

**Last Will and Testament
of
THOMAS J. PRICE, JR.**

I, THOMAS J. PRICE, JR., a resident of Johnson County, Kansas, revoke any prior Wills and codicils made by me and declare this to be my Last Will and Testament.

**Article One
Family Information**

I am unmarried.

I have two children. Their names are:

THOMAS J. PRICE, III and

TERESA J. KUHN.

All references in my Will to *my children* are to these children, as well as to any children later born to me or adopted by me in a legal proceeding valid in the domestic or foreign jurisdiction in which it occurred.

References to *my descendants* are to my children and their descendants, including descendants of any deceased child.

**Article Two
Distribution of My Property**

Section 2.01 Pour-Over to My Revocable Living Trust

I give all of my probate estate, excluding any property over which I have a power of appointment, after expenses and taxes are paid under this Will, to the then-acting Trustee of the THOMAS J. PRICE, JR. AND HELEN J. PRICE TRUST dated April 6, 2015, as restated on September 19, 2022 and executed before this Will, to be added to the property of that trust. I direct that the Trustee administer the property according to the trust and any amendments made prior to my death.

Section 2.02 Alternate Disposition

If the trust referred to in Section 2.01 is not in effect at my death, or if for any other reason the pour over fails, I specifically incorporate by reference all the terms of the trust into this Will. I direct my Personal Representative to then establish a new trust under the provisions of that trust and distribute the remainder of my estate, excluding any property over which I have a power of appointment, to that Trustee to administer as provided in the trust.

If incorporation by reference fails for any reason, I direct my Personal Representative to distribute the remainder of my estate, excluding any property over which I have a power of appointment to

those persons who would inherit it had I then died intestate owning the property, as determined and in the proportions provided by the laws of Kansas then in effect.

Article Three Designation and Succession of Fiduciaries

Section 3.01 Personal Representative

I nominate THOMAS J. PRICE, III as my Personal Representative. If THOMAS J. PRICE, III is unwilling or unable to act as my Personal Representative, I nominate TERESA J. KUHN as my successor Personal Representative.

Article Four Personal Representative Powers

My Personal Representative may, without prior authority from any court, exercise all powers conferred by my Will, by common law, or by the Kansas Probate Code – (K.S.A. 59-101 et. seq.) or other statute of the State of Kansas or any other jurisdiction whose law applies to my Will. My Personal Representative has absolute discretion in exercising these powers. Except as specifically limited by my Will, these powers extend to all property held by my fiduciaries until the actual distribution of the property.

Article Five Administrative Provisions

Section 5.01 Court Proceedings

Any trust established under my Will will be administered in a timely manner; consistent with its terms; free of active judicial intervention; and without order, approval, or other action by any court. The trust will be subject only to the jurisdiction of a court being invoked by the Trustees or by other interested parties, or as otherwise required by law.

Section 5.02 No Bond

I direct that no Personal Representative be required to give any bond in any jurisdiction. But if a bond is required by law or by court determination, no sureties will be required on the bond.

Section 5.03 Informal Proceedings

If, at the time of my death, applicable state law allows for the independent administration of a decedent's estate, I authorize, but do not direct, that my estate be administered independently, without adjudication, order or direction of any court.

Section 5.04 Compensation and Reimbursement

Any fiduciary serving under my Will is entitled to reasonable compensation commensurate with services actually performed. In addition, any fiduciary serving under my Will is entitled to reimbursement for reasonable expenses incurred.

**Article Six
Taxes, Claims, and Expenses**

Section 6.01 Payment of Death Taxes, Claims, and Expenses

The Trustee of the THOMAS J. PRICE, JR. AND HELEN J. PRICE TRUST is authorized to pay expenses incurred for my funeral and for the disposition of my remains, claims against my estate, and expenses of estate administration. Accordingly, I direct my Personal Representative to consult with the Trustee to determine which expenses and claims should be paid by my Personal Representative from property passing under my Will, and which expenses and claims should be paid by the Trustee from the THOMAS J. PRICE, JR. AND HELEN J. PRICE TRUST.

I direct my Personal Representative to follow any instructions contained in the THOMAS J. PRICE, JR. AND HELEN J. PRICE TRUST in making any tax elections, including the allocation of my GST Exemption. My Personal Representative will suffer no liability for making or not making any tax election in good faith to any person, including any person not yet in being, whose interest may have been affected.

Any taxes imposed on property passing under and outside my Will because of my death will be apportioned and paid under the provisions of the THOMAS J. PRICE, JR. AND HELEN J. PRICE TRUST, and I incorporate the tax apportionment provisions of the THOMAS J. PRICE, JR. AND HELEN J. PRICE TRUST as part of my Will.

