



City of Belle Isle

1600 Nela Avenue, Belle Isle, FL 32809
 Tel 407-851-7730 * Fax 407-240-2222 * www.belleislefl.gov

Lot Split Determination Application

City Code Chapter 50-33(6) - Non-Refundable \$300.00 application fee (BIMC SEC 54-171)
 The City Manager or Designee reserves the right to determine whether this application is complete and accurate. Incomplete applications will not be processed and will be returned to the applicant. The processing time may take up to 5-business days. Please be aware septic systems are not approved with this request. Contact the Health Department at 407-836-2600 for the ability to install septic systems on these proposed lots.

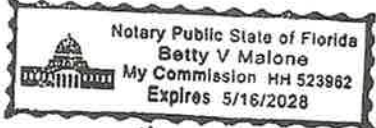
| | | | | | |
|---|--|---|----------------------|-------------|--|
| PARENT PROPERTY INFORMATION | | Parcel ID# | 18-23-30-4386-03-580 | | |
| Property Owner's Names | | Permit # | 2024-06-035 | | |
| Property Owner's Address | | Owner's Contact Number | 407-346-2881 | | |
| 5019 Gran Lac Ave., Belle Isle | | | | | |
| PERMITTEE'S PROPERTY INFORMATION | | | | | |
| Permittee's Name | | Permittee's Contact Number | | | |
| Daniel J. Richards, as Trustee | | 407-346-2881 | | | |
| Permittee's Address | | | | | |
| 813 E Kaley St., Orlando, FL 32806 | | | | | |
| Legal Description (Parent Tract and Proposed Lots) | | | | | |
| Lake Conway Estates Section 7 2/38 Lots 356 357 +358 | | | | | |
| Reason for Request | | | | | |
| To create a buildable lot | | | | | |
| Are there any existing/pending permits for the subject property? (If yes, indicate on the survey) | | | | Yes | No <input checked="" type="checkbox"/> |
| Overall Land Area | | Are Septic tanks proposed | | | |
| 34723 | | ___ Yes <input type="checkbox"/> ___ No <input checked="" type="checkbox"/> | | | |
| Will Wells be used ___ Yes <input type="checkbox"/> ___ No <input checked="" type="checkbox"/> | | All resulting lots have public access (Please indicate on the survey) | | | |
| How many total parcels proposed (3 max) | | For proposed split | Reconfiguration | Aggregation | |
| 2 | | <input checked="" type="checkbox"/> | ___ | ___ | |
| Developable land area (less lake and wetlands) for each lot | | Lot #1 | Lot #2 | Lot #3 | |
| | | 17719 | 17004 | | |

SUBMITTAL REQUIREMENTS:

- ◆ Non-Refundable \$300.00 application fee (BIMC SEC 54-171).
- ◆ The applicant shall submit a survey and legal description, both certified by a registered state surveyor of the property as it is to be divided, payment as outlined in this Land Development Code or as otherwise prescribed by the city council or city manager, and proof of ownership acceptable to the City.
 - The survey, to scale, must contain at a minimum 1) all existing structures, 2) easements, 3) wetlands, 4) the NHWE for any water bodies, 5) the 100-year flood zone limit, 6) all adjoining rights-of-way, 7) proposed lot lines and dimensions, 8) lot areas, and 9) legal descriptions (of parent tract and all proposed lots). If septic systems or wells are proposed, the survey must indicate existing septic tanks, drain fields, and well locations. All lots shall maintain a minimum 20' fee for simple access to a dedicated public paved street.
- ◆ Notarized Owner Authorization (if the applicant is not the property owner).

- ◆ With the prior approval of the city council, any lot or parcel not located within a planned unit development may be divided by lot split so long as the two resulting lots or parcels meet in every respect the Land Development Code's requirements for newly created lots or parcels. No lot or parcel or any portion of any lot or parcel created by a lot split shall be further divided by a lot split. No variance will be given for any lot split that results in a lot or parcel that does not conform in every respect to the Land Development Code's requirement for newly created lots or parcels. For example, no variance will be given for any lot split resulting in a substandard lot.
- ◆ A Notice of No Further Lot Split shall be submitted and fully executed by the owner of the property submitted for a lot split, which notice must be approved by the City, and such notice shall be recorded in the public records of the county prior to the issuance of any building permit for lots or parcels created by lot split. The form of the notice shall be in recordable form and substance substantially in accordance with the following: "The property described on the attached Exhibit 1 was the subject of a lot split within the City of Belle Isle, Florida, and no further division of all or any portion of the property described on the attached Exhibit 1 by the lot split procedure in the City of Belle Isle shall be allowed. Further subdivision by other methods may or may not be allowed."



| | | |
|---|--|--------------------------------|
| Property Owner's Names <i>Daniel J. Richards, as Trustee of the Jeann E. Richards Family Trust</i> | | Permit # <i>2024-06-035</i> |
| Signature <i>Daniel J. Richards</i> <i>Personal Representative</i> | | ZONING APPROVAL STAMP: |
| Owner or Designee Name <i>Daniel J. Richards, as Trustee</i> | | |
| <p>The following request is to divide property for purposes of obtaining building permits or for transfer of ownership as required by the Belle Isle Municipal Code.</p> <ul style="list-style-type: none"> I understand that any approval to divide land may require further approvals by the Planning & Zoning Board and City Council. This request may take up to thirty (30) days for staff review and written response. I understand that any request to divide land is subject to the Belle Isle Comprehensive Plan, as amended, and all other applicable regulations and ordinances. If approval of this application is granted based on false information provided by the property owner or authorized representative, the City reserves the right to revoke the approval and any permits issued as a result of the false information. Decisions of the Planning & Zoning Board may be appealed to the City Council within 15 calendar days of receipt of the decision. The appeal fee is \$150.00. Submit notice of appeal and fee to the City Clerk. | | |
| Print (Owner or Designee) <i>Daniel J. Richards</i> | Signature <i>Daniel J. Richards</i> | Date <i>6-12-24</i> |
| FOR OFFICE USE ONLY - FEE: \$300.00 Date Paid _____ Check/Cash/CC _____ | | |
| State of <u><i>Florida</i></u> County of <u><i>Orange</i></u> Notary's Signature <u><i>Betty V. Malone</i></u> Date <u><i>6-12-2024</i></u> Notary Printed <u><i>Betty V. Malone</i></u> My commission expires: <u><i>5-16-2028</i></u> (SEAL) | | |
|  | | |

