

LAST WILL AND TESTAMENT OF JOHN K. DUKE

I, John K. Duke, of Cloverport, Breckinridge County, Kentucky, do make, publish and declare this to be my last will and testament, hereby revoking all wills and other testamentary dispositions heretofore made by me.

I

I direct that all my just debts, funeral expenses and the costs of administration be paid out of my estate as soon as practicable after the time of my death.

II

All of the property which I may own at the time of my death, or have the right to dispose of, whether real, personal or mixed, tangible or intangible, and wheresoever situated, I hereby give, devise and bequeath to my beloved wife, Bettie M. Duke, of Cloverport, Kentucky, absolutely and in fee simple.

III

I hereby direct that my beloved wife, Bettie M. Duke, of Cloverport, Kentucky, be appointed as the executrix of this my last will and testament, and I direct that no bond be required of her as such.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal at Hardinsburg, Kentucky, this the 6th day of October, 1959.

John K. Duke

The foregoing instrument consisting of this and one (1) preceding typewritten page, was signed and declared by John K. Duke of Cloverport, Kentucky, to be his last will and testament, and at his request and in his presence and in the presence of each other, we have hereto subscribed our names as witnesses this the 6th day of October, 1959, at Hardinsburg, Kentucky.

Melvin K. Duke
Laree VanMeter

residing at
residing at

Cloverport, Ky.
Hardinsburg, Ky.

STATE OF KENTUCKY

BRECKINRIDGE COUNTY COURT, Call Term, February 20, 1967

IN RE: PROBATE OF WILL OF JOHN K. DUKE, DECEASED

An instrument of writing purporting to be the last will and testament of John K. Duke, late of this county, was produced in Court and proven by the testimony of Melvin K. Duke who also proved the signature of Laree VanMeter, the other subscribing witness thereto; whereupon, the same is established by the Court to be the last will and testament of the said John K. Duke, deceased, and ordered to be recorded as such, whereupon the same with the foregoing and this certificate have been duly recorded in my said office.

Given under my hand this the 20th day of February, 1967.

Arthur Beard, Clerk
BY: Dian Smiley, D. C.

FRANK REBARKER
LAST WILL AND TESTAMENT

I, FRANK REBARKER, of Vanzant, Breckinridge County, Kentucky, being of full age and of sound mind and disposing memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all other Wills by me heretofore made.

ITEM I: I direct that all of my just debts and funeral expenses, and cost of administration, be first paid out of my estate by my executor hereinafter named, and as soon as practicable after the time of my decease.

ITEM II: I give and bequeath all of my personal property of every nature and description, which I may now own or have the right to dispose of at the time of my decease, and with the exception of the farm machinery and tools, to my wife, Grace Rebarker, absolutely, to do with as she pleases.

ITEM III: All of the residue of my estate, real, personal and mixed, of every kind and description, and whosoever situate, which I may own or have the right to dispose of at the time of my decease, and which will consist only of real estate and farm machinery, I give, devise and bequeath to my wife, Grace Rebarker, to have and to hold the same to her use and benefit, during her natural life, with full and complete power to use and control said property during said time, and, if and whenever, in her opinion, it should become necessary for her support or maintenance, she shall have the right, privilege and authority to sell what is known as the DeHaven farm now belonging to me, at public or private sale, at such price and upon such terms, as she may deem best, and to execute, acknowledge and deliver necessary or proper instruments to transfer title to the purchaser or purchasers.

ITEM IV: After the death of my said wife, I give, devise and bequeath to my daughter, Ruth Rebarker Smiley, my real estate which is known and designated as the Tanyard Farm, the Whaltem Farm, and the DeHaven Farm, provided the latter named farm has not been previously disposed of by my wife as provided in Item III above; Further, the following parcel of land, at Vanzant, on the North side of the old abandoned railroad, beginning at Adcox line, following County road to old railroad, thence East down Railroad to Belle Basham property, containing about 1 acre, and the old store building is located thereon. All of said property is situated at or near what is known as Vanzant, in Breckinridge County, Kentucky. Also, I give and bequeath to my said daughter all of my farm machinery then remaining at that time, all of said real estate and machinery to be hers absolutely.

