



CASE NUMBER: 50-2007-CP-000661-XXXX-MB
CASE STYLE: BEATRICE WILDAY

Case Info ▾

Select a tab above to view additional case details. Case documents are located on the Dockets & Documents tab.

Case Style	BEATRICE WILDAY
Filing Date	02/09/2007
Division Name	IB: Probate Central, MH, Guardianship - IB
Case Status	Closed



CASE NUMBER: 50-2007-CP-000661-XXXX-MB
CASE STYLE: BEATRICE WILDAY


Party Names ▼


First Name	Last Name	Party Type
LYNNE	SPRAKER	ATTORNEY
BEATRICE	WILDAY	DECEDENT
JANIS	KEYSER	JUDGE
GREGORY	WILDAY	PERSONAL REPRESENTATIVE
GREGORY	WILDAY	PERSONAL REPRESENTATIVE
GREGORY	WILDAY	PETITIONER
GREGORY	WILDAY	PETITIONER




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CASE STYLE: BEATRICE WILDAY

Dockets & Documents ▾

Public = 

VOR = 

In Process = 

Page Size: All ▾

Docket Number	Effective Date	Description
1	02/09/2007	ADDITIONAL COMMENTS
2	02/09/2007	CPFF/FO-PP-PR-GA
3	02/09/2007	PETITION FOR ADMINISTRATION
4	02/09/2007	PENDING
5	02/09/2007	RECEIPT FOR PAYMENT
6	02/09/2007	DEATH CERT PROBATE DECEDENT
7	02/09/2007	WILL BOOK 21438 PAGE 0454
8	02/09/2007	OATH
9	02/09/2007	DEATH CERTIFICATE
10	02/09/2007	NOTICE OF FILING
11	02/09/2007	NOTICE OF FILING
12	02/09/2007	NOTICE OF FILING
13	02/09/2007	WAIVER AND CONSENT
14	02/09/2007	WAIVER AND CONSENT
15	02/09/2007	PAID FUNERAL BILL
16	02/16/2007	ORDER APPOINTING PERSONAL REP
17	02/16/2007	ORDER ADMITTING WILL

18	02/27/2007	LETTERS OF ADMINISTRATION BOOK 21483 PAGE 0869
19	02/27/2007	NOTICE OF ADMINISTRATION
20	03/19/2007	NON-TAX CERT/RCPT/AFFIDAVIT
21	03/23/2007	PROOF OF PUBLICATION
22	04/30/2007	STATEMENT OF CLAIM
23	05/23/2007	INVENTORY - ESTATE
24	05/24/2007	STATEMENT OF CLAIM
25	05/30/2007	STATEMENT OF CLAIM
26	06/05/2007	STATEMENT OF CLAIM
27	06/13/2007	STATEMENT OF CLAIM
28	06/18/2007	OBJECTION TO CLAIM
29	07/05/2007	NOTICE TO CREDITORS
30	07/11/2007	PROOF OF SRV NOT TO CREDITORS
31	07/20/2007	SATISFACTION/RELEASE OF CLAIM
32	02/04/2008	MOTION
33	02/12/2008	ORDER GRANTING
34	06/09/2008	DECLARATION
35	07/15/2008	SATISFACTION/RELEASE OF CLAIM
36	08/22/2008	SATISFACTION/RELEASE OF CLAIM
37	08/28/2008	MOTION
38	09/02/2008	MOTION
39	09/03/2008	ORDER GRANTING
40	09/10/2008	AFFIDAVIT/STMNT RE: CREDITORS
41	09/10/2008	EXPARTE CLERKS MEMO
42	09/12/2008	WAIVER AND CONSENT