Dan Richards
813 E Kaley Street
Orlando, FL 32806
407-346-2881

June 13, 2024

Raquel Lozano
Planner
City of Belle Isle
1600 Nela Avenue
Belle Isle, FL 32809

Dear Ms. Lozano,

Attached is the Lot Split Determination Application and supporting documents for your review.

Enclosed are:

1. A check for \$300 for the Lot Split Application Fee
2. The application, notarized.
3. A Narrative Letter
4. A survey showing the lot split, buildable area and the setbacks
5. A Certificate of Death for Joann Richards
6. Joann Richards Last Will and Testament naming Dan Richards as the Personal Representative.

If you need anything else, please let me know.

Sincerely,



Dan Richards

**Dan Richards
Narrative Letter**

**5019 Gran Lac Avenue
Lot Split**

In 1966 my parents, Jim and Joann Richards, bought the house at 5019 Gran Lac Avenue in Conway Estates when I was 4 and my sister was 8. This was the first home they bought and over the years decided to stay and add on to the house rather than move because they loved the community so much. I felt so fortunate to grow up when I did and in what is now part of Belle Isle. When we first moved in there were only a few houses on Gran Lac Avenue. Conway Estates was still being developed. There were 2 lots on the south side between our house and Hoffner and 3 lots on the north side of our house. There were also lots across the street. We had a wonderful childhood where we rode our bikes everywhere, watched houses get built, played kickball and later football in the empty lots, built treehouses and enjoyed fishing and swimming in the lakes and I can still remember the smell of orange blossoms from the groves across the street along Hoffner.

In 1970 our family grew again and my younger sister was born. The following year, in 1971, Mom and Dad decided to buy the two adjacent lots next door. They wanted to stay in this area and raise their family instead of moving to a bigger house. And a few years later they added another room to the house so everybody could have their own bedroom and my Dad could have a proper den for his desk and books. Mom and Dad embraced this community. They were very special people and committed to living a good life in Belle Isle. They were long time and active members of St Mary of the Angels Episcopal Church on Matchett Road. Mom was instrumental in getting Orange County to build sidewalks along Conway Road in the 1970's so it would be safer for kids walking or bike riding to school and she volunteered at Shenandoah Elementary, Conway Junior High and Oak Ridge High where my sisters and I attended school. Our Dad, who was an Orthopedic Surgeon, frequently volunteered to speak at the schools about science and medicine. He and his practice colleagues ran a free scoliosis clinic at the schools. Not only did he love the community, he loved the location because it was a straight shot to what used to be Orange Memorial Hospital.

Our Dad sadly passed away in 2008. He is dearly missed by our family. Our Mom loved her house, loved living in Belle Isle and she wouldn't even consider downsizing in the ensuing years. Our old bedrooms became grandchildren's bedrooms and many good years and holiday celebrations continued at 5019 Gran Lac Avenue for our family. On August 7th, 2023 our beloved Mom passed away. She and Dad left my sisters and I an amazing legacy that we strive to live up to. We are blessed to have had 57 years of memories filled with love at 5019 Gran Lac Avenue.

As the Personal Representative of my Mom's estate, I am requesting a lot split to create one buildable lot on the property adjacent to the house. The parcel will have 17,004 square feet and the buildable footprint is 8,338 square feet. Our wish is for a family to one day build their dream home and enjoy as many years as we have on this property and in this special community.

BUREAU of VITAL STATISTICS

CERTIFICATION OF DEATH

STATE FILE NUMBER: 2023138578

DATE ISSUED: [REDACTED] 2023

DECEDENT INFORMATION

DATE FILED: [REDACTED] 2023

NAME: JOANN ELLEN RICHARDS

DATE OF DEATH: [REDACTED]

SEX: FEMALE

AGE: 090 YEARS

DATE OF BIRTH: [REDACTED]

SSN: [REDACTED]

BIRTHPLACE: MILWAUKEE, WISCONSIN, UNITED STATES

PLACE WHERE DEATH OCCURRED: HOSPICE

FACILITY NAME OR STREET ADDRESS: 8412 WAIALAE CT

LOCATION OF DEATH: ORLANDO, ORANGE COUNTY, 32819

RESIDENCE: 5019 GRAN LAC AVE, BELLE ISLE, FLORIDA 32812, UNITED STATES

COUNTY: ORANGE

OCCUPATION, INDUSTRY: HOMEMAKER, OWN HOME

EDUCATION: BACHELORS DEGREE

EVER IN U.S. ARMED FORCES? NO

HISPANIC OR HAITIAN ORIGIN? NO, NOT OF HISPANIC/HAITIAN ORIGIN

RACE: WHITE

SURVIVING SPOUSE / PARENT NAME INFORMATION

(NAME PRIOR TO FIRST MARRIAGE, IF APPLICABLE)