ITEM V: I give, devise and bequeath to my daughter, Nancy Rebarker Porter, my real estate known as the Jones Farm consisting of about 45 acres; and my Home Place, consisting of about 2 1/2 acres, on which my residence is located, and including the small bottom piece of land lying on the south side of the old Railroad, all of which property shall be hers, absolutely.

ITEM VI: I make, nominate and appoint Sam Smiley Jr., my son-in-law, to be the Executor of this, My Last Will and Testament, and I request that no bond shall be required of him as such.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name, this the 23rd day of April, 1966.

Frank Rebarker

Signed and acknowledged by Frank Rebarker, as and for his Last Will and Testament, in our presence, who, at his request, have signed our names as Attesting Witnesses thereto, in his presence and in the presence of each other, this the 23rd day of April, 1966.

Robert O. Trent
Betty Daugherty
Attesting Witnesses

Hardinsburg, Ky.
Custer, Ky.
Addresses

This Document prepared by Robert O. Trent, Atty at Law, Hardinsburg, Ky.
/s/ Robert O. Trent

STATE OF KENTUCKY
BRECKINRIDGE COUNTY COURT, FEBRUARY 22, 1967.

IN THE MATTER OF: PROBATE OF THE WILL OF FRANK REBARKER, DECEASED.

On this day came Sam Smiley, Jr. and filed his petition in duplicate praying the Court that a certain written document produced by him, be adjudged to be, the last Will and Testament of Frank Rebarker, deceased. Whereupon Betty Daugherty an attesting witness to the said document was duly sworn by the Court and examined upon all relevant facts. The Court being sufficiently advised adjudged: That the written document so produced by the said Petitioner is in fact the last Will and testament of the said Frank Rebarker, deceased and it is hereby ordered to be recorded as such, whereupon the same with the foregoing and this certificate have been duly recorded in my said office.

Given under my hand, this 22nd day of February, 1967.

Arthur Beard, Clerk
By: Dottie McLellan, D. C.

September 19, 1956

In case of my death, I leave all my property, both personal and real, to my dear wife, Roberts Rita Dant.

I also appoint Roberts Rita Dant to serve as Administratrix without bond.

Nolon Bernard Dant, Jr., D.M.D.

STATE OF KENTUCKY
BRECKINRIDGE COUNTY COURT, CALL TERM, FEBRUARY 27, 1967

IN RE: THE ESTATE OF NOLON BERNARD DANT, JR.

A written document having been produced in open Court, purporting to be the last will and testament of Nolon Bernard Dant, Jr., D.M.D., deceased, late of this County, by Roberts R. Dant, his wife, the offered will having been proved by the testimony in person of Dr. James J. Sills and Mary Jo Beard, both of whom having proved to the satisfaction of this Court that they were familiar with the handwriting of the testator and that the offered document was in fact wholly written and signed by the testator as required by law, and it having been proved to the satisfaction of this Court that said will was properly executed, whereupon same is established by this Court to be the last will and testament of Nolon Bernard Dant, Jr., D.M.D., deceased, and ordered to be recorded as such, whereupon the same with the foregoing and this certificate have been duly recorded in my said office.

Given under my hand this the 27th day of February, 1967.

Arthur Beard, Clerk
BY: Dian Smiley, D. C.

"LAST WILL & TESTAMENT OF GILBERT DURBIN of Harned, Ky.

I, GILBERT DURBIN, of Harned, Breckinridge County, Kentucky, being of sound mind and memory, Do hereby make publish and declare this to be my last Will and testament, hereby revoking any and all Wills heretofore made by me, That is:

Item

It is my Will that all my just debts and funeral expenses be paid out of my estate as soon as the same may reasonably be done after my death.

Item

All of the residue of my estate, Real, Personal or mixed I devise and bequeath to my wife Cora Marr Durbin to be hers absolutely and in fee simple.

Item

I hereby make nominate and appoint my wife, Cora Marr Durbin executrix of this my last Will and testament and I request that no bond be required of her as such.

