



IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 109 OF 2021

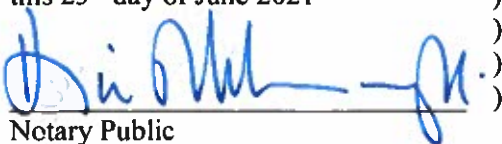
PROBATE AND ADMINISTRATION NO. OF 2021

IN THE ESTATE OF KEITH PARKER TIBBETTS, Jr., a.k.a. KEITH P. TIBBETTS Jr., DECEASED

**APPLICATION FOR GRANT OF PROBATE OF A WILL
Succession Act (2006 Revision)**

I, **KEITH P. TIBBETTS III**, of 238 Patrick’s Avenue, George Town, Grand Cayman, Cayman Islands, being the executor named in the last will of the late **KEITH PARKER TIBBETTS, Jr, a.k.a. KEITH P. TIBBETTS Jr**, formerly of 89 Coemer Drive, George Town, Grand Cayman, Cayman Islands, surviving the deceased, being over the age of eighteen years and not having renounced probate, which said will at the time of death of the deceased, being stored in the safe in the deceased’s office in George Town, together with the certificate of death is annexed hereto, hereby apply for a grant of probate of the said will to me and I enclose herewith my Affidavit in that behalf and I undertake that in the event of such grant being made to me, I will:

- a) within six months of the grant to me of probate of the said will I will prepare a true inventory of the said estate and exhibit and file the same in the Probate Registry; and
- b) within one year of such grant to me, I will administer the said estate according to the tenor of the will and the directions, if any, of the courts and file in the Probate Registry a general account accounting for the whole of the assets of the said estate.

SWORN before me in George Town,)
Grand Cayman)
this 23rd day of June 2021)
)
Notary Public)



Keith P. Tibbetts III

My Commission Expires
31 January 2022
Kim McLaughlin

FILED by Hampson and Company, Attorneys at Law for the Applicant, whose address for service is that of his said attorneys, 4th Floor, Apollo House East, 87 Mary Street, P.O. Box 698, Grand Cayman KY1-1107.

LAST WILL AND TESTAMENT OF KEITH PARKER TIBBETTS, Jr.

THIS IS THE LAST WILL AND TESTAMENT of me, Keith Parker Tibbetts, Jr., of 89 Coemer Drive, George Town, Grand Cayman, Cayman Islands.

1. I revoke all wills and testamentary dispositions at any time heretofore made by me.
2. I declare that the validity, construction, application, effect and administration of this my last will and testament ("my Will") is to be governed by the laws of the Cayman Islands.

Appointment of Executor and Trustee

3. I appoint my son, **Keith P. Tibbetts III**, as the sole Executor and Trustee of this my Will. If, however, my said son shall have predeceased me or shall not survive me for a period of seven days, or if he dies without proving this Will or if he is unable or otherwise unwilling to prove this Will, I then appoint my stepdaughter, **Sharon Patricia Scott-Smith** and my daughter-in-law, **Rhea Anna Tibbetts**, jointly as the Executors and Trustees of this my Will. The expression "my Trustee" or "my Trustees" shall mean the Executor and Trustee for the time being of this my Will and of any trust arising under it.

Transfer to Trustee and distribution of Estate

4. Subject to payment of my just debts, funeral and testamentary expenses, I give all of my estate to my Trustee to hold on trust on the following terms:
 - i. **Life Insurance Proceeds Legacy:** I give the proceeds of any and all policies of life insurance that my estate may be entitled to receive the benefit of as a result of my death (and after deduction of any loan that may be secured by such policies), to my Trustee to hold and thereafter pay out the proceeds as specific legacies as follows:
 - a. The sum of C\$1,000,000.00 to my son, Keith P. Tibbetts III;
 - b. The sum of C\$50,000.00 each to my stepdaughter, Sharon Patricia Scott-Smith, my grandsons, Keith P. Tibbetts IV and Kristopher P. Tibbetts, and my granddaughter, Khloe Patricia Tibbetts;
 - c. The sum of C\$5,000.00 each to Wanda Marie Tatum, Nathaniel S. Tibbetts, Ian B. Tibbetts, Jason Smith, Jenique Smith and to the estate of my late sister Virginia P. Castillo; and
 - d. Any remaining balance from the proceeds of any and all of my said insurance policies are thereafter to be divided equally between Keith P. Tibbetts III, Sharon P. Scott-Smith, Keith P. Tibbetts IV, Kristopher P. Tibbetts, and Khloe Patricia Tibbetts.
 - e. In the event that the proceeds of my said life insurance policies are insufficient to meet the above specific bequests, I direct that my Trustee divide the sums (if any) received ratably in proportion to the gifts set out above. If any of the above-named beneficiaries shall have predeceased me leaving issue who are alive at the time of my death, then such issue shall take (and if more than one in equal shares per stirpes) such share of the residue of my estate to which their parent would have been entitled under this my Will, had he or she been alive at the date of my death.

