

Will of Roscoe Rainwater
14 Nov 1972
Wilbarger Co, Texas

#330

Joint Independent Executors and to which will the subscribing witnesses were as follows: Paula Raines and Robbielyn Pruitt, who appeared before Warren Pruitt, Notary Public.

6. No child was born or adopted by the decedent after the making of such will.

7. The names, ages, marital status and residence of each heir and devisee of the decedent and their relationship to the decedent is as follows:

R. COMPTON RAINWATER, son, over 21, Oklaunion, Texas

JOHN W. RAINWATER, son, over 21, Vernon, Texas

WALTER EUGENE RAINWATER, son, over 21, Fort Worth, Texas

CLOIS MILES RAINWATER, son, over 21, Irving, Texas

ED LUTTRELL, JR., as trustee for the benefit of
CHRISTINE RAINWATER LEE, daughter, over 21, Pacifica,
California

8. That the applicants, the Joint Independent Executors named in said will, are qualified and are not disqualified by law to accept letters testamentary.

9. That decedent had never been divorced.

WHEREFORE, on this 14th day of November, 1972,
your applicant prays that citation be issued as required
by law, that said will be admitted to probate, that
letters testamentary be issued to your applicants and
that such other and further orders be made as to the
Court may seem proper.

R. COMPTON RAINWATER
WALTER EUGENE RAINWATER

By Warren Pruitt
Attorney for Applicants

FILED NOV 14 1972 19---

FRANCES McGEE, County Clerk
WILBARGER COUNTY, TEXAS

By Janita Sims Deputy

THE STATE OF TEXAS

[]

[] KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WILBARGER

[]

That I, ROSCOE RAINWATER, of the County of Wilbarger and State of Texas, being of sound and disposing mind and memory and above the age of 21 years do hereby make, publish and declare this to be my will and testament.

I.

I direct that all of my just debts including funeral bills, expense of administration, Federal Estate taxes and State Inheritance taxes shall be paid by my executor from my personal estate, before resorting to a sale of my real estate.

II.

I appoint R. COMPTON RAINWATER and WALTER EUGENE RAINWATER as my Joint Independent Executors and direct that no bond or other security shall be required of them and that no action be taken in the probate court concerning my estate other than to probate this my will and to file the customary inventory and appraisement and list of claims.

III.

After the payment of my said debts I give all of my estate, both real and personal as follows:

- (a) R. COMPTON RAINWATER - One Fifth (1/5)
- (b) JOHN W. RAINWATER - One Fifth (1/5)
- (c) WALTER EUGENE RAINWATER - One Fifth (1/5)
- (d) CLOIS MILES RAINWATER - One Fifth (1/5)
- (e) ED LUTTRELL, JR., as trustee for the benefit of Christine Rainwater Lee - One Fifth (1/5) upon the following terms and conditions:

Said trustee shall have all of the rights, powers and duties imposed and granted by and shall be subject to the provisions of the Texas Trust Act as presently existing or as hereafter amended and no bond shall be required of him as trustee. During the lifetime of my daughter, CHRISTINE RAINWATER LEE, the said trustee shall pay annually to my said daughter all of the income from the corpus of the trust estate, and, in the sole discretion of my trustee, such part of the corpus of said trust estate as he shall deem advisable, and, at the death of my said daughter, any of the trust estate then remaining shall be paid and delivered to my other children above named, in equal shares, if living, but if any of my said children shall not be living at the death of my said daughter, then the

children of such deceased child shall receive the share of such deceased child. My said trustee shall receive a reasonable fee for his services, not to exceed 10 % of the net income of the trust. In the event my trustee shall determine it to be to the best interest of my said daughter, he may terminate the trust at any time and deliver the corpus and undistributed income to her. In the event such trustee shall refuse to serve, become incapacitated or die, my successor trustee shall be the WAGGONER NATIONAL BANK OF VERNON, without bond.

IV.

This instrument consisting of the preceding two pages and this page, I make and publish as my last will, hereunto signing and subscribing my name this the 22nd day of July, 1971, in the presence of Robblynn Pruitt and Paula Raines, who attest the same at my request.

Roscoe Rainwater
Roscoe Rainwater

The above instrument was now here published as his last will, and signed and subscribed by ROSCOE RAINWATER, the testator, in our presence, and we, at his request, in his presence and in the presence of each other sign and subscribe our names thereto as attesting witnesses.

