.2 Identification of Living Children

I have two living children as follows:

Name	Child's Father
Xi Wei	Shaofei Wei
Diamond Wheeler	Wei Liu


1.3 No Deceased Children

I have no deceased children.

1.4 Definitions of Child, Children, and Issue


The terms "child" and "children" refer to any child that a person has ever had or ever will have, including any children who have been legally adopted. The term "issue" refers to all lineal descendants of all generations, with the relationship of parent and child at each generation being determined by the definitions of "child" and "children" set forth in this document.

I intend to include in the definitions of "child" and "children" Kathy Sue Berndston, Dennis Eugene Wheeler, Deborah Lynn Luke, and Sandra Jean Wheeler, who are the children of my

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Last Will of Shu Wheeler

1 husband, but to exclude from the definitions of "child" and "children" any child born after the date
2 of execution of this will who is not a child of mine. I further intend to include in the definition of
3 "issue" any issue of Kathy Sue Berndston, Dennis Eugene Wheeler, Deborah Lynn Luke, and Sandra
4 Jean Wheeler, but to exclude the issue of any child born after the date of execution of this will who
5 is not a child of mine.

6 1.5 No Contract Affecting Will

7 I have not entered into any contract to make a will or a testamentary gift, to not revoke a will
8 or a testamentary gift, or to die intestate.

9 1.6 No Exercise of Power of Appointment

10 I intentionally refrain from exercising any power of appointment that I now possess or that
11 hereafter may be conferred on me.


12 END OF ARTICLE

13
14 **ARTICLE TWO. PARTICULAR GIFTS**

15 2.1 Tangible Personal Property

16 I give all of my tangible personal property , including my interest in any insurance on that
17 property, to my husband, if he survives me, and if he does not survive me, to my children who
18 survive me, to be divided among them as they believe to be in accordance with my wishes. If my
19 children who survive me are not able to agree on a division, the executor shall divide the property
20 as the executor believes to be in accordance with my wishes, the decision of the executor as to this
21 division to be final and incontestable by anyone.

22 END OF ARTICLE

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Last Will of Shu Wheeler

ARTICLE THREE. RESIDUARY PROVISIONS

3.1 Disposition of Residue If My Husband Survives Me

If my husband survives me, I give the residue of my estate outright to him.

3.2 Intention That Preceding Disposition Be Eligible for Marital Deduction

I intend that the disposition in the preceding section of this will be eligible for the federal estate tax marital deduction, and this instrument shall be construed accordingly. No fiduciary under this will shall take any action or exercise any power that may impair the federal estate tax marital deduction.

3.3 Disposition of Residue if My Husband Does Not Survive Me

If my husband does not survive me, I give the residue of my estate as follows:

(a) A share of seventy-five percent (75%) to Diamond Wheeler, my daughter, if she survives me and if she does not survive me but leaves issue that survive me, then to her issue, by right of representation. If Diamond Wheeler does not survive me and leaves no issue, then her share shall be divided and distributed among the surviving beneficiaries.

(b) A share of five percent (5%) to Xi Wei, my son, if he survives me and if he does not survive me but leaves issue that survive me, then to him issue, by right of representation. If Xi Wei does not survive me and leaves no issue, then his share shall be divided and distributed among the surviving beneficiaries.

(c) A share of five percent (5%) to Kathy Sue Berndtson, my step-daughter, if she survives me and if she does not survive me but leaves issue that survive me, then to her issue, by right of representation. If Kathy Sue Berndtson does not survive me and leaves no issue, then her share shall be divided and distributed among the surviving beneficiaries.

(d) A share of five percent (5%) to Dennis Eugene Wheeler, my step-son, if he survives me and if he does not survive me but leaves issue that survive me, then to his issue, by right of representation. If Dennis Eugene Wheeler does not survive me and leaves no issue, then his share shall be divided and distributed among the surviving beneficiaries.

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Last Will of Shu Wheeler

1 (e) A share of five percent (5%) to Deborah Lynn Luke, my step-daughter, if she
2 survives me and if she does not survive me but leaves issue that survive me, then to
3 her issue, by right of representation. If Deborah Lynn Luke does not survive me and
4 leaves no issue, then her share shall be divided and distributed among the surviving
5 beneficiaries.