MARITAL STATUS: WIDOWED

SURVIVING SPOUSE NAME: NONE

FATHER'S/PARENT'S NAME: IRVING FELSKE

MOTHER'S/PARENT'S NAME: REGINA DWYER

INFORMANT, FUNERAL FACILITY AND PLACE OF DISPOSITION INFORMATION

INFORMANT'S NAME: DAN RICHARDS

RELATIONSHIP TO DECEDENT: SON

INFORMANT'S ADDRESS: 813 E KALEY ST, ORLANDO, FLORIDA 32806, UNITED STATES

FUNERAL DIRECTOR/LICENSE NUMBER: MICHELLE Y PETRINO, F045115

FUNERAL FACILITY: CAREY HAND COLONIAL FUNERAL HOME F079241

2811 CURRY FORD RD, ORLANDO, FLORIDA 32806

METHOD OF DISPOSITION: BURIAL

PLACE OF DISPOSITION: WOODLAWN MEMORIAL PARK
GOTHA, FLORIDA

CERTIFIER INFORMATION

TYPE OF CERTIFIER: CERTIFYING PHYSICIAN

MEDICAL EXAMINER CASE NUMBER: NOT APPLICABLE

TIME OF DEATH (24 HOUR): 1820

DATE CERTIFIED: AUGUST 10, 2023

CERTIFIER'S NAME: ALOK JOSHI

CERTIFIER'S LICENSE NUMBER: OS18605

NAME OF ATTENDING PRACTITIONER (IF OTHER THAN CERTIFIER): NOT ENTERED

The first five digits of the decedent's Social Security Number have been redacted pursuant to §119.071(5), Florida Statutes.



, STATE REGISTRAR

REQ: 2025578536

THE ABOVE SIGNATURE CERTIFIES THAT THIS IS A TRUE AND CORRECT COPY OF THE OFFICIAL RECORD ON FILE IN THIS OFFICE.

WARNING:

THIS DOCUMENT IS PRINTED OR PHOTOCOPIED ON SECURITY PAPER WITH WATERMARKS OF THE GREAT SEAL OF THE STATE OF FLORIDA. DO NOT ACCEPT WITHOUT VERIFYING THE PRESENCE OF THE WATERMARKS. THE DOCUMENT FACE CONTAINS A MULTICOLORED BACKGROUND, GOLD EMBOSSED SEAL, AND THERMOCHROMIC FL. THE BACK CONTAINS SPECIAL LINES WITH TEXT. THE DOCUMENT WILL NOT PRODUCE A COLOR COPY.



* 4 6 5 1 4 3 5 4 *

DH FORM 1946 (03-13)

CERTIFICATION OF VITAL RECORD



VOID IF ALTERED OR ERASED

VOID IF ALTERED OR ERASED



JOANN E RICHARDS FAMILY TRUST
JOANN E RICHARDS
DANIEL J RICHARDS
5019 GRAN LAC AVE
ORLANDO, FL 32812

63-215/631

DATE 6-13-2024

PAY TO THE
ORDER OF

City of Belle Isle

\$ 300.00

three hundred & no/100

DOLLARS

Heat
Reactive
Ink

TRUIST 

MEMO Lot Split Fee

Daniel Richards

LOOK FOR FRAUD-DETECTING FEATURES INCLUDING THE SECURITY SQUARE AND HEAT-REACTIVE INK. DETAILS ON BACK.

LAST WILL AND TESTAMENT
OF
JOANN E. RICHARDS

March 16, 2022

Prepared by
Pamela O. Price
GrayRobinson, P.A.
301 E. Pine Street
Suite 1400
Orlando, Florida 32801
(407) 843-8880
Pamela.Price@Gray-Robinson.com

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**LAST WILL AND TESTAMENT
OF
JOANN E. RICHARDS**

I, JOANN E. RICHARDS, a resident of Orange County, Florida, revoke all prior Wills and publish the following as my Last Will and Testament.

**ARTICLE 1
FAMILY**

I am not married but I am the widow of James F. Richards, Jr. I am a citizen of the United States. I have three children, KATHLEEN E. RICHARDS OROPEZA, DANIEL J. RICHARDS, and MARGARET A. RICHARDS PERELLA. References to "my descendants" mean my children named above and their descendants.

**ARTICLE 2
SPECIFIC GIFTS OF TANGIBLE PERSONAL PROPERTY**

I make the following gifts:

2.1 Separate List for Tangible Personal Property. I may make gifts of tangible personal property by means of one or more separate written lists. To be effective, a separate list must be signed by me, and must identify the items and persons to receive them with reasonable certainty. If there is a conflict, I confirm the gift of that item made in the most recent list. My Personal Representative will not be bound by any written list produced or discovered more than two months after my death.

2.2 Other Gifts. I give all my remaining tangible personal property not given by other provisions of this article, including furniture, household furnishings, motor vehicles, clothing, jewelry, and personal effects (together with all insurance on those items), to those of my children who survive me, in shares as nearly equal in value as is reasonably practical.

2.3 Special Terms. All gifts of tangible personal property under this article are subject to the following conditions.

(a) Division by Personal Representative. If the persons entitled to these items cannot agree upon a division within six months after my death, my Personal Representative shall divide these items in its discretion among those persons, and that division will be conclusive and binding.

(b) Delivery Expenses. All expenses of storage (before distribution), packing, shipping, insurance, delivery, and other reasonable and necessary charges in distributing these items are to be paid as an expense of administration of my estate.

**ARTICLE 3
RESIDUARY ESTATE**

I give all my Residuary Estate to the then serving trustee of the Joann E. Richards Family Trust, amended and restated in its entirety today prior to the execution of this Will (referred to in this Will as “my Revocable Trust”), as it now exists or may be amended after the execution of this Will, for administration under its terms. If the gift to that trust is ineffective for any reason, I give all my Residuary Estate to the Trustee upon the same terms and conditions set forth in that trust as of this date. I incorporate those terms by reference, but only for the purpose of this contingent gift.