43	09/22/2008	WAIVER
44	11/25/2008	MOTION
45	12/04/2008	SATISFACTION/RELEASE OF CLAIM
46	12/08/2008	ORDER GRANTING
47	03/10/2009	PETITION
48	04/17/2009	ORDER GRANTING
49	06/03/2009	ORDER ADMIN CLOSING CASE BOOK 023278 PAGE 00296
50	06/03/2009	DISPOSED BY JUDGE
51	07/02/2009	MOTION
52	07/06/2009	CPFF/REOPEN (\$50.00)
53	07/06/2009	RECEIPT FOR PAYMENT
54	07/08/2009	PETITION FOR ORDER
55	07/08/2009	PETITION FOR DISCHARGE
56	07/08/2009	PROBATE CHECKLIST
57	07/13/2009	ORDER BOOK 023341 PAGE 00195
58	07/13/2009	REOPEN
59	07/20/2009	ORDER
60	07/20/2009	ORDER OF DISCHARGE BOOK 023355 PAGE 01628
61	07/20/2009	REDISPOSED
62	03/31/2011	NOTICE OF APPEARANCE
63	06/15/2015	CPFF/REOPEN (\$50.00)
64	06/15/2015	PETITION
65	06/16/2015	RECEIPT FOR PAYMENT
66	06/16/2015	REOPEN
67	06/22/2015	EXPARTE CLERKS MEMO

68	07/16/2015	PETITION FOR ADMINISTRATION
69	07/16/2015	OATH
70	07/27/2015	ORDER APPOINTING PERSONAL REP
71	07/27/2015	LETTERS OF ADMINISTRATION BOOK 27705 PAGE 927
73	03/08/2016	ORDER ADMIN CLOSING CASE BOOK 28168 PAGE 596-596

4010



FILE NUM 20070088161 OR BOOK/PAGE 21438/454 DATE: 02/22/2007 10:56:55 Pgs 0454 - 460. (7pgs)
Sharon R. Book, CLERK & COMPTROLLER

FILED

2007 FEB -9 AM 11:08

RECEIVED
CLERK OF THE COURT
PALM BEACH COUNTY
FLORIDA

Last Will and Testament of

50 2007 CP000661 XXXX MB
BEATRICE A. WILDAY

I, BEATRICE A. WILDAY, residing in Palm Beach County, Florida, do hereby make, publish and declare this to be my Last Will and Testament, and do hereby revoke all former Wills and Codicils by me at any time heretofore made.

FIRST: I direct that my Personal Representative, hereinafter named, pay all my just debts and funeral expenses as soon after my death as may be practicable.

SECOND: In the event that, at the time of my death, I am the owner, or co-owner of any real estate, insurance settlement, bank account, government bond, or security or instrument of indebtedness (whether issued by a private corporation, a government, a governmental agency, or any individual) which is registered or issued in the names of myself and another person or persons as tenants by the entirety or as joint tenants with right of survivorship, or which is registered or issued in my name but is payable to or apparently payable to a named beneficiary on my death, I declare it to be my intention that all my right, title, and

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PAGE 1 OF 6 PAGES OF WILL Beatrice A. Wilday

interest in any such property shall immediately pass to the joint owner, co-owner, or beneficiary named in any instrument pertaining to such property, whether or not my right, title, or interest in any such property would, by operation of law upon my death, vest in or pass to such surviving person. I make this provision in order to eliminate any doubt or question as to the right of any such person apparently entitled thereto to succeed to full possession and ownership of such property upon my death, and to provide for the possible contingency of an ineffective attempt to create a joint tenancy, with right of survivorship or an estate by the entirety.

THIRD: In the event that any devisee shall die with me in a common accident or disaster or under such circumstances as may make it impossible or difficult to determine which of us died first, or within thirty days after my death, then I direct that said devisee shall be conclusively deemed not to have survived me.

FOURTH: I give and devise all of the property of all kinds, wherever situated, belonging to me at the time of my death to my husband, IRVING G. WILDAY, to be his absolutely and forever.

FIFTH: In the event that my husband, IRVING G. WILDAY, shall die with me or under such circumstances as set

PAGE 2 OF 6 PAGES OF WILL


Beatrice A. Wilday

forth in Paragraph THIRD herein, then I make the following provisions:

A. I give certain items of the tangible personal property owned by me at the time of my death in the manner described in the last dated writing made for this purpose and signed by me that is in existence at the time of my death.