6 (f) A share of five percent (5%) to Sandra Jean Wheeler, my step-daughter, if she
7 survives me and if she does not survive me but leaves issue that survive me, then to
8 her issue, by right of representation. If Sandra Jean Wheeler does not survive me and
9 leaves no issue, then her share shall be divided and distributed among the surviving
10 beneficiaries.

11 (g) If none of my children and step-children survive me, I give the residue of my
12 estate to my heirs.

13 END OF ARTICLE
14

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17 **ARTICLE FOUR. EXECUTOR**

18 4.1 Nomination of Executor

19 I nominate Frederick Marion Wheeler, my husband, as executor of this will.

20 4.2 Successor Executors

21 If the office of executor becomes vacant, by reason of death, incapacity, or any other reason

22 I nominate the following, in the order of priority indicated, as executor or coexecutors (as the case
23 may be):

24 First: Diamond Wheeler, my daughter.

25 Second: Xi Wei, my son.

26 Third: Kathy Sue Berndston, my step-daughter.

27 If all those named above are unable (by reason of death, incapacity; or any other reason) or
28 unwilling to serve as successor executor, a new executor or set of coexecutors shall be appointed by
29 the court.

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Last Will of Shu Wheeler

1 4.3 Definition of Executor

2 The term "executor," as used in this will, refers to each personal representative of my estate
3 who is serving at the pertinent time.

4 4.4 Waiver of Bond

5 No bond or undertaking shall be required of any executor nominated in this will.

6 4.5 General Powers of Executor

7 The executor shall have full authority to administer my estate under the California
8 Independent Administration of Estates Act. Subject to any limitations stated elsewhere in this will,
9 the executor shall have, in addition to all of the powers now or hereafter conferred on executors by
10 law, and any powers enumerated elsewhere in this will, the power to perform any of the acts
11 specified in this section.

12 (a) Take possession or control of all of my estate subject to disposition by this
13 will, and collect all debts due to me or to my estate;

14 (b) Receive the rents, issues, and profits from all real and personal property in my
15 estate until the estate is settled or delivered over by order of court to my heirs or
16 beneficiaries;

17 (c) Pay taxes on, and take all steps reasonably necessary for the management,
18 protection, and preservation of, all property in my estate;

19 (d) Commence and prosecute, either individually or jointly with my heirs or
20 beneficiaries, any action necessary or proper to quiet title to or recover possession of
21 any real or personal property in my estate;

22 (e) Vote in person, and give proxies to exercise, any voting rights with respect
23 to any stock, any membership in a nonprofit corporation, or any other property in my
24 estate, and waive notice of a meeting, give consent to the holding of a meeting, and
25 authorize, ratify, approve, or confirm any action that could be taken by shareholders,
26 members, or property owners;

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Last Will of Shu Wheeler

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(f) Insure the property of my estate against damage or loss, and insure the executor against liability to third persons;

(g) Deposit money belonging to my estate in an insured account in a financial institution in California;

(h) Borrow money on behalf of my estate and pledge, hypothecate, or otherwise encumber property of my estate, real or personal, as security for any sums so borrowed;

(i) Pay any and all charges reasonably incurred in connection with or incidental to the distribution of any property of my estate, including but not limited to expenses of storage, freight, shipping, delivery, packing, and insurance; and, on any accounting, treat any such expenditures as expenses of the administration of my estate;

(j) If any asset of my estate consists of an option right, exercise the option after authorization by order of court, upon a showing that the exercise would be to the advantage of my estate, and use any funds or property in my estate to acquire the property covered by the option;

(k) Hold a security in the name of a nominee or in any other form without disclosure of my estate so that title to the security may pass by delivery;

(l) Sell, at either public or private sale and with or without notice, lease, and grant options to purchase, any real personal property belonging to my estate, on such terms and conditions as the executor determines to be in the best interest of my estate;

(m) Dispose of or abandon tangible personal property, except tangible personal property that is a specific gift, when the cost of collecting, maintaining, and safeguarding the property would exceed its fair market value;

(n) Compromise or settle any claim, action, or proceeding by or for the benefit of, or against, me, my estate, or the executor, subject only to any confirmation of court that may be required by law;

(o) Employ professional investment counsel to make recommendations with respect to, and otherwise assist in, investing the assets of my estate; and, on any accounting, treat any fees paid to investment counsel as expenses of the administration of my estate.