**ARTICLE 4
APPOINTMENT OF PERSONAL REPRESENTATIVE**

I appoint DANIEL J. RICHARDS as my Personal Representative. If he fails or ceases to serve, I appoint KATHLEEN RICHARDS OROPEZA to serve as Personal Representative. A Personal Representative will be entitled to reasonable compensation. I direct that no Personal Representative be required to post bond or other security.

**ARTICLE 5
SURVIVAL PROVISIONS**

If any beneficiary is required to survive me or another person to receive a distribution, and if the beneficiary does not survive me or that other person by 90 days, or if that beneficiary cannot be located within one year after my or that other person's death despite reasonable attempts by my Personal Representative to locate that beneficiary, the beneficiary will be treated as if he or she died before me or that other person. Expenses in excess of Five Thousand Dollars (\$5,000) incurred by my Personal Representative in attempting to locate a beneficiary will be charged to the gift distributable to that beneficiary.

**ARTICLE 6
PAYMENTS OF OBLIGATIONS, EXPENSES, AND TAXES**

My Personal Representative shall pay all of my obligations, expenses, and taxes as follows:

6.1 Obligations. I direct that my legally enforceable obligations (except those secured by mortgages or other security instruments) be paid in the order and manner prescribed by law.

6.2 Expenses and Taxes. The term “expenses” includes all estate transmission or management expenses of my probate estate and all costs of my last illness and funeral; the term “estate taxes” means all state and federal estate, inheritance, or transfer taxes payable by reason of my death (including the generation-skipping transfer tax on any direct skip created by the express terms of this Will rather than by disclaimer), plus any related interest and penalties attributable to these taxes, but excluding any other generation-skipping taxes. I direct that all expenses of my estate and all estate taxes charged with respect to my gross estate for estate tax purposes (including estate taxes on assets that do not pass under this Will) be paid by the trustee of my Revocable Trust, as permitted under Section 733.817 and despite Section 738.201(2)(c) of the Florida

Statutes. For these purposes, I incorporate by reference the tax apportionment provisions of my Revocable Trust. To the extent these amounts are not paid by my Revocable Trust, they are to be paid from my Residuary Estate, without apportionment, except to the extent provided in my Revocable Trust as to nonprobate and nontaxable assets.

ARTICLE 7 FIDUCIARY POWERS

I grant to my Personal Representative and the Trustee (collectively referred to as “the Fiduciary”) full power to deal freely with any property in my estate. The Fiduciary may exercise these powers independently and without the approval of any court. No person dealing with the Fiduciary need inquire into the propriety of any of its actions or into the application of any funds or assets. The Fiduciary however, shall exercise all powers in a fiduciary capacity in good faith, as a prudent person would using reasonable care, skill, and caution, for the best interest of the beneficiaries of my estate, which for purposes of this article includes any trust created in this Will. Without limiting the generality of the foregoing, the Fiduciary is given the following discretionary powers in addition to any other powers conferred by law:

7.1 Type of Assets. Except as otherwise provided to the contrary, to hold funds uninvested for such periods as the Fiduciary deems prudent, and to invest in any assets the Fiduciary deems advisable even though they are not technically recognized or specifically listed in so-called “legal lists,” without responsibility for depreciation or loss on account of those investments, or because those investments are non-productive, as long as the Fiduciary acts in good faith.

7.2 Original Assets. Except as otherwise provided to the contrary, to collect and retain the original assets it receives for as long as it deems best, and to dispose of those assets when it deems advisable, even though such assets, because of their character or lack of diversification, would otherwise be considered improper investments for the Fiduciary.

7.3 Tangible Personal Property. To receive and hold tangible personal property; to pay or refrain from paying storage and insurance charges for such property; and to permit any beneficiaries to use such property without either the Fiduciary or beneficiaries incurring any liability for wear, tear, and obsolescence of the property.

7.4 Financial Accounts. To deposit funds in one or more accounts in regulated financial service institutions, including but not limited to banks, savings institutions, and brokerage houses, and to draw checks, drafts, or other forms of withdrawal, including electronic transfers, from those accounts.

7.5 Specific Securities. To invest in assets, securities, or interests in securities of any nature, whether obtained in domestic or foreign markets, including (without limit) precious metals, and currencies; to invest in mutual or investment funds, including funds for which the Fiduciary or any affiliate performs services for additional fees, whether as manager, custodian, transfer agent, investment advisor or otherwise, or in securities distributed, underwritten, or issued by the Fiduciary, its affiliates, or syndicates of which it is a member and I specifically authorize the Trustee to invest in the instruments described in Section 736.0802(5) of the Florida Statutes

(including assets other than qualified investment instruments) without notice to or consent from any beneficiary; to trade on credit or margin accounts (whether secured or unsecured); and to pledge assets of my estate for that purpose.

7.6 Property Transactions. To buy, sell, pledge, exchange, or lease any real or personal property, publicly or privately, for cash or credit, without court approval and upon the terms and conditions that the Fiduciary deems advisable; to execute deeds, leases, contracts, bills of sale, notes, mortgages, security instruments, and other written instruments; to grant, acquire, or exercise options; to abandon or dispose of any real or personal property in my estate which has little or no monetary or useful value; to improve, repair, insure, subdivide and vacate any property; to erect, alter or demolish buildings; to adjust boundaries; and to impose easements, including conservation easements, restrictions, and covenants as the Fiduciary sees fit. An instrument described in this section will be valid and binding for its full term even if it extends beyond the full duration of my estate.

7.7 Borrow Money. To borrow money from any source (including the Fiduciary in its nonfiduciary capacity), to guarantee indebtedness, and to secure the loan or guaranty by mortgage or other security interest.