No death taxes may be allocated to or paid from property that is not included in my gross estate for federal estate tax purposes, or that qualifies for the federal estate tax charitable deduction.

Section 6.02 Tax and Administrative Elections

My Personal Representative may exercise any available elections under any applicable income, inheritance, estate, succession, or gift tax law.

**Article Seven
General Provisions**

Section 7.01 Adopted and Afterborn Persons

A legally adopted person in any generation and that person's descendants, including adopted descendants, have the same rights and will be treated in the same manner under this Will as natural children of the adopting parent if the person is legally adopted before turning 18 years old. If an adoption was legal in the jurisdiction it occurred in at that time, then the adoption is considered legal.

A fetus *in utero* that is later born alive will be considered a person in being during the period of gestation.

Section 7.02 Applicable Law

The validity and construction of my Will will be determined by the laws of Kansas.

Section 7.03 Contest Provision

If any person directly or indirectly attempts to oppose the validity of my Will or my Revocable Living Trust, including any amendments to my trust, or commences, continues, or prosecutes any legal proceedings to set my Will or Revocable Living Trust aside, then that person will forfeit his or her share, will cease to have any right or interest in my property, and will be considered to have predeceased me for the purposes of my Will.

Section 7.04 Construction

Unless the context requires otherwise, words denoting the singular may denote the plural, and words indicating the plural may denote the singular. As the context requires, words of one gender may denote another gender.

Section 7.05 Headings and Titles

The headings and paragraph titles are for reference only.

Section 7.06 Shall and May

Unless otherwise specifically provided in this document or by the context in which used, the word *shall* is used to impose a duty or to command, direct, or require, and the word *may* is used to allow or permit, but not require. In the context of my Trustee or my Personal Representative, the word *shall* is used to impose a fiduciary duty on my Trustee or my Personal Representative. When I use the word *may*, I intend to empower my Trustee or my Personal Representative to act with sole and absolute discretion unless otherwise stated in this document.


Section 7.07 Survivorship

For purposes of this Will, any beneficiary will be deemed to have predeceased me if the beneficiary dies within 30 days after my death.

Section 7.08 Severability

If any part of this instrument is determined to be void or invalid, the remaining provisions will continue in full force and effect.

I, THOMAS J. PRICE, JR., the testator, on September 19, 2022, sign my name to this instrument as my last will and testament, I sign it willingly (or willingly direct another to sign for me), I execute it as my free and voluntary act for the purposes therein expressed, and I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.


THOMAS J. PRICE, JR., Testator

The foregoing instrument was signed, published and declared by THOMAS J. PRICE, JR., the above-named testator, to be his Last Will and Testament in our presence, all being present at the same time, and we, at his request and in his presence and in the presence of each other, have subscribed our names as witnesses on the date above written.


Taylor Barnes, Witness
5454 W 110th Street
Overland Park, KS 66211


Strat Holcom, Witness
5454 W 110th Street
Overland Park, KS 66211

SELF-PROVING AFFIDAVIT

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

Before me, the undersigned authority, on this day personally appeared THOMAS J. PRICE, JR., Taylor Barnes, and Staci Holcom, known to me to be the testator and the witnesses, respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities, and, all of such persons being by me first duly sworn, such THOMAS J. PRICE, JR., testator, declared to me and to the witnesses in my presence that such instrument is the testator's last will and testament, and that the testator had willingly made and executed it as the testator's free and voluntary act and deed for the purposes therein expressed. Such witnesses, each on the witness' oath stated to me, in the presence and hearing of the testator, that the testator had declared to them that such instrument is the testator's last will and testament, and that the testator executed same as such and wanted each witness to sign it as a witness. Upon their oaths each witness stated further that they did sign the will as witnesses in the presence of each other and in the presence of the testator and at the testator's request, and that the testator at that time possessed the rights of majority, was of sound mind and under no restraint.

Thomas J. Price, Jr.
THOMAS J. PRICE, JR., Testator

Taylor Barnes
Taylor Barnes, Witness
5454 W 110th Street
Overland Park, KS 66211

Staci Holcom
Staci Holcom, Witness
5454 W 110th Street
Overland Park, KS 66211

Subscribed, acknowledged and sworn to before me by THOMAS J. PRICE, JR., testator, and subscribed and sworn to before me by the witnesses, on September 19, 2022.



Mary Margaret Fisher
Mary Margaret Fisher, Notary Public
My commission expires: 04-13-2026