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Last Will of Shu Wheeler

1 4.6 Power to Invest

2 The executor shall have the power to invest and reinvest any money of my estate not
3 reasonably required for the immediate administration of my estate in any kind of property, real,
4 personal, or mixed, and in any kind of investment, including but not limited to improved and
5 unimproved real property, interest-bearing accounts, certificates of deposit, corporate and
6 governmental obligations of any kind, preferred or common stocks, mutual funds, investment trusts,
7 money-market funds, taxable and tax-exempt commercial paper, repurchase and reverse repurchase
8 agreements, and stocks, obligations, and shares or units of common trust funds of any corporate
9 fiduciary.

10 4.7 Division or Distribution in Cash or in Kind

11 In order to satisfy a pecuniary gift or to distribute or divide estate assets into shares or partial
12 shares, the executor may distribute or divide those assets in kind, or divide undivided interests in
13 those assets, or sell all or any part of those assets and distribute or divide the property in cash, in
14 kind, or partly in cash and partly in kind. Property distributed to satisfy a pecuniary gift under this
15 will shall be valued at its fair market value at the time of distribution.

16 4.8 Tax Powers

17 The executor shall have the power, in the executor's sole discretion, to do any or all of the
18 following acts:

- 19 (a) to elect the alternate valuation date if an estate tax return is filed;
20 (b) to apply for any deferrals available to the estate under the federal estate tax
21 law for the payment of estate taxes;

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Last Will of Shu Wheeler


- 1 (c) to elect any item either as an income or estate tax deduction for any tax
- 2 reporting purpose;
- 3 (d) to determine when a particular item will be deducted or reported as income.


4 In addition, the executor shall have the discretion to file a federal estate tax return for me and
 5 to elect on such return that my surviving husband may take into account my potentially available
 6 Deceased Spousal Unused Exclusion Amount ("DSUEA"). If the executor elects not to file a federal
 7 estate tax return for this purpose, my surviving husband may compel said executor to file such estate
 8 tax return to claim the DSUEA; provided, however, that the executor may only be compelled to file
 9 such return if my surviving husband bears the cost of filing said estate tax return.

10 No person adversely affected by any of these choices is entitled to any reimbursement or
 11 adjustment, and the executor shall not be required to make any adjustment between income and
 12 principal or in the amount of any property passing to any beneficiary as a result of any election under
 13 this provision. The preceding sentence is applicable in all events, including when the executor shall
 14 exercise any discretion the executor may hold to allocate the benefits of such actions or elections
 15 among the various beneficiaries, even if the consequence of such actions or elections is to directly
 16 or indirectly prefer one beneficiary or group of beneficiaries over others.

17 4.9 Payments to Legally Incapacitated Persons

18 If at any time any beneficiary under this will is a minor, or it appears to the executor that any
 19 beneficiary is incapacitated, incompetent, or for any other reason not able to receive payments or
 20 make intelligent or responsible use of the payments, then the executor, in lieu of making direct
 21 payments to the beneficiary, may make payments to the beneficiary's conservator or guardian; to the
 22 beneficiary's custodian under the Uniform Gifts to Minors Act or Uniform Transfers to Minors Act

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 Williamson County
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Last Will of Shu Wheeler

1 of any state; to the beneficiary's custodian under the California Uniform Transfers to Minors Act
 2 until the beneficiary reaches the age of twenty-five (25) years; to one or more suitable persons as the
 3 executor deems proper, such as a relative or a person residing with the beneficiary, to be used for the
 4 beneficiary's benefit; to any other person, firm, or agency for services rendered or to be rendered for
 5 the beneficiary's assistance or benefit; or to accounts in the beneficiary's name with financial
 6 institutions. If there is no custodian then serving or nominated to serve by the testator for a
 7 beneficiary, the personal representative or executor, as the case may be, shall designate the custodian.
 8 The receipt of payments by any of the foregoing shall constitute a sufficient acquittance of the
 9 executor for all purposes.