7.8 Maintain Assets. To expend whatever funds it deems proper for the preservation, maintenance, or improvement of assets. The Fiduciary in its discretion may elect any options or settlements or exercise any rights under all insurance policies that it holds. However, no fiduciary who is the insured of any insurance policy held in my estate may exercise any rights or have any incidents of ownership with respect to the policy, including the power to change the beneficiary, to surrender or cancel the policy, to assign the policy, to revoke any assignment, to pledge the policy for a loan, or to obtain from the insurer a loan against the surrender value of the policy. All such power is to be exercised solely by the remaining Fiduciary, if any, or if none, by a special fiduciary appointed for that purpose by a court having jurisdiction.

7.9 Digital Assets and Accounts. As provided in and in furtherance of the Florida Fiduciary Access to Digital Assets Act ("FFADAA"), to access and control communications intended for me, and communicate on my behalf, whether by mail, electronic transmission, telephone, or other means; to access and control all of my accounts involving web-based communications or storage and web-hosted media, including but not limited to emails, messages, blogs, subscriptions, pictures, videos, e-books, audiobooks, memberships in organizations or commercial enterprises, and all forms of social media, whether or not those require a user name and password for access, even to the extent of compelling the provider to reset my information to data of my Fiduciary's choosing, all in keeping with the Electronic Communications Privacy Act of 1986, the Computer Fraud and Abuse Act of 1986, and FFADAA, as those may be amended; and to hold, control, and have access to and the use of any digital asset (as defined in FFADAA) held by any kind of computing or digital storage device or service.

7.10 Insurance. To obtain property, casualty, liability or any other insurance for my estate, including insurance for the Fiduciary and its agents against damage or liability arising from administration of the Estate or any trust.

7.11 Advisors. To employ and compensate attorneys, accountants, advisors, financial consultants, managers, agents, and assistants (including any individual or entity who provides investment advisory or management services, or who furnishes professional assistance in making investments for my estate) without liability for any act of those persons, if they are selected and retained with reasonable care. Fees may be paid from the domiciliary estate even if the services were rendered in connection with ancillary proceedings.

7.12 Indirect Distributions. To make distributions, whether of principal or income, to any person under age 21 or to any person the Fiduciary reasonably believes is disabled according to the terms of this Will by (i) making distributions directly to that person whether or not that person has a guardian; to the parent, guardian, or spouse of that person; to a custodial account established by the Fiduciary or others for that person under an applicable Uniform Gift to Minors Act or Uniform Transfers to Minors Act; to any adult who resides in the same household with that person or who is otherwise responsible for the care and well-being of that person; (ii) managing the amount as a separate fund on that person's behalf, subject to his or her continuing right to withdraw that amount; or (iii) applying any distribution for the benefit of that person in any manner the Fiduciary deems proper. The receipt of the person to whom payment is made will constitute full discharge of the Fiduciary with respect to that payment.

7.13 Non-Pro Rata Distribution. To make any division or distribution in money or in kind, or both, without allocating the same kind of property to all shares or distributees, and without regard to the income tax basis of the property. Any division will be binding and conclusive on all parties.

7.14 Nominee. Except as prohibited by law, to hold any assets in the name of a nominee without disclosing the fiduciary relationship; to hold the property unregistered, without affecting its liability; and to hold securities endorsed in blank, in street certificates, at a depository trust company, or in a book entry system.

7.15 Custodian. To employ a custodian or agent ("the Custodian") located anywhere within the United States, at the discretion of the Fiduciary but at the expense of my estate, whether or not such Custodian is an affiliate of the Fiduciary or any person rendering services to my estate; to register securities in the name of the Custodian or a nominee thereof without designation of fiduciary capacity; and to appoint the Custodian to perform such other ministerial functions as the Fiduciary may direct. While such securities are in the custody of the Custodian, the Fiduciary will be under no obligation to inspect or verify such securities nor will the Fiduciary be responsible for any loss by the Custodian.

7.16 Administer Claims. To contest, compromise, arbitrate, or otherwise adjust claims in favor of or against my estate, including paying those claims in full; to agree to any rescission or modification of any contract or agreement; and to refrain from instituting any suit or action unless indemnified for reasonable costs and expenses.

7.17 Corporate Rights. To vote and exercise any option, right, or privilege to purchase or to convert bonds, notes, stock (including shares or fractional shares of stock of any Corporate Fiduciary), securities, or other property; to borrow money for the purpose of exercising any such option, right, or privilege; to delegate those rights to an agent; to enter into voting trusts and other

agreements or subscriptions; to participate in any type of liquidation or reorganization of any enterprise; and to write and sell covered call options, puts, calls, straddles, or other methods of buying or selling securities, as well as all related transactions.

7.18 Business Interests. To hold interests in sole proprietorships, general or limited partnerships, joint ventures, business trusts, land trusts, limited liability companies, and other domestic and foreign forms of organizations; and to exercise all rights in connection with such interests as the Fiduciary deems appropriate, including any powers applicable to a non-admitted transferee of any such interest.

7.19 Self-Dealing. To exercise all its powers even though it may also be acting individually or on behalf of any other person or entity interested in the same matters. The Fiduciary, however, shall exercise these powers at all times in a fiduciary capacity, primarily in the interest of the beneficiaries of my estate. Despite any other provision of this Will, no Fiduciary may participate in the decision to make a discretionary distribution that would discharge a legal support obligation of that Fiduciary. No Fiduciary who has made a disclaimer, either individually or as a Fiduciary, may exercise any discretion in determining the recipient of the disclaimed property, except pursuant to an ascertainable standard. All power to make such unlimited distributions, or to determine recipients of disclaimed property, will be exercised solely by the remaining Fiduciaries, if any, or if there are no other Fiduciaries then serving, by the person or persons named to serve as the next successor Fiduciary, or if there are none, by a special Fiduciary appointed for that purpose by a court having jurisdiction.