B. I give and devise whatever interest I may have at the time of my death in the home located at 5439 Mariesa Avenue, West Palm Beach, Florida, to my daughter, JANICE ANNE KELLER, to be hers absolutely and forever. In the event that she shall predecease me, then I give and devise whatever interest I may have in said home to her issue, per stirpes.

C. All the rest, residue and remainder of my estate, of whatsoever kind and wheresoever situate, which I may own or have the right to dispose of at the time of my death, I give and devise to my sons, RUSSELL WILLIAM WILDAY and GREGORY CHARLES WILDAY, equally, share and share alike. In the event that either of my said sons shall predecease me, or die with me under such circumstances as set forth in Paragraph THIRD herein, then I give and devise my residuary estate to the survivor of them.

SIXTH: If any principal of my estate shall become distributable to a minor, my Personal Representative may in his absolute discretion pay over such principal at any time to

PAGE 3 OF 6 PAGES OF WILL 

the guardian of the property of such a minor, or retain the same for such minor during minority. In case of such retention, my Personal Representative may apply such principal and the income therefrom to the support, maintenance, and education of such minor, either directly or by payments to the guardian of the property or person of such minor, or to the person with whom such minor may reside, in any case without requiring any bond; and the receipt of any such person shall become a complete discharge to my Personal Representative who shall not be bound to see to the application of any such payment. Any unapplied principal and income shall be paid over to such devisee upon his attaining majority, or, if he shall die before attaining majority, to his estate. In holding any funds for any minor, my Personal Representative shall have all the powers and discretions hereafter conferred upon him.

SEVENTH: I hereby nominate and appoint my husband, IRVING G. WILDAY, as Personal Representative of my Estate. In the event he fails, refuses or is unable to act as Personal Representative, then in that event I nominate and appoint my daughter, JANICE ANNE KELLER, as Alternate Personal Representative. I direct that neither of them shall be required to furnish bond or other surety for the faithful performance of their duties hereunder.

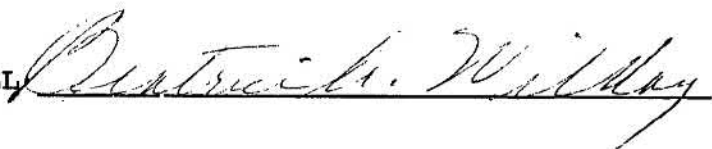
PAGE 4 OF 6 PAGES OF WILL


Irving G. Wilday

EIGHTH: The personal representatives named in the Will, and their successors and parties serving in their stead, shall be governed by the provisions of Sections 733.612 and 737.402 and Chapter 738, Florida Statutes 1981, that are not in conflict with this instrument, and shall have all additional powers and protection granted by statute to them and to trustees at the time of application that are not in conflict with this instrument. In addition and not in limitation of any common-law or statutory authority, and without application to any court, they also shall have the powers and responsibilities described below to be exercised in their absolute discretion.

NINTH: I hereby authorize my Personal Representative, with respect to my estate, in his sole and absolute discretion, to retain any property in my estate; to sell any real or personal property of my estate for cash or on credit, at public or private sale, or to exchange any such property for other property; to collect, pay, contest, compromise, or abandon claims of or against my estate; to execute contracts, conveyances, and other instruments; to make any distribution or division of my estate in cash or in kind or both; and to execute and to deliver any and all instruments which he may deem advisable to carry out any of the foregoing powers.

PAGE 5 OF 6 PAGES OF WILL

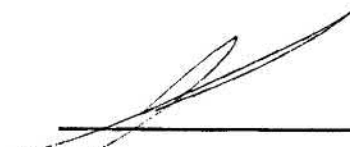


TENTH: Throughout this Will the masculine gender shall be deemed to include the feminine, and the singular the plural, and vice versa.