Testator: 

Witness: 

Witness: 

- ii. **Discretionary Housing Legacy:** Should my friend Ingrid Furze ("Ingrid") return to live in the Cayman Islands and be in need of housing, then my Trustee, (if he sees fit and his discretion in this regard shall be absolute) may provide from my estate the cost of providing suitable housing for her. Such housing for shall be limited to what my Trustee deems reasonably necessary for her shelter and comfort and such obligation shall only apply when she is residing in the Cayman Islands. The financial assistance extended under this provision of my will shall be limited to the cost of providing for Ingrid's reasonable housing needs and is not intended to provide any other means of support. Additionally, the cost of housing provided for by this paragraph is intended to be for Ingrid's sole benefit and shall not extend to or include any other person.
- iii. **Residue:** My Trustee shall hold the rest of my estate, wheresoever and whatsoever it shall consist of, for the benefit of my son, Keith P. Tibbetts III, absolutely.

Exercise of Discretion

5. My Trustee shall exercise the powers and discretions given by my Will in what my Trustees consider to be the best interests, whether monetary or otherwise of my estate and the beneficiaries thereof, whether or not such exercise would have the effect of conferring an advantage of any one or more of the beneficiaries or would, but for the foregoing, be considered as not being an impartial exercise of their duties hereunder or as not maintaining an even hand among the beneficiaries. All such exercise of my Trustee's powers and discretion shall be binding upon all of the beneficiaries and shall not be subject to any question or review by any person, court or authority.

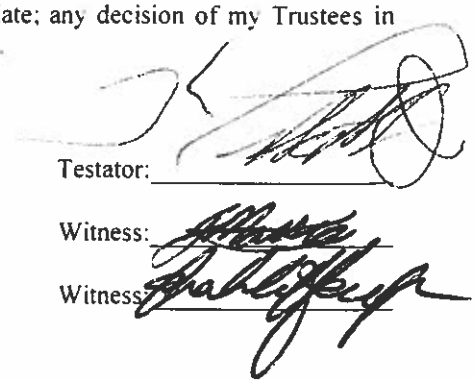
Trustee's powers

6. Without prejudice to the generality of the foregoing, I empower my Trustees:
- (a) To sell or join in selling any real or personal property in such manner at such price on such terms and subject to such conditions as my Trustees think fit.
 - (b) To postpone or join in postponing the sale of any property whatsoever (whether a trustee investment or not) for so long as my Trustees think fit without being liable for any loss thereby resulting to my estate.
 - (c) To allow any property or investment that I may have acquired or made in my lifetime to remain in its existing form for such period as my Trustees think fit without being liable for any loss thereby resulting to my estate.
 - (d) To lease or join in leasing any freehold or leasehold property with or without chattels for such period at such rent on such terms and subject to such conditions as my Trustees think fit and to accept or effect such surrenders of leases and tenancies as my Trustees think fit.
 - (e) To make any division, distribution or allocation of the assets of my estate *in specie* and at such valuations as my Trustees in the exercise of their absolute discretion consider appropriate, and in determining such valuations to consider future expectations relating to such assets as my Trustee in the exercise of their absolute discretion consider appropriate; any decision of my Trustees in this regard shall be final and binding on all persons concerned.