7.20 Elections. To perform in a fiduciary capacity any act and make any and all decisions or elections under state law or the Internal Revenue Code on behalf of me or my estate, including but not limited to, claiming the whole or any part of the expenses of administration as income tax deductions for my estate, electing the marital deduction in whole or in part, making allocations of my exemption from the federal generation-skipping transfer tax, adopting alternate values for estate tax purposes, and selecting taxable years and dates of distribution. The Fiduciary is specifically excused from making equitable adjustments among beneficiaries because of any election.

7.21 Qualified Property. To manage any qualified real property or qualified family-owned business interests so as to avoid imposition of the additional estate tax under Sections 2032A or 2057 of the Internal Revenue Code, and to furnish security for the payment of any additional estate taxes imposed under those sections.

7.22 Expenses. To pay all expenses of administration for my estate or my Revocable Trust, including all taxes, assessments, compensation of the Fiduciary and its employees and agents, and reimbursements for expenses advanced (with interest as appropriate).

7.23 Terminate Small Trusts. To exercise its discretion, without court approval, to refrain from funding or to terminate any trust whenever the value of the principal of that trust would be or is less than One Hundred Thousand Dollars (\$100,000), and to distribute the remaining principal and all accumulated income of the trust to include the types of distributions described in Section 7.12 to the beneficiaries then entitled to receive income in proportion to their shares of that income (or on a per capita basis if their shares are not fixed) in a manner consistent with the

purposes of the Trust. The Fiduciary shall exercise this power to terminate in its discretion as it deems prudent for the best interest of the qualified beneficiaries at that time.

7.24 Allocations to Income and Principal. To treat premiums and discounts on bonds and other obligations for the payment of money in accordance with either generally accepted accounting principles or tax accounting principles and, except as otherwise provided to the contrary, to hold nonproductive assets without allocating any principal to income, despite any laws or rules to the contrary. My Personal Representative in its discretion may exercise the power described in Section 738.104 of the Florida Statutes to adjust between principal and income, as appropriate, including the allocation of some or all of the net capital gain to the beneficiaries as if it were fiduciary accounting income. My Personal Representative in its discretion may treat any discretionary distributions of principal as being paid first from realized capital gains.

7.25 Use of Income. Except as otherwise provided in this Will, and in addition to all other available sources, to exercise its discretion in the use of income from the assets of my estate to satisfy the liabilities described in this Will, without accountability to any beneficiary.

7.26 Sever or Join Trusts. To sever any trust on a fractional basis into two or more separate trusts, and to segregate by allocation to a separate account or trust a specific amount from, a portion of, or a specific asset included in any trust. The Fiduciary may consolidate two or more trusts (including trusts created by different transferors) having substantially the same beneficial terms and conditions into a single trust. The Fiduciary may take into consideration differences in federal tax attributes and other pertinent factors in administering any separate account or trust, in making applicable tax elections, and in making distributions. A trust created by severance or consolidation will be treated as a separate trust for all purposes from the date on which the severance or consolidation is effective (which may be before the exercise of this power), and will be held on the same beneficial terms and conditions as those before the severance or consolidation. Income earned on a consolidated or severed amount, portion, or specific asset after the consolidation or severance is effective will pass with that amount, portion, or specific asset.

7.27 Consolidated Funds. Unless inconsistent with other provisions of this Will, to hold two or more trusts or other funds in one or more consolidated funds, in which the separate trusts or funds have undivided interests, except that an accounting must be rendered to each trust showing its undivided interests in those funds.

7.28 Valuations. In making distributions or allocations under the terms of this Will to be valued as of a particular date, to use asset valuations obtained for a date reasonably close to that particular date (such as a quarterly closing date before or after that date) if, in the Fiduciary's judgment, obtaining appraisals or other determinations of value on that date would result in unnecessary expense, and if in the Fiduciary's judgment, the fair market value as determined is substantially the same as on that actual date. This paragraph will not apply if valuation on a specific date is required to preserve a qualification for a tax benefit, including any deduction, credit, or most favorable allocation of an exemption.

7.29 Incorporation. To incorporate any business or venture, and to continue any unincorporated business that the Fiduciary determines to be not advisable to incorporate.

7.30 Delegation. To delegate periodically among themselves the authority to perform any act of administration of my estate.

7.31 Loans; Advances. To make loans to anyone under commercially reasonable terms, and to make cash advances or loans to beneficiaries, with or without security. The Fiduciary may retain a lien on future distributions to a beneficiary to repay those loans.

7.32 Election of Benefits. To select a mode of payment under any employee benefit or retirement plan, annuity, or life insurance payable to the trustee, exercise rights under such plan, annuity, or insurance, including exercise of the right to indemnification for expenses and against liabilities, and take appropriate action to collect the proceeds.

7.33 Investment Manager. To employ any investment management service, financial institution, or similar organization to advise the Fiduciary and to handle all investments of my estate and to render all accountings of funds held on its behalf under custodial, agency, or other agreements. If the Fiduciary is an individual, these costs may be paid as an expense of administration in addition to fees and commissions.

7.34 Depreciation. To deduct from all receipts attributable to depreciable property a reasonable allowance for depreciation, computed in accordance with generally accepted accounting principles consistently applied.

7.35 Disclaim Assets or Powers. To disclaim any assets otherwise passing or any fiduciary powers pertaining to any trust created hereunder, by execution of an instrument of disclaimer meeting the requirements of applicable law generally imposed upon individuals executing disclaimers. No notice to or consent of any beneficiary, other interested person, or any court is required for any such disclaimer, and the Fiduciary is to be held harmless for any decision to make or not make such a disclaimer. No disclaimer by the Trustee, whether as a fiduciary or as an individual, will cause that person to be treated as having predeceased me for purposes of serving as Trustee.