Paula Raines

Robblynn Pruitt

THE STATE OF TEXAS []

COUNTY OF WILBARGER []

Before me, the undersigned authority, on this day personally appeared ROSCOE RAINWATER, Robblynn Pruitt and Paula Raines known to me to be the testator and witnesses, respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities, and all of said persons being by me duly sworn the said ROSCOE RAINWATER, testator, declared to me and to the witnesses in my presence that said instrument is his will and testament, and that he had willingly made and executed it as his free act and deed for the purposes therein expressed; and the said witnesses, each on his oath stated to me, in the presence and hearing of the said testator, that the said testator had declared to them that said instrument is his last will and testament, and that he executed same as such and wanted each of them to sign it as a witness; and upon their oaths each witness stated further that they did sign the same as witnesses in the presence of the said testator and at his request; that he was at that time nineteen years of age or over and was of sound mind; and that each of said witnesses was then at least fourteen years of age.

Robblynn Pruitt
Testator

Paula Raines
Witness

Robblynn Pruitt
Witness

SUBSCRIBED and ACKNOWLEDGED, before me by the said
 ROSCOE RAINWATER, testator, and subscribed and
 sworn to before me by the said Robbilee Pruitt
 and Paula Raines, witnesses, this the 22nd
 day of July, 1971.



Warren Pruitt
 Notary Public in and for
 Wilbarger County, Texas

FILED NOV 14 1972
 FRANCES McGEE, County Clerk
 WILBARGER COUNTY, TEXAS
 By Juanita Sims Deputy

NO. 4441

ESTATE OF	<input type="checkbox"/>	IN THE COUNTY COURT OF
ROSCOE RAINWATER,	<input type="checkbox"/>	WILBARGER COUNTY, TEXAS
DECEASED	<input type="checkbox"/>	PROBATE DOCKET

ORDER AS TO PROOF OF WILL

This 28 day of November, 1972, it duly appearing to the Court that the will alleged in the Application to Probate the will of Roscoe Rainwater, deceased, filed herein on the 14th day of November, 1972, is self-proved, as provided in the Texas Probate Code, it is ORDERED that no further proof of its execution shall be necessary or taken, other than its being introduced in evidence.

Bob Arnold
 County Judge
 Wilbarger County, Texas

NOV 28 1972
 FILED _____
 FRANCES McGEHEE, County Clerk
 WILBARGER COUNTY, TEXAS
 By Leanne Chellogh Deputy

NO. 4441

ESTATE OF	[]	IN THE COUNTY COURT OF
ROSCOE RAINWATER,	[]	WILBARGER COUNTY, TEXAS
DECEASED	[]	PROBATE DOCKET

ORDER PROBATING WILL AND
GRANTING LETTERS TESTAMENTARY

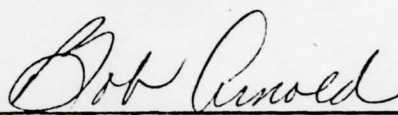
This the 28 day of November, 1972, came on to be heard the written application of R. Compton Rainwater, a resident of Wilbarger County, Texas, and Walter Eugene Rainwater, a resident of Tarrant County, Texas, for the probate of a certain instrument in writing dated the 22nd day of July, 1971, and now produced in Court, being filed herein on the 14th day of November, 1972, purporting and alleged to be the last will of Roscoe Rainwater, deceased, which said application is also for letters testamentary, and due proof being taken in the manner required by law, and it appearing to the satisfaction of the Court that this Court has jurisdiction and venue over this estate, proceeding and subject matter and that every citation and notice required by law has been duly issued, served and returned in the manner and for the length of time required by law, and it being proved to the satisfaction of the Court that the said decedent at the time of executing said will, was at least nineteen years of age, was of sound mind, and died on the 10th day of November, 1972, at

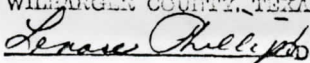
Vernon in the County of Wilbarger, State of Texas, that such decedent executed such will with the formalities and solemnities and under the circumstances required by law to make it a valid self-proven will; that the same has not been revoked by said decedent and that it is entitled to probate; and it further appearing that the said applicants were named in said will as joint independent executors, without bond, and are entitled by law to letters testamentary, are willing to accept the trust and qualify according to law, and are not disqualified from accepting letters, that four years have not elapsed since the death of the said decedent, that such will provides that no other action shall be had in the County Court in relation to the settlement of such estate than the probating and recording of such will and the return of an inventory, appraisement and list of claims of such estate;