Testator: _____

Witness: _____

Witness: _____

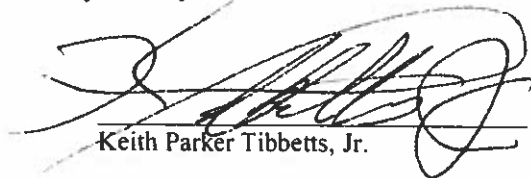


- (f) To appoint by deed in their absolute discretion one or more other persons (including a corporation) to be Trustees in the place of, or in substitution for, any one or more of my Trustees being deceased, refusing, or being unfit or incapable of acting as my Trustees.
- (g) To exercise the general powers conferred by the Trusts Law (2020 Revision) of the Cayman Islands (or any legislation for the time being in force amending or passed in substitution for the same) upon trustees, including the power to apply income and capital for the maintenance, education, advancement or benefit of any infant beneficiary but with power to advance up to the whole of the presumptive share of capital of any beneficiary. Section 32 of the Trusts Law (2020 Revision) in its application to my Will shall be varied:
 - (i) by the deletion of the proviso to subsection (1);
 - (ii) by the deletion in subsection (1) para (a) of the words "as may, in all circumstances be reasonable" and the insertion in their place of the words "as my Trustee thinks fit".
- (h) At my Trustee's absolute discretion instead of acting personally, to employ and pay any other person or persons including any Trustee or beneficiary to transact any business or to do any act of whatever nature in relation to the trusts hereof including the receipt and payment of money without being liable for loss incurred thereby and any trustee being a solicitor, accountant or other person engaged in any profession or business may be employed to act and shall be entitled to charge and be paid all professional or other usual charges for any business or act done by him or his firm in connection with the trusts hereof.

Trustee's Protection

- 7. My Trustee shall not be liable for a loss to my Estate unless that loss was caused by his own actual fraud or willful default.
- 8. My Trustee is entitled to be indemnified from my Estate for reasonable liabilities incurred while acting in such capacity as such unless they were caused by their own actual fraud or willful default and if my Trustee is a professional he shall be entitled to charge my estate reasonable professional fees related to the administration of my Estate or any trusts thereby created.

IN WITNESS WHEREOF I have hereunto subscribed my name this **15TH** day of October 2020



Keith Parker Tibbetts, Jr.

SIGNED by the said Keith Parker Tibbetts, Jr.
in our joint sight and presence, and by us in his presence:



(Jose Massias)



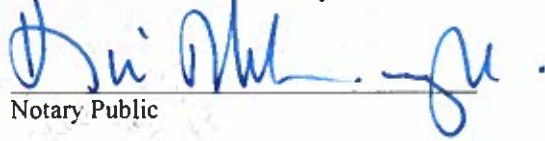
(GRAHAM W. HAMPSON)
ATTORNEY AT LAW

This is a copy of the Last Will and Testament
of Keith Parker Tibbetts, Jr., a.k.a. Keith P Tibbetts Jr.
referred to in my application.



Keith P. Tibbetts III

Sworn before me this 23rd day of June, 2021



Notary Public

My Commission Expires

31 January 2022

Kim McLaughlin

**LAST WILL AND TESTAMENT
OF
KEITH PARKER TIBBETTS, Jr.
15 OCTOBER 2020**

Hampson & Company
Attorneys at Law
4th Floor, East Wing, Apollo House
87 Mary Street, P.O. Box 698
Grand Cayman KY1-1107
Cayman Islands
(345) 623-7788

**CAYMAN ISLANDS
DEATH REGISTRATION FORM**

DEATH IN THE DISTRICT OF: **George Town**

No.: 2021GT01040077

Place of Death:
George Town Hospital

Usual Residence of Deceased:
89 Coeimer Drive, George Town, Grand Cayman, Cayman Islands

<i>Particulars of Deceased</i>		<i>Cause of Death</i>	
Date of Death:	05 June 2021	I (a)	Renal Failure
Full Name:	Keith Parker Tibbetts, Jr.	(b) due to	Cancer of Head of Pancreas
Sex:	Male	(c) due to	—
Age:	73 Years — Months 8 Days	II (Contributory)	—
Occupation or Calling:	Businessman	Certified by:	Dr. Hilke Molsen
Birthplace:	Cayman Islands	Qualification:	Dr.

Name: **Keith Parker Tibbetts III** Informant Residence: **P.O.Box 10747 KY1-1007, Grand Cayman, Cayman Islands**

Relationship to Deceased: **Son**

Signed in my presence by the said informant Registrar's Certificate
 (or) **Keith Parker Tibbetts III**

Entered by me from the particulars of a certificate received from (Witness) **Dr. Hilke Molsen**

Date **11 June 2021** Signed **Ruby R. Douglas**
 REGISTRAR