Signed and acknowledged by me in the presence of witnesses at Harned, Kentucky this sixth day of February 1967.

Gilbert Durbin
Gilbert Durbin, Testator.

Signed and acknowledged before us by Gilbert Durbin as his last Will and testament on this the 6th day of February 1967, and by us signed as witnesses at his request and in his presence and in the presence of each other.

William H. Richardson	residing at	Kingswood, Kentucky
Mrs. Jesse Priest	residing at	Irvington, Kentucky
Jesse Priest	residing at	Irvington, Kentucky

STATE OF KENTUCKY
BRECKINRIDGE COUNTY COURT, CALLED TERM, February 28, 1967

IN RE: PROBATE OF THE WILL OF GILBERT DURBIN, DECEASED.

On this day appeared in open Court Cora Marr Durbin, widow of Gilbert Durbin, deceased and filed her petition in duplicate, praying the Court to adjudge a certain written document which she produced, to be the last Will & Testament of the said decedent.

WHEREUPON the petitioner and Rev. Wm. H. Richardson, a subscribing witness to the said document were sworn by the Court and examined upon all pertinent matters: Thereupon, being sufficiently advised the Court adjudged as follows:

That the document so produced by the petitioner is in fact the last Will & Testament of the said Gilbert Durbin, deceased, and that the same be recorded as such whereupon the same with the foregoing and this certificate have been duly recorded in my said office.

Given under my hand this the 28th day of February, 1967.

Arthur Beard, Clerk
BY: Dian Smiley, D. C.

LAST WILL AND TESTAMENT OF
ERNEST MCCAMISH

I, Ernest McCamish, a resident of Breckinridge County, Kentucky, being of sound mind do hereby make and publish this instrument as my last will and testament, hereby revoking all wills and other testamentary dispositions of property heretofore made by me.

ITEM I. I direct that all my just debts and funeral expenses be paid out of my estate as soon as practicable after the time of my decease.

ITEM II. All the rest and residue of my estate, both real and personal, of every kind and description, wheresoever situated, which I may own or have the right to dispose of at the time of my decease, or which may thereafter become part of my estate, I give, bequeath and devise to my beloved wife, Carrie McCamish, to be hers, absolutely and in fee simple.

ITEM III. In the event my beloved wife, Carrie McCamish, should decease before the time of my death, then I give bequeath and devise to my beloved daughter, Thelma Louise Horsley, all the rest and residue of my estate, both real and personal, of every kind and description, wheresoever situated, which I may own or have the right to dispose of at the time of my decease or which may thereafter become part of my estate, to be hers, absolutely and in fee simple.

ITEM IV. I name, nominate and appoint my beloved daughter, Thelma Louise Horsley, to be Executrix of this my last will and testament, and I request that no bond be required of her as such.

IN WITNESS WHEREOF, I have signed the foregoing instrument and do hereby publish the same as my last will and testament on this 14th day of March, 1967.

Witness to his Mark
Paul D. Miller
J. Henry Gibson

His
Ernest (x) McCamish
Mark
Ernest McCamish

The foregoing will of Ernest McCamish was this day signed and acknowledged by him as and for his last will and testament in our presence, and we, the undersigned, who at his request and in his presence, and in the presence of each other, have subscribed our respective names as witnesses hereto, on this 14th day of March, 1967.

Paul D. Miller
J. Henry Gibson

residing at
residing at

Hardinsburg, Ky.
Hardinsburg, Ky.