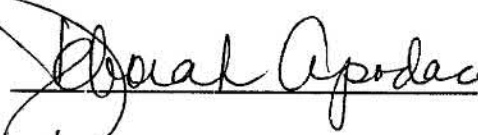
IN WITNESS WHEREOF, I have set my hand and seal to this Last Will and Testament this 8TH day of SEPTEMBER, 1993.

 (SEAL)
BEATRICE A. WILDAY, Testatrix


Signed, sealed, published and declared to be as and for her Last Will and Testament, by the above-named Testatrix, in our presence, who at her request, in her presence, and in the presence of each other have hereunto subscribed our names as attesting witnesses at West Palm Beach, Florida, this 8TH day of SEPTEMBER, 1993.

 residing at 2359 Treasure Isle Dr.

Palm Beach Gardens, FL

 residing at 2334 S.E. SHELTER DR.

PORT ST. LUCIE, FL

 residing at 16971 MEAD HILL DR.

LOXAHATCHEE, FL

PAGE 6 OF 6 PAGES OF WILL



STATE OF FLORIDA

COUNTY OF PALM BEACH

We, BEATRICE A. WILDAY, DEBORAH APODACA and GAIL BROWN, the Testatrix and the witnesses respectively, whose names are signed to the attached or foregoing instrument, being first duly sworn, do hereby declare to the undersigned officer that the Testatrix signed the instrument as her Last Will and Testament and that she signed voluntarily (or directed another to sign for her and did so voluntarily) and that each of the witnesses in the presence of the Testatrix at her request, and in the presence of each other signed the Will as a witness and that to the best of the knowledge of each witness the Testatrix was at that time 18 or more years of age, of sound mind and under no constraint or undue influence.

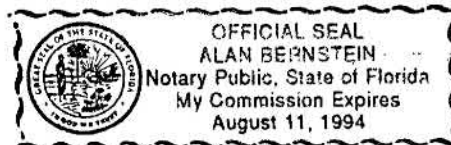
Beatrice A. Wilday
BEATRICE A. WILDAY, Testatrix
Deborah Apodaca
WITNESS
Gail Brown
WITNESS

Subscribed and sworn to before me by BEATRICE A. WILDAY, the Testatrix and subscribed and sworn to before me by DEBORAH APODACA and GAIL BROWN, the witnesses on SEPTEMBER 8, 1993.

Alan Bernstein
NOTARY PUBLIC
ALAN BERNSTEIN
NOTARY COMMISSION NO: CC028812
State of Florida at Large

My Commission Expires:

c:wilday.bea
AB:gb:c:399090





CFN 20070111579
 OR BK 21483 PG 0869
 RECORDED 03/06/2007 15:49:36
 Palm Beach County, Florida
 Sharon R. Bock, CLERK & COMPTROLLER
 Pg 0869; (1pg)

IN THE CIRCUIT COURT OF THE 15TH
 JUDICIAL CIRCUIT, IN AND FOR PALM
 BEACH COUNTY, FLORIDA

PROBATE DIVISION
 CASE NO. 502007CP000 661XXXXMB

IN RE: THE ESTATE OF
BEATRICE WILDAY,
 Deceased.

07 FEB 27 AM 8:59
 699 210

_____ /

3
LETTERS OF ADMINISTRATION
 (Single Personal Representative)

WHEREAS, BEATRICE WILDAY, a resident of Palm Beach County, Florida, died on December 15, 2006, owning assets in the State of Florida, and

WHEREAS, GREGORY WILDAY, has been appointed Personal Representative of the Estate of the Decedent and has performed all acts prerequisite to issuance of Letters of Administration in the Estate,

NOW, THEREFORE, I, the undersigned Circuit Judge, declare GREGORY WILDAY to be duly qualified under the laws of the State of Florida to act as Personal Representative of the Estate of BEATRICE WILDAY, deceased, with full power to administer the Estate according to law; to ask, demand, sue for, recover and receive the property of the Decedent; to pay the debts of the Decedent as far as the assets of the Estate will permit and the law directs; and to make distribution of the Estate according to law.

