

STATE OF NEW YORK)
) ss:
COUNTY OF WESTCHESTER)

- 1. Carmella Bueti residing at 18 Summit Avenue
Port Chester, New York 10573
- 2. Carmela M. Mammone residing at 15 Berkley Lane
Rye Brook, New York 10573

each being duly sworn, depose and say:

That they witnessed the execution of the Will of **NORMA W. MULVANY**, Testatrix, dated October 17, 1997, consisting of six pages. That the Will was executed at 2900 Westchester Avenue, Purchase, New York, under the supervision of Anthony B. Gioffre III, an attorney at law with offices at 2900 Westchester Avenue, Purchase, New York. That this affidavit is made at the request of the Testatrix.

That the Testatrix in our presence subscribed her name to the Will at the end thereof, and at the time of making such subscription, published and declared the same to be her Last Will and Testament; thereupon, we at her request and in her presence and the presence of each other, signed our names thereto as subscribing witnesses.

That the Testatrix at the time of such execution, was more than 18 years of age and, in our opinion, of sound mind, memory and understanding, not under any restraint or in any respect incompetent to make a Will.

That the Testatrix indicated to us that she had read the Will, knew the contents thereof, and that the provisions therein contained expressed the manner in which she desired her Estate to be administered and distributed.

That the Testatrix could read, write and converse in the English language, and was suffering from no defect of sight, hearing or speech, nor from any physical or mental impairment which would affect her capacity to make a valid Will.

That the Testatrix signed only one copy of the said Will on said occasion.

Carmella Bueti
Carmela M. Mammone

Sworn to before me this 17th
day of September, 1997.

Anthony B. Gioffre III

ANTHONY B. GIOFFRE, III
Notary Public, State of New York
No. 02GI5049953
Qualified in Westchester County
Commission Expires Sept. 26, 1999

identified in this Article SECOND, in the same proportion as the bequests set forth herein are provided for them;

(B) TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS to **MICHELE REEVES**, 38 Brown Avenue, Rye, New York; in the event that said Michele Reeves shall predecease me or die with me in a common accident or disaster, I direct that the share to which she would otherwise have been entitled had she survived me shall be distributed to her husband, **FRANK REEVES** and to her children, then surviving, share and share alike;

(C) TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS to **CORPUS CHRISTI CHURCH**, South Regent Street, Port Chester, New York for such purposes as its Pastor and Parish Council shall jointly determine appropriate;

(D) FIFTY THOUSAND (\$50,000.00) DOLLARS to **UNITED HOSPITAL MEDICAL CENTER**, Port Chester, New York for such purposes as its Special Gifts Committee and Executive Committee shall deem appropriate;

(E) FIVE THOUSAND (\$5,000.00) DOLLARS to **THEODORE SABATO**, 1 Fairhaven Lane, Port Chester, New York;

(F) SIX HUNDRED FIFTY THOUSAND (\$650,000.00) DOLLARS to **SAINT VINCENT'S HOSPITAL AND MEDICAL CENTER OF NEW YORK**, Westchester Facility, 240 North Street, Harrison, New York for the providing of enhanced services and/or housing for older adults with mental illness, including but not limited to services such as home visits, programs for nursing home residents, specialized geriatric day programs and/or residences for short term or long term care and for enhanced services and/or housing for adults who have a chronic mental illness, including but not limited to increased case management and support for the chronically mentally ill

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who live in the community and/or residences for short term crisis support or long term care. In the event that none of such programs are capable of implementation, such funds shall be utilized and applied to such programs and for such purposes in the field of mental health care as my Executor and said Saint Vincent's Hospital and Medical Center of New York shall mutually agree upon.

THIRD: (a) In the event that my said estate for the purpose of distribution to beneficiaries herein named shall be an aggregate amount in excess of the sum of SEVEN HUNDRED SIXTY FIVE THOUSAND (\$765,000.00) DOLLARS, such excess shall be added to and distributed in accordance with the terms hereinabove provided for in subparagraph (F) for the benefit of **ST. VINCENT'S HOSPITAL AND MEDICAL CENTER OF NEW YORK**, Westchester Facility.