DOCUMENT PREPARED BY:
GIBSON & MILLER, ATTORNEYS
HARDINBURG, KENTUCKY
BY: J. Henry Gibson

STATE OF KENTUCKY
BRECKINRIDGE COUNTY COURT, Called Term, March 25, 1967

IN RE: THE ESTATE OF ERNEST MCCAMISH

A written document having been produced in open Court, purporting to be the last will and testament of Ernest McCamish, deceased, late of this County, by Thelma Louise Horsley, Testator's daughter, and the offered will having been proved by the testimony in person of Paul D. Miller, one of the subscribing witnesses to said will, who proved to the satisfaction of the Court that he was familiar with the handwriting of the Testator and also with the handwriting of the other subscribing witness, being J. Henry Gibson, and the signatures of both the testator and the other subscribing witness were in fact the respective actual signature of the Testator and J. Henry Gibson, and the will having been duly examined by this Court and it having been duly proved that said will was executed and properly attested as required by law, whereupon the same was established by this Court to be the last will and testament of Ernest McCamish, and ordered to be recorded as such, and the duplicate application of Thelma Louise Horsley, the Executrix nominated in the last will and testament of Ernest McCamish, who died testate a resident of Breckinridge County, Kentucky, on the 21st day of March, 1967, for appointment and qualification as Executrix having been properly before this Court and the Court having examine same, it is hereby ordered and adjudged by this Court that the said Thelma Louise Horsley be and she is hereby appointed Executrix under the last will and testament of Ernest McCamish, deceased. Whereupon the said Thelma Louise Horsley appeared in open Court and took the oath prescribed by law and duly qualified as such Executrix, and no bond is required of her as such, under the last will and testament of Ernest McCamish whereupon the same with the foregoing and this certificate have been duly recorded in my said office.

Given under my hand this the 25th day of March, 1967.

Arthur Beard, Clerk
BY: Dian Smiley, D. C.

CECILIA BELL RAY, WILL

I, Cecilia Bell Ray, a resident of Cloverport, Breckinridge County, Kentucky, do hereby make this my last will, hereby revoking all former wills made by me.

I direct that all my just debts and funeral expenses shall be first paid.

Then all the rest and residue of my estate, real and personal, wheresoever situated and of whatever nature, I give, bequeath and devise to my beloved niece, Geraldine Flood, to be hers absolutely and in fee simple.

I name and appoint my sister, Ruby Flood, to be executor of this my last will and testament. In the event of the death of my sister, Ruby Flood, then I name and appoint my sister, Edna Roach, to be executor. I request that no surety be required on their official bond. I give to my said executor full and complete power to sell and convey any of the assets in my estate as I now personally possess.

In witness hereof: I have caused this document to be written and publish same as my last will and testament and hereunto subscribe my name this 8th day of August 1960.

Cecilia Ray

WITNESSETH: The foregoing document was presented to us the undersigned this 8th day of August, 1960, by Cecilia B. Ray as her last will and testament, signed by her in the presence of us, who at her request, and in her present and in the presence of each other, hereunto subscribe our names as witnesses hereto.

/s/ Orrin A. Roach

/s/ Edna Roach

STATE OF KENTUCKY
BRECKINRIDGE COUNTY COURT, CALLED TERM, MARCH 31, 1967.

IN RE: CECILIA BELL RAY, WILL.

An instrument of writing purporting to be the last Will and Testament of Cecilia Bell Ray, late of this county, was produced in Court and proven by the testimony of Edna Roach, one of the subscribing witnesses thereto, who also proved the signature of Orrin Roach, the other subscribing witness thereto; whereupon, the same is established by the Court to be the last will and testament of Cecilia Bell Ray, deceased, and ordered to be recorded as such, whereupon the same with the foregoing and this certificate have been duly recorded in my said office.

Given under my hand, this 31st day of March, 1967.

Arthur Beard, Clerk
By: Dottie McClellan, D. C.

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Hardinsburg, Ky.
Hardinsburg, Ky.

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LAST WILL AND TESTAMENT
OF
CLINTON D. MCCOY

I, CLINTON D. MCCOY, a widower, of Irvington, Breckinridge County, Kentucky, being of full age and of sound mind and disposing memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all other Wills by me heretofore made.

ITEM I: I direct that all of my just debts and funeral expenses be first paid out of my estate and as soon as practicable after the time of my decease.

ITEM II: All of the rest, residue and remainder of my estate, real, personal and mixed, of every kind and description and wheresoever situate, which I may own or have the right to dispose of at the time of my decease, I give, devise and bequeath the same to my Step-Daughter, Nellie Keanthner, whose present address is 1015 Shelby Street, Louisville, Kentucky, absolutely and in fee simple.