10 END OF ARTICLE

11
12 **ARTICLE FIVE. CONCLUDING PROVISIONS**

13 5.1 Nonprobate Transfers of Community Property

14 If I predecease my husband, I revoke any consent I have given during my lifetime to any
 15 nonprobate transfer on the death of any person, to anyone other than my husband, of all or part of
 16 my community property interest in any asset controlled by an instrument described in California
 17 Probate Code Section 5000 (or any successor section), and instead I give to my husband my
 18 community property interest in any assets affected by this revocation of consent. Notwithstanding
 19 the preceding sentence, this revocation of consent shall be inapplicable to any community property
 20 included in any express trust of which I am the settlor or a cosettlor, which shall continue to be
 21 governed by the terms of the applicable trust instrument. I intend that my husband shall have full

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Last Will of Shu Wheeler

1 power to dispose of all community property assets to which this section of the will applies. If my
2 husband and I die simultaneously, or if it cannot be established by clear and convincing evidence
3 whether my husband or I died first, this section shall not apply.

4 5.2 Definition of Death Taxes

5 The term "death taxes," as used in this will, shall mean all inheritance, estate, succession, and
6 other similar taxes that are payable by any person on account of that person's interest in my estate
7 or by reason of my death, including penalties and interest, but excluding the following:

- 8 (a) Any additional tax that may be assessed under Internal Revenue Code Section
9 2032A.
- 10 (b) Any federal or state tax imposed on a "generation-skipping transfer," as that
11 term is defined in the federal tax laws, unless the applicable tax statutes provide that
12 the generation-skipping transfer tax on that transfer is payable directly out of the
13 assets of my gross estate.

14 5.3 Payment of Death Taxes


15 The executor shall pay death taxes, whether or not attributable to property inventoried in my
16 probate estate, by prorating and apportioning them among the persons interested in my estate as
17 provided in the California Probate Code.

18 5.4 Simultaneous Death

19 If any beneficiary under this will and I die simultaneously, or if it cannot be established by
20 clear and convincing evidence whether that beneficiary or I died first, I shall be deemed to have
21 survived that beneficiary, and this will shall be construed accordingly.

22 5.5 Survivorship Requirement

23 For purposes of this will, a beneficiary shall not be deemed to have survived me if that

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Last Will of Shu Wheeler

1 beneficiary dies within sixty (60) days after my death.

2 5.6 Intentional Omission of Children Born or Adopted After Execution of Will

3 Except as otherwise provided in this will, I have intentionally failed to provide in this will
4 for any children born to or adopted by me after the execution of this will.

5 5.7 No-Contest Clause

6 If any beneficiary under this will, singularly or in combination with any other person or
7 persons, directly or indirectly does any of the following acts, then the right of that person to take any
8 interest given to him or her by this will shall be void, and any gift or other interest in my estate to
9 which the beneficiary would otherwise have been entitled shall pass as if he or she had predeceased
10 me without issue.

11 (a) Without probable cause challenges the validity of this will, or the validity of
12 any contract, agreement (including any trust agreement), declaration of trust,
13 beneficiary designation, or other document executed by me, or executed by another
14 for my benefit that is in existence on the date that this instrument is executed and
15 further described as Last Will, Durable Power of Attorney, Advance Health Care
16 Directive, Beneficiary Designations, Trust Transfer Deeds, and Personal Property
17 Declaration, on any of the following grounds:

- 18 (i) Forgery;
- 19 (ii) Lack of due execution;
- 20 (iii) Lack of capacity;
- 21 (iv) Menace, duress, fraud, or undue influence;
- 22 (v) Revocation pursuant to the terms of this will; other applicable
23 instrument, document, or contract (as described in (a) above); or applicable
24 law;
- 25 (vi) Disqualification of a beneficiary under California Probate Code
26 section 6112 or 21350 or applicable successor statutes.