WITNESS my hand and seal of this Court this 27 day of Feb. 2007.

Y. A. Mark
 CIRCUIT COURT JUDGE

14

IN THE CIRCUIT COURT OF THE FIFTEENTH
JUDICIAL CIRCUIT IN AND FOR PALM
BEACH COUNTY FLORIDA

IN RE: ESTATE OF

CASE NO. 502007CP000661XXXXMB

Beatrice Wilday

_____ /

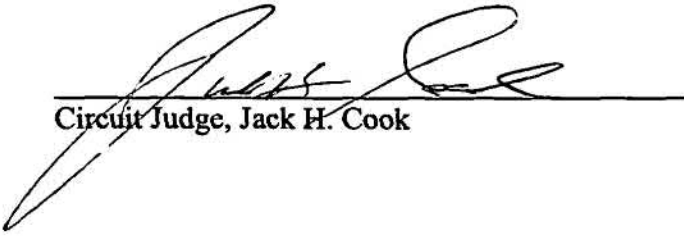
ORDER CLOSING FILE ADMINISTRATIVELY

By order setting deadline to close estate, the court required that this estate be closed by May 31, 2009. The estate was not closed by that deadline. Accordingly, it is:

ORDERED AND ADJUDGED:

1. The clerk shall close this file administratively
2. Closure of this file does not relieve the personal representative of liability or the Attorney of any responsibility in the administration of this estate.
3. All letters of administration are revoked.

DONE AND ORDERED at West Palm Beach, Palm Beach County, Florida this 3rd
of June, 2009



Circuit Judge, Jack H. Cook

copies furnished:
Bruce S. Rosenwater, Esq.
1601 Forum Place
Suite 1200
West Palm Beach, FL 33401

FILED
2009 JUN -3 PM 4:31
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT PROBATE 2

CFN 20090195350, OR BK 23278 PG 296, RECORDED 06/10/2009 11:25:25

Sharon R. Bock, CLERK & COMPTROLLER, Palm Beach County, NUM OF PAGES 1

FILED

2009 JUL 13 PM 4: 13

SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT PROBATE 2

IN THE CIRCUIT COURT OF THE FIFTEENTH
JUDICIAL CIRCUIT OF FLORIDA, IN AND FOR
PALM BEACH COUNTY.

PROBATE DIVISION

CASE NO. 502007CP000661XXXXMB

IN RE: The Estate Of:

BEATRICE WILDAY,

Deceased.

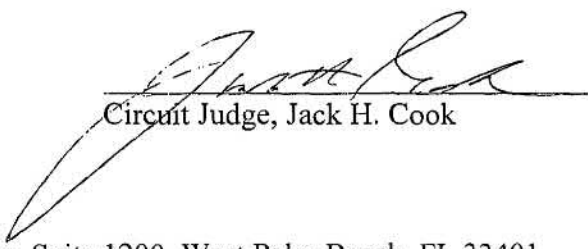
ORDER REOPENING ESTATE

THIS CAUSE having come before this Court upon the Petition to Reopen Estate of **GREGORY WILDAY**, as Personal Representative of the above estate, and the Court having determined that it is in the best interests of the estate that the estate be reopened, and that the time to close the estate should be extended, it is hereby

ORDERED AND ADJUDGED that the Estate shall be reopened, and upon taking the prescribed Oath, Letters of Administration shall be issued to **GREGORY WILDAY**.

DONE AND ORDERED at West Palm Beach, Palm Beach County, Florida, this 13th day

of July, 2009.


Circuit Judge, Jack H. Cook

Copies furnished to:

Bruce S. Rosenwater, Esq. 1601 Forum Place, Suite 1200, West Palm Beach, FL 33401

CFN 20090239927, OR BK 23341 PG 195, RECORDED 07/17/2009 13:45:17

Sharon R. Bock, CLERK & COMPTROLLER, Palm Beach County, NUM OF PAGES 1

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT, IN AND FOR PALM BEACH
COUNTY, FLORIDA

PROBATE DIVISION
CASE NO.: 502007CP000661XXXXMB

IN RE: The Estate of
BEATRICE WILDAY,
Deceased.