ITEM III: I make, nominate and appoint my said Step-Daughter, Nellie Keanthner, to be the Executrix of this my Last Will and Testament, and I request that no bond be required of her as such.

IN WITNESS WHEREOF, I have hereunto set my hand, this the 22nd day of May, 1962.

Clinton D McCoy

Signed and acknowledged by Clinton D. McCoy, as and for his Last Will and Testament, in our presence, and by us subscribed as attesting witnesses thereto, at his request, in his presence and in the presence of each other, this the 22nd day of May, 1962.

Robert O. Trent
Myrtle L. Sebastian
Attesting Witnesses

Hardinsburg, Ky
Hardinsburg, Kentucky
Addresses

STATE OF KENTUCKY

BRECKINRIDGE COUNTY COURT, Called Term, April 8, 1967

IN RE: PROBATION OF WILL OF CLINTON D. MCCOY, DECEASED

Came Nellie Kantelehner and filed in duplicate her duly verified petition and offered for probate an instrument of writing purporting to be the last will and testament of Clinton D. McCoy, deceased, late of this County, and the same was proven by the testimony of Robert O. Trent, one of the subscribing witnesses thereto, who, also, proved the attestation of Myrtle L. Sebastian, the other subscribing witness thereto, whereupon, the same is hereby established and adjudged by the Court to be the Last Will and Testament of said testator and is ordered to be recorded as such whereupon the same with the foregoing and this certificate have been duly recorded in my said office.

Witness my hand this the 8th day of April, 1967.

Arthur Beard, Clerk
BY: Dian Smiley, D. C.

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LAST WILL AND TESTAMENT
OF
HAROLD HAYNES

I, Harold Haynes, a resident of Breckinridge County, Kentucky, do make, publish and declare this to be my last will and testament, hereby revoking all wills and testamentary dispositions by me heretofore made.

I

I direct that all my just debts, funeral expenses and the cost of administration be paid out of my estate as soon as practicable after the time of my death.

II

All the property which I may own, or have the right to dispose of at the time of my death, real, personal or mixed, tangible or intangible, and wheresoever situated I hereby give, devise and bequeath to my sister Louise Tabor and my brother Bobby Haynes, share and share alike.

III

I hereby designate and appoint my brother, Bobby Haynes, to be the executor of this my last will and testament, and I further direct that no bond be required of him as such, and I request that no inventory be taken in so far as is permitted by law.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this my last will and testament consisting of this and one (1) succeeding typewritten page, and for the purpose of identification I have initialed each such page on the presence of the persons witnessing it at my request on this the 25th day of June, 1959.

Harold W. Haynes.

The foregoing instrument, consisting of this and one (1) preceding typewritten page was signed and declared by Harold Haynes, the testator, to be his last will and testament in our presence, and we at his request and in his presence and in the presence of each other, have hereunto subscribed our names as witnesses, this the 25th day of June, 1959, at Hardinsburg, Kentucky.

Charles W. Hall
Carrie L. Dowell

residing at
residing at

Hardinsburg, Ky.
Hardinsburg, Ky.

STATE OF KENTUCKY
BRECKINRIDGE COUNTY COURT, CALLED TERM, APRIL 11, 1967.

IN RE: HAROLD HAYNES, DECEASED

On this day came, Robert E. Haynes and presented to the Court a typewritten document purporting to be the last will and testament of Harold Haynes, deceased and filed his petition in duplicate praying that the said document be adjudged to be the last will and testament of the said decedent: Whereupon the said document was proven upon the oath of Mrs. Carrie Dowell an attesting witness thereto and the Court being advised it is now ordered: That the said document be duly recorded as the last will and testament of the said decedent whereupon the same with the foregoing and this certificate have been duly recorded in my said office.

Witness my hand this the 11th day of April, 1967.

Arthur Beard, Clerk
BY: Dian Smiley, D. C.

JUDITH W. TRENT, WILL

I, Judith W. Trent, of Hardinsburg, Breckinridge County, Kentucky, being of full age and of sound mind and memory do make, publish and declare this to be my last Will and Testament, hereby revoking all Wills by me heretofore made.