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Last Will of Shu Wheeler

1 (b) Without probable cause files a pleading to challenge the transfer of property
2 under this will or Last Will, Durable Power of Attorney, Advance Health Care
3 Directive, Beneficiary Designations, Trust Transfer Deeds, and Personal Property
4 Declaration on the grounds that it was not the transferor's property at the time of the
5 transfer;

6 (c) Without probable cause files a creditor's claim or prosecutes any action
7 against the estate for any debt alleged to be owed to the beneficiary-claimant.

8 5.8 Definition of Incapacity

9 (a) For purposes of this will, a person is deemed "incapacitated" or deemed to
10 suffer from "incapacity" if any of the following circumstances apply:

11 (i) The person is unable, in the executor's judgment, to provide properly
12 for that person's own needs for physical health, food, clothing, or shelter; to
13 manage substantially that person's own financial resources; or to resist fraud
14 or undue influence.

15 (ii) Either a medical doctor, board-certified neuropsychologist, or a
16 board-certified psychiatrist, not related by blood or marriage to any executor
17 or beneficiary, examines such person and declares under penalty of perjury
18 that such person is either temporarily or permanently incapacitated, according
19 to generally accepted medical definitions.

20 (iii) The person is operating under a legal disability, such as a duly
21 established conservatorship.

22 (iv) The court makes a finding that the person is either temporarily or
23 permanently incapacitated under the criteria set forth in Prob. Code Section
24 810 et seq.

25 (v) If the person whose capacity is in question is an executor or
26 coexecutor, the judgment of the following person regarding the capacity of
27 the executor or coexecutor is another method by which that person may be
28 deemed "incapacitated" or deemed to suffer from "incapacity" for the
29 purposes of this instrument: the successor executor.

30 (b) In case of temporary incapacity of a sole executor, the successor executor
31 designated under this will shall serve during the period of temporary incapacity as
32 though he or she were the only executor. In case of temporary incapacity of a
33 coexecutor, the other coexecutor shall make any and all decisions during the period

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1 of temporary incapacity as though that coexecutor were the only executor.

2 (c) Any executor deemed to be temporarily incapacitated shall be deemed to be
3 permanently incapacitated 90 days after the determination of temporary incapacity
4 unless a determination of capacity is made within that 90-day period. If a
5 determination of capacity is made, the executor may resume serving as executor. If
6 there is a subsequent determination of incapacity, the executor has another 90-day
7 period to obtain a determination of capacity.

8 (d) Any successor executor or coexecutor serving in place of a temporarily
9 incapacitated executor shall not be relieved of liability until that executor's account
10 has been settled or an account has been waived by a majority of all current
11 beneficiaries of the estate.

12 (e) If any executor or any beneficiary whose capacity is in question disputes the
13 determination of incapacity under any of the standards listed above, such person may
14 petition the court for a finding regarding that person's capacity. The court's finding
15 shall be conclusive. If the court determines that the executor or other person whose
16 capacity is in question has capacity, the estate property shall bear all expenses
17 associated with the examination or court proceeding. If the court sustains the
18 determination of incapacity, the individual challenging the determination of
19 incapacity shall bear all expenses of the examination or court proceeding.

20 (f) Each individual executor agrees to cooperate in any examination reasonably
21 necessary for the purpose of determining capacity, agrees to waive the doctor-patient
22 privilege in respect to the results of such examination, and agrees to provide written
23 authorization in compliance with the privacy regulations under the Health Insurance
24 Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d) and the
25 provisions of California Civil Code Section 56.10 for the disclosure and use of that
26 executor's health information and medical records to the extent that such disclosure
27 and use are necessary to make a determination of the executor's capacity. Refusal to
28 submit to the examination, to provide the waiver or to provide the written
29 authorization when requested by the successor executor shall be deemed a resignation
30 by that executor.

31 5.9 Number and Gender

32 As used in this will, references in the masculine gender shall be deemed to include the
33 feminine and neuter genders, and vice versa, and references to the singular shall be deemed to
34 include the plural, and vice versa, wherever the context so permits.

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Last Will of Shu Wheeler

1 5.10 Captions

2 The captions appearing in this will are for convenience of reference only, and shall be
3 disregarded in determining the meaning and effect of the provisions of this will.