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the said will on file herein be and the same is hereby admitted to probate and record as the last will of the said ROSCOE RAINWATER, deceased, and such will, together with the application for the probate thereof and any testimony given in this proceeding shall be recorded in the minutes of this Court; and it is further ORDERED, ADJUDGED and DECREED that the said R. COMPTON RAINWATER and WALTER EUGENE RAINWATER, applicants herein, receive letters testamentary, upon taking the oath required by law, and when the said applicants shall have qualified according to law, the clerk of this

court will issue letters in accordance with this judgment and with the law.

And it appearing that Weldon Brite, Ed Luttrell, Sr., and Ira Luttrell are citizens of this State and are disinterested persons, and that they should be, they are hereby appointed appraisers to appraise the said estate of said decedent and to return their appraisement to this Court.


County Judge
Wilbarger County, Texas

NOV 28 1972
FILED _____ 10_____
FRANCIS MCGEE, County Clerk
WILBARGER COUNTY, TEXAS
By  Deputy

IN THE COUNTY COURT OF WILBARGER

COUNTY, TEXAS

Estate of Roscoe Rainwater, X

Deceased X

No. 4441 X

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Ed Luttrell, Jr., who would respectfully show the Court that he was named in the last will and testament of Roscoe Rainwater, deceased, as a trustee for the benefit of Christine Rainwater Lee, and that he is willing to and does hereby accept such trust and the duties, obligations and responsibilities as a trustee, and will discharge such responsibilities in accordance with the provisions of the Texas Trust Act to the best of his ability.

Ed Luttrell Jr.
Ed Luttrell, Jr.

Sworn to and subscribed before me by the said Ed
Luttrell, Jr. this the 19th day of January, 1973.

Thelma Lancaster
Notary Public in and for
Wilbarger County, Texas

JAN 19 1973
FILED _____ 19
FRANCES McGEE, County Clerk
WILBARGER COUNTY, TEXAS
By Thomas Phillips Deputy

ESTATE OF

No. 4441

789

IN COUNTY COURT,

ROSCOE RAINWATER

WILBARGER

R. Compton Rainwater Deceased.

County, Texas.

Walter Eugene Rainwater Ex'r—~~WILBARGER~~

INVENTORY AND APPRAISEMENT OF THE ESTATE

Of ROSCOE RAINWATER, Deceased, produced before the
undersigned Appraisers, on the 5th day of January A. D. 1972
by R. Compton Rainwater and Walter Eugene Rainwater Ex'r—~~WILBARGER~~ of the Estate
of said ROSCOE RAINWATER, Deceased.

SEPARATE PROPERTY OF SAID DECEASED:

APPRAISED VALUE

1. REAL ESTATE

Schedule Attached

\$50,700.00

2. PERSONAL PROPERTY

Schedule Attached

1,600.00

3. SECURITIES

Schedule Attached

18,569.21

4. CASH

Schedule Attached

38,600.00

5. CLAIMS OWING TO THE ESTATE

From Whom: Name and Address	Nature of Debt	Date of Debt	Date Due	Amount	Interest Rate	Community or Separate
N O N E						

CLAIMS HELD IN COMMON WITH OTHERS

Name of Debtor	Interest of Estate	Other Joint Owners	Their Relationship To Estate	
N O N E				