ITEM I. I direct that all my just debts and funeral expenses be paid out of my estate as soon as practicable after the time of my decease.

ITEM II. I give and bequeath to the following, namely:

(a) My son, Joseph H. Trent, chest of drawers and table;

My daughter, Mary E. Jolly, my antique hall-tree and Mirror; antique dish and meat platter; Also, \$100.00 in Cash.

My daughter, Margaret D. Lyons, my dining room furniture; silver and china;

My daughter, Anna L. Frith, \$100.00 in Cash;

(b) To my twelve grand-children, namely:

Linda Trent Rhodes, Joan Trent Monarch; Judy Gallagher, JoMc and Bettie Ray Frith; Bobby Ray Lyons, Barbara Lou Lyons, Jane Lyons, David Lyons; Joe Ballard Jolly, Linnie C. Jolly and Byron Scott Jolly; I give and bequeath the sum of \$100.00 to each.

(c) To my great-grand children, namely, Elizabeth Ann Rhodes, Cindy Lou Rhodes, Bobby Joe Rhodes, Mark Allen Rhodes, and Bobby Monarch, I give and bequeath the sum of \$50.00 to each of them.

ITEM III. All the remainder of my property, real and personal, of every description, wheresoever situated, which I may own or have the right to dispose of at the time of my decease I give, bequeath and devise, equally, among my four children,

Joseph H. Trent, one-fourth interest
Anna L. Frith, one-fourth interest
Mary E. Jolly, one-fourth interest
Margaret D. Lyons, one-fourth interest.

ITEM IV. I make, nominate and appoint my son, Joseph H. Trent and my daughter, Anna L. Frith, to be the joint-Executrix and Executor of this my last Will and Testament, and I request that no bond be required of them, or either of them, as such.

I further request that no inventory of my estate be made or taken insofar as the same may be lawfully omitted.

DATED at Hardinsburg, Kentucky, this the 8th day of December, 1962.

Judith W. Trent
Testator

Signed by Judith W. Trent and by her acknowledged to be her last Will and Testament in our presence, sight and hearing, who, at her request have hereunto subscribed our names as witnesses, in her presence and in the presence of each other, at Hardinsburg, Kentucky, this the 8th day of December, 1962.

R.T. Dowell, Residing at Hardinsburg, Kentucky
Paul L. Pace, Residing at Hardinsburg, Kentucky

STATE OF KENTUCKY
BRECKINRIDGE COUNTY COURT, CALLED TERM APRIL 15, 1967.

IN RE: JUDITH W. TRENT, WILL.

Came Joseph H. Trent and Anna Frith and filed in duplicate their duly verified petition and offered for probate an instrument of writing purporting to be the Last Will and Testament of Judith W. Trent, their deceased mother, late of this County, and the same was proven by the testimony of R.T. Dowell and Paul L. Pace the subscribing witnesses thereto, whereupon the same is established by the Court to be the Last Will and Testament of said testatrix and ordered to be recorded as such, whereupon the same with the foregoing and this certificate have been duly recorded in my said office.

Given under my hand, this 15th day of April, 1967.

Arthur Beard, Clerk
BY: Anna Moore, D.C.

STATE OF ALABAMA)
LEE COUNTY)

LAST WILL AND TESTAMENT
OF
ELOISE GALLOWAY

KNOW ALL MEN BY THESE PRESENTS, That I, Eloise Galloway, of Auburn, Lee County, Alabama, being of sound mind and disposing memory, do make and publish this instrument as and for my Last Will and Testament, hereby revoking any and all Wills and Codicils heretofore made by me.

ITEM I

I direct that my just debts, including United States and State inheritance taxes and funeral expenses, be paid by my Executor, hereinafter named, as soon after my death as may be deemed possible and convenient.

ITEM II

All the rest, residue, and remainder of my estate of every kind and description, real, personal and mixed, howsoever and wheresoever the same may be situated, now owned or that which may be acquired by me, I hereby give to my husband, Oscar F. Galloway, if he shall survive me.