FILED
2009 JUL 20 PM 3:45
ESTATE PROBATE DEPARTMENT
PALM BEACH COUNTY
CIRCUIT PROCLERK 2

ORDER OF DISCHARGE

On the Petition for Discharge of Gregory Wilday, Personal Representative of the Estate of Beatrice Wilday, Deceased, the Court finding that the Estate has been properly distributed, the claims of creditors have been paid or otherwise disposed of, that the tax imposed by Chapter 198 of the Florida Statutes, if any, has been paid, and the Personal Representative should be discharged, it is, therefore,

ADJUDGED that the Personal Representative is discharged, and the surety on the Personal Representative's bond, if any, is released from further liability.

DONE AND ORDERED in chambers at West Palm Beach, Palm Beach County, Florida, this 20th day of July, 2009.



Jack H. Cook
Circuit Court Judge

Copies to:

Bruce S. Rosenwater, Esquire
BRUCE S. ROSENWATER & ASSOCIATES, P.A.
Attorneys for Petitioner
1601 Forum Place, Suite 1200
West Palm Beach, FL 33401

CFN 20090251351, OR BK 23355 PG 1628, RECORDED 07/24/2009 15:54:36

Sharon R. Bock, CLERK & COMPTROLLER, Palm Beach County, NUM OF PAGES 1

**IN THE CIRCUIT COURT FOR PALM BEACH
COUNTY,
FLORIDA
IN RE: ESTATE OF**

PROBATE DIVISION

**BEATRICE WILDAY
Deceased.**

**File No.
502007CP000661XXXXMB**

**SUPPLEMENTAL
LETTERS OF ADMINISTRATION
(single personal representative)**

TO ALL WHOM IT MAY CONCERN

WHEREAS, Beatrice Wilday, a resident of Palm Beach County, Florida, died on December 15, 2006, owning assets in the State of Florida, and

WHEREAS, Gregory Wilday was previously appointed personal representative of the estate of the decedent and performed all acts prerequisite to issuance of Letters of Administration in the estate,

NOW, THEREFORE, I, the undersigned circuit judge, declare Gregory Wilday duly qualified under the laws of the State of Florida to act as personal representative again of the estate of Beatrice Wilday, deceased, with full power to administer the estate according to law; to ask, demand, sue for, recover and receive the property of the decedent; to pay the debts of the decedent as far as the assets of the estate will permit and the law directs; and to make distribution of the estate according to law.

ORDERED on July 24, 2015.

Jenid Keyser

Circuit Judge

FILED
2015 JUL 27 PM 4:19
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT PROBATE 2

IN THE CIRCUIT COURT OF THE FIFTEENTH
JUDICIAL CIRCUIT OF FLORIDA,
IN AND FOR PALM BEACH COUNTY.

Case No. 502007CP000661XXXXMB

IN RE: ESTATE OF:

Beatrice Wilday
_____ /

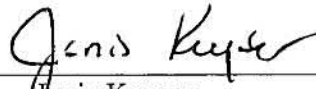
ORDER CLOSING FILE ADMINISTRATIVELY
For failure to discharge by deadline

A deadline to close this estate December 31, 2015 was signed on July 24, 2015, as of the date of this order no order of discharge has been submitted. Accordingly it is:

ORDERED AND ADJUDGED

1. The clerk shall close this file administratively
2. Closure of the file administratively does not relieve the personal representative of liability or the attorney of responsibility.
3. The letters of administration are revoked by this order.

DONE AND ORDERED in West Palm Beach, Palm Beach County, FL on
March 7, 2016..



Janis Keyser
Circuit Judge

Lynne W. Spraker, Esq.
P. O. Box 1138
Stuart, Florida 34995

FILED
2016 MAR -8 PM 3:35
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT PROBATE 2