SEPARATE PROPERTY OF ROSCOE RAINWATER, DECEDENT

1. REAL ESTATE

1. 2128 Mesquite St., Vernon, Tex. (Lots 13 & 14, Blk 79 OT)	\$12,000.00
2. 2118 Mesquite St., Vernon, Tex. (Lots 15 & 16, Blk 79 OT)	5,000.00
3. 2129 Mesquite St., Vernon, Tex. (Lots 1 & 2, Blk 80 OT)	5,500.00
4. 2420 Mesquite St., (N $\frac{1}{2}$ of SE $\frac{1}{4}$, Blk 46 SA)	4,000.00
5. 2610 Main St., Vernon, Tex. (S $\frac{1}{4}$ of NE $\frac{1}{4}$, Blk 78 SA)	5,000.00
6. 2423 Fannin St., Vernon, Tex. (N $\frac{1}{4}$ of SW $\frac{1}{4}$, Blk 48 SA)	5,000.00
7. 2901 Deaf Smith St., Vernon, Tex. (Lot 8, Blk 2 SH)	5,000.00
8. Und. 7/16 interest in E 192 acres of the S $\frac{1}{2}$ of Sec. 22, Blk 13, HTC Ry Survey (Abst 1300)	4,200.00
9. Und. 5/16 interest in SE Quarter Sec. 79, Blk 14, HTC Ry Survey	5,000.00
All Real Estate located in Wilbarger County, Texas - TOTAL	<u>\$50,700.00</u>

2. PERSONAL PROPERTY

1. Household Furniture	\$ 1,000.00
2. Office Equipment	100.00
3. Other Personal Property	500.00
TOTAL	<u>\$ 1,600.00</u>

3. SECURITIES

Stocks and Bonds as follows:

1. Elam Baptist Church, Dallas, Tex.	\$ 500.00
2. Central Southern Baptist Church, Chula Vista, Calif.	150.00
3. Glendale Missionary Baptist Church, Kenner, La.	2,500.00
4. Grace Baptist Church, Houston, Tex.	2,000.00
5. Grace Baptist Church, Andrews, Tex.	2,500.00
6. Westgate Baptist Church, Beaumont, Tex.	2,000.00
7. Kelview Heights Baptist Church, Midland, Tex.	1,000.00
8. Missionary Baptist Tabernacle, Shreveport, La.	2,000.00
9. Many Missionary Baptist Church, Many, La.	3,000.00
10. Missionary Baptist Church, Ringgold, La.	500.00
11. Consolidated Canorama Explorations Lt. (Canadian) (Stock)	50.00
Total Stocks and Bonds	<u>\$16,200.00</u>

Secured Notes as follows:

1. Otto Barnett, Vernon, Tex.	1,207.31
2. Santos Hernandez, Vernon, Tex.	1,161.90
All Securites - - TOTAL	<u>\$18,569.21</u>

4. CASH

1. Checking account - Herring National Bank, Vernon, Texas	\$ 3,600.00
2. Savings account - Vernon Savings and Loan, Vernon, Texas	20,000.00
3. Savings Account - First Federal Savings and Loan, Vernon, Tex.	15,000.00
TOTAL	<u>\$38,600.00</u>

COMMUNITY PROPERTY**791****1. REAL ESTATE**

NONE

2. PERSONAL PROPERTY

NONE

3. SECURITIES

NONE

4. CASH

NONE

5. CLAIMS OWING TO THE ESTATE

From Whom: Name and Address	Nature of Debt	Date of Debt	Date Due	Amount	Interest Rate	Community or Separate
N O N E						

CLAIMS HELD IN COMMON WITH OTHERS

Name of Debtor	Interest of Estate	Other Joint Owners	Their Relationship To Estate	
N O N E				

We, the undersigned appraisers, do solemnly swear that the foregoing is a full and correct inventory and appraisement of all the property of the Estate of _____

ROSCOE RAINWATER

Deceased, produced before

us by R. Compton Rainwater and Walter E. Rainwater

, Ex'r ~~WALTER~~

Lo B Littrell
E. E. Littrell

APPRAISERS

Sworn to and subscribed before me, this 5th. day of January A. D. 19 73



M. F. Castleberry
M. F. Castleberry

Notary Public in and for Wilbarger

County, Texas

*Erase "Ex'r" or "Adm'r" as the case may be.
(SEE ART. 1967.)