(b) In the event that my said estate for the purpose of distribution to beneficiaries herein named shall be in an aggregate amount of less than SEVEN HUNDRED SIXTY FIVE THOUSAND (\$765,000.00) DOLLARS, then the amount payable to each class of beneficiaries above named shall be reduced proportionately to the extent of such shortfall.

FOURTH: Subject to the limitations herein contained, I hereby give, grant and confer upon my Executor and his successor or successors, the power and authority, at any time and from time to time, to grant, bargain, sell, exchange, convey and dispose of any real or personal property which may at any time form part of my estate, and wheresoever situate, at public or private sale, without notice, at such time or times, for such consideration and upon such terms including terms of credit, with or without security or otherwise, as my Executor shall deem advisable, and until such sale or other disposition of

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any real property, to lease the same for any term or terms and upon such conditions and rentals and with such renewal options as my Executor shall deem advisable, irrespective of whether the term of any such lease shall exceed the period permitted by law, or the probable period of any trust herein created, and to renew or modify such leases, and to manage the same and collect the rents; to mortgage, subdivide, make repairs, replacements and improvements structural or otherwise to any such property; and, generally, to manage the same as if he were the absolute owner thereof.

FIFTH: If any part of my estate shall vest in ownership in a person who has not attained the age of twenty-one (21) years (without regard to the status of such person as a minor or adult), I authorize my Executor to defer payment or distribution of any or all property to which such person is entitled, holding the same as a donee of a power and to manage and invest the same for the benefit of such person; and to pay or apply the whole or a part of the net income or principal at any time and from time to time for the support, education and general welfare of such person, either by the payment of bills incurred by or for the person, or by making payment or distribution thereof to the Guardian or other legal representative, wherever appointed, of such person or to the individual with whom such person shall reside or to such person directly, the receipt of the individual to whom any **such payment or distribution is so made being a sufficient discharge therefor even though my Executor may be such individual.** Any balance of such property shall be distributed to the person when he or she attains the age of twenty-one (21) years, or until such earlier time as my Executor, in his sole discretion shall deem advisable, and if he or she dies before attaining such age, the then remaining principal and any undistributed or accrued income of such fund shall be distributed to the estate of such person. My Executor shall

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not be required to render and file annual accountings with respect to property held under this Article and shall have all of the powers, discretions and authority granted to him under this Will and under the Estates, Powers and Trust Law of the State of New York.

SIXTH: Any person who shall die at the same time as I or in a common disaster with me, or under such circumstances that it is difficult or impossible to determine which died first, shall be deemed to have predeceased me.

SEVENTH: I direct that all estate, transfer or inheritance taxes imposed by the Federal or State governments with respect to property passing under or outside of this, my Last Will and Testament, and required to be included in my gross tax estate shall be payable out of my residuary estate.

EIGHTH: I nominate, constitute and appoint **BRUNO J. GIOFFRE**, Executor of this, my Last Will and Testament. In the event that said Bruno J. Gioffre shall for any reason be unable or unwilling to serve in such capacity as Executor, I nominate, constitute and appoint **LISA GIOFFRE BAIRD** as such Executor. I direct that no bond or other security shall be required of either of said persons for the performance of his or her duties as such Executor.

NINTH: All references herein to this Will shall be construed as referring to this **Will and to any Codicil** or Codicils hereto which I may hereafter execute.

Whenever necessary or appropriate, the use herein of any gender shall be deemed to include the other gender and the use herein of either the singular or the plural shall be deemed to include the other.

IN WITNESS WHEREOF, I have on this 17th day of October, 1997, subscribed, signed, published and declared this to be my Last Will and Testament in the presence of

Norma W. Mulibny

each and all of the subscribing witnesses, each of whom I have requested in the presence of each other, to subscribe his name and address as an attesting witness, in my presence and in the presence of the others.

Doena W. Mulvaney

WITNESSES:

Carmella Buetti
Carmela M. Memmore

This instrument, consisting of six typewritten pages was on this 17th day of October, 1997, subscribed, signed, published and declared by the above named Testatrix as and for her Last Will and Testament, to us and in our presence and we, at her request and in her presence, and in the presence of each other have subscribed our names hereto as attesting witnesses.

Carmella Buetti residing at 18 Summit Avenue

Port Chester, New York 10573

Carmela M. Memmore residing at 15 Berkley Lane

Rye Brook, New York 10573