ITEM III

If my husband, Oscar F. Galloway, does not survive me, I give, devise, and bequeath all the rest, residue and remainder of my property, real, personal and mixed, howsoever and wheresoever the same may be situated, and whether acquired before or after the execution of this Will, to the First National Bank of Montgomery, Alabama, as Trustee, IN TRUST, for the uses and purposes hereinafter expressed and subject to the conditions hereinafter provided. This trust is to be known as THE ELOISE GALLOWAY TRUST.

A. The Trustee shall bond and manage said property, and such other property as it may subsequently acquire, pursuant to the power and authority herein given to it, with the full power to compromise, adjust and settle, in its discretion, any claim in favor of or against said trust estate, collect the income, and from time to time, to sell, convey, exchange, lease for a period beyond termination of the trust, or for a less period, improve, encumber, borrow on the security of, or otherwise dispose of any or all of said trust estate in such manner and upon such terms and conditions as said Trustee may approve, and shall have full power to invest or re-invest said trust estate, and the proceeds of sale or disposal of any portion thereof in such loans, securities, or other property, real or personal, as to said Trustee may seem suitable, and to change investments and to make investments, from time to time, as to said Trustee may seem necessary or desirable.

B. The Trustee may continue to hold any property or securities originally received as a part of this trust estate so long as it shall consider the retention thereof to the best interests of said estate, regardless of whether such property or securities are in law a proper investment of said trust funds.

C. In the disposition of any property constituting a part of said trust estate, the Trustee may acquire other property without being limited or restricted to a class of investments, which a Trustee is or may be permitted by Statutes or the Constitution of the State of Alabama to make, where such course is deemed to be, in the sole discretion of the Trustee, for the best interests of said trust estate.

D. The Trustee shall have the power to determine whether any money or property coming into its hands shall be treated as a part of the principal of the trust estate or a part of the income therefrom, and to apportion between such principal and income any loss or expenditure in connection with said trust estate as to it may seem just and equitable.

E. The Trustee may, in its sole discretion, cause the securities, which it shall acquire from time to time, constituting the trust estate or any part thereof, to be registered in its name, as Trustee hereunder, or to take and keep the same unregistered and retain them, or any part thereof, in such condition that they will pass by delivery.

F. The trust created under this Item of my Will shall be treated as operating from the date of my decease, whether the trust property shall be actually paid over the Trustee and set aside or not, and I hereby authorize and empower my Executor, hereinafter named, to make any payments which the Trustee is hereby authorized to make after the establishment of this trust.

G. The Trustee named hereunder shall not be liable for any act of omission or commission, or error in judgement, in connection with the administration of this trust, except for willful disregard of its duties hereunder.

H. During the life of my son, Arthur D. Galloway, the Trustee shall pay to him all the net income of this trust in at least quarterly installments.

I. Upon the death of my son, or in the event he predeceases me, then upon my death the Trustee shall divide the then remaining trust property, both the principal and income, into shares so that one equal share is allocated to each of David Galloway, Eloise Galloway, Catherine Galloway, Thomas Galloway, and James Galloway (each of whom is my grandchild) who shall then be living or who, having died theretofore, shall leave a lineal descendant or lineal descendants who are then surviving, and each share so set aside shall be held by the Trustee hereunder for the following uses and purposes.

1. During the life of my grandson Thomas Galloway, the Trustee shall use such portion of the net income and of the principal of the share so set aside for him as it may deem necessary for his maintenance, support, education and comfort.

Clerk
D.C.

2. In the event any of my above named grandchildren except Thomas Galloway shall be over the age of twenty-one (21) years at the time of such apportionment, then the Trustee shall, as promptly thereafter as practicable, deliver over to said above named grandchild who is over the age of twenty-one (21) years the share of said trust estate so set aside for him or her, free from trust, and the Trustee shall to that extent be discharged.

3. In the event any of my above named grandchildren except Thomas Galloway shall be under the age of twenty-one (21) years at the time of such apportionment, and the Trustee shall use such portion of the net income and/or principal of the share so set aside for him or her as it may deem necessary for the maintenance, support, education and comfort of such grandchildren.