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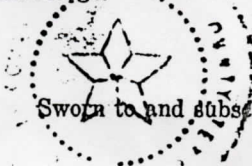
LIST OF ALL CLAIMS DUE AND OWING BY THE ESTATE
Community Property

To Whom Due	Nature of Claim	Date of Claim	When Due	Rate of Int.	Amount
N O N E					

LIST OF CLAIMS Separate Property						
Henderson Fields Funeral Home	Funeral Expense	Nov. 10, 72	11-10-72	-0-	1,500.00	
Rainwater Insurance Agency	Dwelling Ins.	Oct. 4, 72	10-4-72	-0-	303.00	
U. S. Govt. (IRS)	FICA	12-31-72	1-31-73	-0-	11.70	
Joint Owners-Sec.22, Blk 13	Undistributed	11-8-72	11-8-72	-0-	338.67	
HTC ry Rurv.	Income					
<p>JAN 5 1973</p> <p>FILED _____ 19__</p> <p>FRANCES McGEE, County Clerk WILBARGER COUNTY, TEXAS</p> <p>By <u>Frances McGee</u> Deputy</p>						

FILED _____ 19____
FRANCES McGEE, County Clerk
WILBARGER COUNTY, TEXAS
By Frances M. Gee Deputy

I do solemnly swear that the foregoing Inventory and List is a true and completement Statement of the Property and Claims of ROSCOE RAINWATER deceased, that have come to my knowledge.



Sworn to and subscribed before me, this JAN 5 1973 day of JAN 5 1973 A. D. 19

FRANCES MCGEE
County Clerk of Wilbarger County.

Frances McGee
Clerk County Court Wilbarger County, Texas

Order Approving Inventory, Appraisement and List of Claims

On this the 30th day of April, A. D. 19 73 came on to be examined the inventory, appraisement, and list of claims of the estate of

Roscoe Rainwater, deceased, herein filed on Jan. 5, 1973 by R Compton Rainwater and Walter Eugene Rainwater, Ex'r-Adm'r,

of said estate. And it appearing that the same was filed within the time prescribed by law and is correct and complete and complies with the law, and is signed and sworn to by said executor and that the appraisement was made by Ira B Luttrell and E E Luttrell who were heretofore appointed appraisers in this matter.

It is therefore ordered and decreed that said inventory, appraisement, and list of claims be and the same is hereby in all respects approved and ordered recorded in the probate minutes.

FILED 4-30-1973

FRANCES MCGEE, County Clerk
WILBARGER COUNTY, TEXAS

*Erase "Ex'r" or "Adm'r" as the case may be.
By Frances McGee Deputy

John Arnold County Judge
Wilbarger County, Texas

A 1137

FILE No. 1111

ESTATE OF

ROSCOE RAINWATER

Deceased.

R. Compton Rainwater
Walter Eugene Rainwater

Ex'r-Adm'r

Inventory and Appraisement and List of Claims

Filed JAN 5 1973 day of JAN 5 1973
FRANCES MCGEE
County Clerk of Wilbarger County
By Frances McGee Deputy.

Recorded day of 19
at o'clock M., in Probate Minutes
of County, in

Volume Page
Witness my hand and seal, on this day
of 19

Clerk.
By Deputy.

STATE OF TEXAS)
COUNTY OF WILBARGER)

PROBATE NO. 4441

Estate of ROSCOE RAINWATER

STATEMENT OF AUTHORIZED DEDUCTIONS

Whereas the estate of ROSCOE RAINWATER, deceased November 8, 1972, included property which formed a part of his gross estate received from GERTRUDE RAINWATER, deceased August 17, 1969, which was within five (5) years prior to the death of the decedent and amounted to the sum of \$51,209.58.

And whereas the amount of the value of the property upon which an inheritance tax was actually paid by said decedent amounted to the sum of \$26,209.58, and an Inheritance Tax Return, Form 30-4.01 was filed and tax paid in the amount of \$274.20, as evidenced by receipt No. 37798, dated September 29, 1970.

Now therefore the sum of \$26,209.58 is claimed as a deduction from the gross estate of said decedent, ROSCOE RAINWATER.

Dated this

5th. day of January, 1973.

Walter E. Rainwater
Co-Executor

R. C. Rainwater
Co-Executor

State of Texas

County of Wilbarger

I, W. E. Castleberry, a Notary Public in and for the State and County aforesaid, do hereby certify that this day personally appeared before me in said County and State

Walter E. Rainwater and R. C. Rainwater

WHOSE names are signed to the foregoing and hereunto annexed at

dated the 5th day of January, 1973, and acknowledged before me.

Given under my hand this 5th. day of January, 1973.

FILED JAN 5 1973 1973

FRANCES MCGEE, County Clerk
WILBARGER COUNTY, TEXAS

By Frances McGee Deputy

W. E. Castleberry
Notary Public