7.36 Related Parties. To enter into any transaction on behalf of my estate despite the fact that another party to that transaction may be: (i) a business or trust controlled by the Fiduciary, or of which the Fiduciary, or any director, officer, or employee of the Corporate Fiduciary, is also a director, officer, or employee; (ii) an affiliate or business associate of any beneficiary or the Fiduciary; or (iii) a beneficiary or Trustee under this Will acting individually, or any relative of such a party.

7.37 Additional Powers for Income-Producing Real Estate. In addition to the other powers set forth above or otherwise conferred by law, the Fiduciary has the following powers with respect to any income-producing real property which is or may become a part of my estate:

- To retain and operate the property for as long as it deems advisable;
- To control, direct, and manage the property, determining the manner and extent of its active participation in these operations, and to delegate all or any part of its supervisory power to other persons that it selects;

- To hire and discharge employees, fix their compensation, and define their duties;
- To invest funds in other land holdings and to use those funds for all improvements, operations, or other similar purposes;
- Except as otherwise provided with respect to mandatory income distributions, to retain any amount of the net earnings for working capital and other purposes that it deems advisable in conformity with sound and efficient management; and
- To purchase and sell machinery, equipment, and supplies of all kinds as needed for the operation and maintenance of the land holdings.

7.38 Winding Up. On termination of the estate or any trust, to exercise the powers appropriate to wind up the administration of that estate or trust and distribute the remaining assets to the persons entitled to them, and to retain a reasonable reserve for the payment of debts, expenses, and taxes.

ARTICLE 8 TAX ELECTIONS

I direct my Personal Representative to make federal estate and generation-skipping tax elections as instructed by the trustee of my Revocable Trust with respect to transfers under that trust. My Personal Representative is to be held harmless from any liability in making elections as directed by that trustee.

ARTICLE 9 TRANSACTIONS WITH OTHER ENTITIES

My Personal Representative may buy assets from other estates or trusts, or make loans to them, so that funds will be available to pay claims, taxes, and expenses. My Personal Representative can make those purchases or loans even if it serves as the fiduciary of that estate or trust, and on whatever terms and conditions my Personal Representative thinks are appropriate, except that the terms of any transaction must be commercially reasonable.

ARTICLE 10 MISCELLANEOUS PROVISIONS

10.1 Definitions. As used in this Will, the following terms have the meanings set forth below:

(a) **Internal Revenue Code** means the federal Internal Revenue Code of 1986, as amended from time to time, or successor provisions of future federal internal revenue laws.

(b) **Residuary Estate** means my estate left after paying all pre-residuary gifts in this Will and all expenses and charges (other than estate taxes).

(c) The term **Trustee** refers to my Personal Representative, acting as trustee for any trust created in this Will. When serving as Trustee, my Personal Representative will have all the powers granted to trustees under Florida law, as well as the powers specified in this Will.

(d) The words **will** and **shall** are used interchangeably in this Will and mean, unless the context clearly indicates otherwise, that my Personal Representative must take the action indicated; as used in this Will, the word **may** means that my Personal Representative has the discretionary authority to take the action but is not automatically required to do so.

(e) **Disabled or under a disability** means (i) being under the legal age of majority, (ii) having been adjudicated to be incapacitated, (iii) having been incarcerated for more than thirty consecutive days, (iv) being unaccountably absent for more than thirty days or being detained under duress, or (v) being unable to manage properly personal or financial affairs because of a mental or physical impairment (whether temporary or permanent in nature). A written certificate executed by an individual's attending physician confirming that person's impairment will be sufficient evidence of disability under item (v) above, and all persons may rely conclusively on such a certificate.

10.2 Lapsed Gifts. If any gift is conditioned on the recipient surviving me or another person and no alternative disposition of that gift is specified, the gift will lapse and become part of my Residuary Estate if the designated recipient does not survive.

10.3 Notices. Any person entitled or required to give notice under this Will shall exercise that power by a written instrument clearly setting forth the effective date of the action for which notice is being given. The instrument may be executed in counterparts.

10.4 Certifications.

(a) **From Trustee.** For some purposes, my Personal Representative is instructed to rely on a certificate from the trustee of my Revocable Trust as to certain tax elections and other matters. That certificate must be in writing and witnessed by two impartial persons, but need not be notarized. It is to be delivered to my Personal Representative in the same fashion as provided for other notices.

(b) **Facts.** A certificate signed and acknowledged by my Personal Representative or the Trustee stating any fact affecting this Will, my estate, or any trust will be conclusive evidence of such fact in favor of any transfer agent and any other person dealing in good faith with my Personal Representative or the Trustee. My Personal Representative or the Trustee may rely on a certificate signed and acknowledged by any beneficiary stating any fact concerning the estate beneficiaries, including dates of birth, relationships, or marital status, unless an individual serving as Personal Representative or Trustee has actual knowledge that the stated fact is false. Knowledge of all other facts will be determined as provided in Section 736.0104 of the Florida Statutes.

(c) **Copy.** Any person may rely on a copy of this instrument (in whole or in part) certified to be a true copy by any person specifically named as a Personal Representative or Trustee (or successor Trustee); by any Corporate Trustee whether or not specifically named; or, if there are none of the above, by any then serving Trustee.

10.5 Effect of Adoption. A legally adopted child (and any descendants of that child) will be regarded as a descendant of the adopting parent only if the petition for adoption was filed with the court before the child's thirteenth birthday, except that this limitation will not apply to any child adopted by me. If the legal relationship between a parent and child is terminated by a court while the parent is alive, that child and that child's descendants will not be regarded as descendants of that parent. If a parent dies and the legal relationship with that deceased parent's child had not been terminated before that parent's death, the deceased parent's child and that child's descendants will continue to be regarded as descendants of the deceased parent even if the child is later adopted by another person.