4. Should any of my above named grandchildren except Thomas Galloway be under the age of twenty-one (21) years at the time of the apportionment, the Trustee shall, upon said grandchild attaining the age of twenty-one (21) years, deliver over to said grandchild the entire share of the trust estate so set aside and then remaining and held by the Trustee for him or her, free from this trust, and the Trustee shall to that extent be discharged.

5. In the event there shall be living at the time of the apportionment a lineal descendant or lineal descendants of any of my above named grandchildren who has died prior to the apportionment, then when such apportionment is made, such lineal descendant or lineal descendants shall take, per stirpes, free from trust, the share of said trust estate so set aside for them, and the Trustee shall to that extent be discharged. Provided, however, that if any descendant of any grandchild so dying shall not at said time of apportionment have attained the age of twenty-one (21) years, then though the share of such descendant in said trust estate shall be deemed then to have vested in him or her, the Trustee shall continue to hold the same in trust for him or her until he or she shall attain the age of twenty-one (21) years, using and applying for his or her support, education, and comfort such part of the net income from his or her share of said trust estate and of the principal thereof as the Trustee deems necessary or desirable for said purposes.

J. In the event any of my above named grandchildren, entitled to share in said trust estate under the terms hereof, shall die after the apportionment but prior to the distribution to him or her of all of his or her share of said trust estate, leaving any descendants of him or her then living, then at the death of such grandchild, the Trustee, after first paying the expenses of his or her last illness and proper burial, shall transfer and pay over to the descendants then living of such grandchild so dying, in equal shares, per stirpes, the share of said trust estate then held in trust for such grandchild so dying. Provided, however, that if any descendant of any grandchild so dying shall not at said time of apportionment have attained the age of twenty-one (21) years, then though the share of such descendant in said trust estate shall be deemed then to have vested in her or her, the Trustee shall continue to hold the same in trust for him or her until he or she shall attain said age of twenty-one (21) years, using and applying for his or her support, education and comfort such part of the net income and of the principal thereof for his or her said share of said trust estate as the Trustee deems necessary or desirable for said purposes.

In the event any of my above named grandchildren entitled to share in said trust estate under the terms hereof, shall die after the apportionment but prior to the distribution to him or her of all of his or her share of said estate, leaving no descendant of him or her then living, then at the death of such grandchild the Trustee, after first paying the expenses of his or her last illness and proper burial, shall transfer and pay over the share of said trust estate then held in trust for such grandchild so dying to such of my above named grandchildren and the descendants of any deceased grandchild of me who is named above as are then living, in equal shares, per stirpes; provided, however, that, if any such grandchild or descendant of a deceased grandchild of me shall then have other property held in trust for him or her under any provision of this Will, then his or her share in the share of such grandchild so dying shall be added to, merged in and administered and disposed of like such other property so held in trust for him or her.

In the event any of my above named grandchildren, entitled to share in said trust under the terms hereof, shall die after the apportionment but prior to the distribution to him or her of all of his or her share of said trust estate, leaving no descendant of him or her or of me then living, then at the death of such grandchild the Trustee shall transfer and pay over the share of said trust estate then held in trust for such grandchild so dying to such person or persons, as would be entitled to inherit the property constituting said share and in the proportions to which they would be entitled to inherit the same from me under the Law of the State of Alabama then in force, had I died at said time a resident of the State of Alabama, intestate, and owned said property.

K. When I have herein directed that funds shall be paid to any beneficiary or used and applied by the Trustee for the benefit of any beneficiary, the Trustee may in its discretion pay over such sum or sums to the person having custody of such beneficiary, or to such other person as it may select, including the beneficiary, to be used and applied for the purposes herein directed, and receipt by such person shall be a full discharge to the Trustee as to any sum so paid.

L. The Trustee above named, shall have no duty to render periodic accountings. Any beneficiary of THE ELOISE GALLOWAY TRUST may, however, request annual accountings.

M. I hereby exempt any Trustee above named, from giving bond as such Trustee. If a bond may not be dispensed with, I request that the bond be accepted without surety and in the lowest possible amount.