4 5.11 Severability Clause

5 If any provision of this will is invalid, that provision shall be disregarded, and the remainder
6 of this will shall be construed as if the invalid provision had not been included.

7 5.12 California Law to Apply

8 All questions concerning the validity and interpretation of this will shall be governed by the
9 laws of the State of California in effect at the time this will is executed.

10 5.13 Distribution to Issue

11 Whenever a division of property is specified to be made under this will among the issue of
12 an individual in the manner set forth in California Probate Code Section 240, the distribution shall
13 be made as described in this section. The individual is referred to in this section as the Designated
14 Ancestor. The first division shall be made at the generation of issue with members who survive the
15 Designated Ancestor that is nearest in degree to the Designated Ancestor. The property shall be
16 divided into as many equal shares as there are members of that generation who survive the
17 Designated Ancestor plus deceased members of that generation who leave issue who survive the
18 Designated Ancestor. Each member of that generation who survives the Designated Ancestor shall
19 receive one such equal share. The equal share of each deceased member of that generation who
20 leaves issue who survive the Designated Ancestor shall in turn be divided among that deceased
21 member's issue who survive the Designated Ancestor in the manner described in this section as if

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1 the deceased member were the Designated Ancestor as to that share.

2 5.14 Gifts to Heirs

3 For any gift to my "heirs" that is made outright in this will, those heirs shall be determined
4 as if I had died intestate at the time for distribution prescribed in this will, and the identity and shares
5 of those heirs shall be determined according to the California laws of succession that concern
6 separate property not acquired from a previously deceased spouse and that are in effect at the time
7 I am deemed to have died. For any assets of any trust estate created by this will to be distributed to
8 my heirs, those heirs shall be determined as if I had died intestate immediately following the
9 termination of the trust of each share, and the identity and shares of those heirs shall be determined
10 according to the California laws of succession that concern separate property not acquired from a
11 previously deceased spouse and that are in effect at the time I am deemed to have died.

12 Executed on 10/10/2013, at Richmond, California.

13 Shu Wheeler
14 Shu Wheeler
15
16
17

18 On the date written above, we, the undersigned, each being present at the same time,
19 witnessed the signing of this instrument by Shu Wheeler, who declared to us that this instrument was
20 the will of Shu Wheeler. At that time, Shu Wheeler appeared to us to be of sound mind and memory
21 and, to the best of our knowledge, was not acting under fraud, duress, menace, or undue influence.
22 Understanding this instrument, which consists of 16 pages, including the pages on which the
23 signature of Shu Wheeler and our signatures appear, to be the will of Shu Wheeler, we subscribe our
24 names as witnesses thereto.

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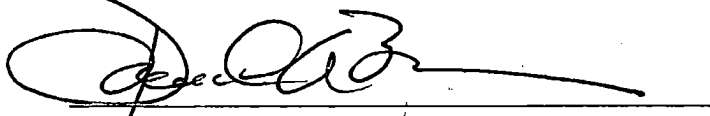
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Last Will of Shu Wheeler

1 We declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct.

3 Executed on 10 October 2013, at Richmond, California.

4 
5 _____

6 Name: David A. Brown
7 Address: 515 Mount Street
Richmond, CA 94805

8 Linda L. Vairetta
9 _____

9 Name: LINDA L. VAIRETTA
10 Address: 2616 SIMAS AVENUE
PINOLE CA 94564



LLV

STATE OF TEXAS
COUNTY OF WILLIAMSON
I, NANCY E. RISTER, COUNTY CLERK, DO
HEREBY CERTIFY THAT THIS IS A TRUE AND
CORRECT COPY AS SAME APPEARS OF RECORD
IN MY CUSTODY.

Witness my hand and seal of office on 2/12/2014



NANCY E. RISTER, COUNTY CLERK
WILLIAMSON COUNTY, TEXAS

By R. DeW Deputy

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Williamson County

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Nancy E. Rister

Nancy E. Rister, County Clerk
Williamson County, Texas

①_E Law Office of Kara B Jones
13740 Research Blvd, Suite F4
Austin Tx, 78750

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