10.6 Infant in Gestation. For all purposes of this Will, an infant in gestation who is later born alive will be deemed to be in being during the period of gestation for the purpose of qualifying the infant, after it is born, as a beneficiary of my estate.

10.7 Applicable Law. All matters involving the validity and interpretation of this Will are to be governed by Florida law.

10.8 Gender and Number. Reference in this Will to any gender includes either masculine or feminine, as appropriate, and reference to any number includes both singular and plural where the context permits or requires.

10.9 Headings. Use of descriptive titles for articles and paragraphs is for the purpose of convenience only and is not intended to restrict the application of those provisions.

Executed at Orlando, Florida, on March 16th, 2022.


Joanir E. Richards

Continued on next page.....

This instrument was signed, sealed, published, and declared by the testatrix as her Last Will and Testament in our joint presence, and at her request we have signed our names as attesting witnesses in her physical presence and in the physical presence of each other on the date written above.

Name

Address



Elisabeth Crane, Witness

301 East Pine Street, Suite 1400
Orlando, FL 32801
407-843-8880



Ileen Cordero, Witness

301 East Pine Street, Suite 1400
Orlando, FL 32801
407-843-8880

Continued on next page.....

STATE OF FLORIDA
COUNTY OF ORANGE

I, Joann E. Richards, declare to the officer taking my acknowledgment of this instrument, and to the subscribing witnesses, that I signed this instrument as my Last Will and Testament.

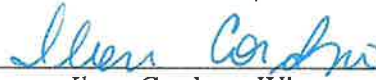


Joann E. Richards

We, ELISABETH CRANE and ILEEN CORDERO, have been sworn by the officer signing below, and declare to that officer on our oaths that the testatrix declared the instrument to be her Last Will and Testament and signed it in our physical presence, and that we each signed the instrument as a witness in the physical presence of the testatrix and of each other.




Elisabeth Crane, Witness




Ileen Cordero, Witness

Acknowledged and subscribed before me in my physical presence or by online notarization by the testatrix, **Joann E. Richards**, who is personally known to me or has produced a driver's license as identification, and sworn to and subscribed before me by each of the following witnesses: ELISABETH CRANE, who is personally known to me or has produced a driver's license as identification, in my physical presence or by online notarization; and ILEEN CORDERO, who is personally known to me or has produced a driver's license as identification, in my physical presence or by online notarization. Subscribed by me in the physical or online presence of the testatrix and the subscribing witnesses, as indicated above, all on March 16th, 2022.



Notary Public, State of Florida
Stamp Name, Commission # and Expiration below)

| | |
|---|--|
|  | WILLIAM A. BOYLES Notary Public, State of Florida My comm. expires Aug. 10, 2022 No. GG 2195306 Bonded thru Ashton Agency, Inc. (800)451-4854 |
|---|--|

IN THE CIRCUIT COURT FOR ORANGE COUNTY, FLORIDA

IN RE: ESTATE OF

PROBATE DIVISION

JOANN ELLEN RICHARDS,
a.k.a. JOANN E. RICHARDS

File No. 2023-CP-003059

Division Probate

Deceased.

**ORDER DETERMINING HOMESTEAD STATUS
OF REAL PROPERTY**

(testate - devised, heirs, no spouse or minor child - exempt from claims)

On the petition of DANIEL J. RICHARDS for an order determining homestead status of real property (the "Property"), all interested persons having been served proper notice of the petition and hearing, or having waived notice thereof, the court finds that:

1. The decedent died testate and was domiciled in Orange County, Florida;
2. The decedent was not survived by a spouse or minor child;
3. Decedent's homestead was devised as permitted by law;
4. At the time of death, the decedent owned and resided on the Property described in the petition;

It is

ADJUDGED that the following-described Property:

Residence located at 5019 Gran Lac Ave., Belle Isle, FL 32812, and more particularly described as:

Lot 358, LAKE CONWAY ESTATES SECTION SEVEN, according to the plat thereof as recorded in Plat Book Z, Page 38, Public Records of Orange County, Florida.

Parcel Identification No.: 18-23-30-4386-03-580

constituted the homestead of the decedent within the meaning of Section 4 of Article X of the Constitution of the State of Florida. It is

ADJUDGED FURTHER that, as of the decedents date of death, the Property was validly devised to and the constitutional exemption from the claims of decedent's creditors inured to the following:

| Name | Address | Relationship | Share |
|---|---------------------------------------|--------------|---|
| DANIEL J. RICHARDS, Trustee of the JOANN E. RICHARDS FAMILY TRUST dated July 25, 1991, as amended and restated | 813 E. Kaley St. Orlando, FL 32806 | Trustee | 100% interest in Residence located at 5019 Gran Lac Ave., Belle Isle, FL 32812, and more particularly described as: Lot 358, LAKE CONWAY ESTATES SECTION SEVEN, according to the plat thereof as recorded in Plat Book Z, Page 38, Public Records of Orange County, Florida. |

It is ADJUDGED FURTHER that the personal representative is authorized and directed to surrender all of the Property which may be in the possession or control of the personal representative to the persons named above, and that the personal representative shall have no further responsibility with respect to it.

DONE and ORDERED in Orange County, Florida on the date shown on the electronic signature.



eSigned by Mark Blechman 06/18/2024 14:43:08 RPGDIDD

Circuit Judge

If there are parties not receiving service through the Florida Courts e-filing Portal, counsel will serve a copy of the order via U.S. Mail to the non-e-filing parties and file a certificate of service in the court file no later than three days from the date of this order.

Electronic Service List

Pamela Price <pam.price@gray-robinson.com>, <kelly.redmond@gray-robinson.com>

KATHLEEN E RICHARDS OROPEZA <kathleenoropeza@gmail.com>

DANIEL J RICHARDS <danrichards84@outlook.com>

MARGARET A RICHARDS PERELLA <megperella@gmail.com>