

certificate have been duly recorded in my office.

Witness my hand, this the 24th day of March, 1956.

DURAN MOORE,

CLERK

By: *Alleged C. McCrean*, D. C.

LAST WILL AND TESTAMENT OF ARTHUR V. HOENIG

OF

TULSA, OKLAHOMA

I, ARTHUR V. HOENIG, of the City of Tulsa, County of Tulsa, State of Oklahoma, being of sound mind and memory, do hereby make, publish and declare this to be my LAST WILL AND TESTAMENT, hereby revoking and canceling all other and former Wills and Codicils thereto by me at any time made.

ITEM I. I hereby declare that I have been married once and only once; that my wife's name is Grace Elizabeth Hoenic and that she is living; that two children have been born of our marriage, namely: Karl M. Hoenic and Martha J. Connelly. That my said son, Karl M. Hoenic is married and his wife's name is Lucille Hoenic and that they have three (3) children and only three, namely: Marsha Lu Hoenic, born December 2, 1938; Karl Blake Hoenic, born January 5, 1942, and Arthur Vincent, II, born August 18, 1945. That my daughter, Martha, is married and that her husband's name is Donald L. Connelly and that they have six (6) children and only six, namely: Thomas Hoenic Connelly, born November 5, 1931; Donald Laurence Connelly, born January 2, 1933; Elizabeth Ann Connelly, born August 12, 1934; David Anthony Connelly, born October 1, 1937; Susan Martha Connelly, born June 15, 1949 and Michael William Connelly, born January 16, 1951.

ITEM II. I hereby direct all my just debts, including the expenses of my last illness and funeral and the expense of the administration of my estate, including all State and Federal estate, inheritance and transfer charges and taxes, be paid by my Executors, hereinafter named, as soon after my death as can be expediently done, and that the same be paid first from cash on hand belonging to me at the time of my death, or if the same be insufficient for that purpose then to the extent that the same is insufficient, from proceeds from the sale of stocks and/or bonds owned by me at the time of my death; should all the same be insufficient then to the extent that the same is insufficient from any other property belonging to my estate, which is the judgment of my executors, may be disposed of to the best advantage of my estate. I further direct that none of the specific bequests herein be charged with any tax, but that the taxes be paid out of my estate.

ITEM III. I give, devise and bequeath unto my beloved wife, Grace Elizabeth Hoenic, all my household furniture, china, silverware, books, linens, pictures and other household effects, jewelry, family car, office furniture and equipment, clothing and other personal effects, owned by me at the time of my death, absolutely and without limitation.

ITEM IV. I bequeath the sum of One Thousand Five Hundred Dollars (\$1,500) to the Holy Catholic Church of Tulsa, Oklahoma, and the sum of Five Hundred Dollars (\$500) to Our Lady of the Mountain Academy of Paintsville, Kentucky, and the sum of Five Hundred Dollars (\$500) to Saint Augustine Catholic Church of Tulsa, Oklahoma. My wife and I have done things for our Church, including the bequests in this Item 4, and helped serving persons including our relatives, and all of which has been done with the approval of my beloved wife and on behalf of both of us.

ITEM V. I give, devise and bequeath unto my beloved wife, Grace Elizabeth Hoenic, an undivided one-third (1/3) of the rest, residue and remainder of my property, real and personal of every kind and wherever situated, whether vested or contingent at the time of my death, absolutely free and clear of any conditions or restrictions whatever.

ITEM VI. All the rest, residue and remainder of my property, real, personal and mixed, and wherever situated, of which I may die seized, I give, devise and bequeath one-half (1/2) unto my daughter, Martha J. Connelly and one-half (1/2) unto my son, Karl M. Hoenic, and I direct that in event distribution in kind among my said devisees to the complete satisfaction of each of my stocks and bonds owned by me at the time of my death may not be accomplished by my executors hereinafter named, then they are to sell and dispose of the same or so much of the same as may be necessary to accomplish such distribution thereof among my said devisees, either in kind or partly in kind and partly in cash as may be mutually satisfactory to my said devisees, or failing in that, to sell all the same and distribute the proceeds thereof, one-half (1/2) to each of my said devisees. I direct that distribution be made as promptly as possible after payment of the same mentioned in Item II hereof, hereby directing and empowering my said executors to make any sale or sales of stocks and/or bonds owned by me at the time of my death and distribute in kind according to the provisions

of Items IV, V, and VI, without order of court authorizing such sale or sales.

As a part of Items V and VI, if I predecease my wife, and out of the residue left to my wife, son and daughter, I request that they use that part thereof as they see fit for the assistance of certain of my and my wife's relatives, and I desire such help be continued. My wife, son and daughter are familiar with what has been done and I request them to carry out my wishes and I have the utmost confidence in all of them.

I further request that if I predecease my wife the beneficiaries herein mentioned continue the assistance I had practiced in helping my and my wife's relatives, particularly her unmarried sisters, Elma and Leah Marsh of Sistersville, West Virginia, and my brother, P. J. Hoenic and Mrs. E. A. Hoenic, widow of my brother, Dr. E. A. Hoenic, and my sister, Mrs. George P. Fleming and her unmarried daughters, Mary, Louise and Frances Fleming. I know that if my wife survives me she and my son and daughter will continue helping our relatives here mentioned. The intent in these paragraphs with reference to helping our relatives is not to create a trust in any sense of the word, but I hope they will use that part of their bequests which they deem proper for such purposes. Their decisions shall at all times be final and shall not be subject to review by any court or tribunal.

ITEM VII. In the event one or more of my said children shall predecease me before receiving his or her bequest under Item VI above, then the share to which such deceased child or children would be entitled to hereunder shall descend and be distributed to the surviving children and spouse (mother or father of said children) in equal shares.

ITEM VIII. Although my love for each of my grandchildren is well known and I am deeply interested in their present and future well-being, I am not herein making any gift, bequest or devise to them or to any of them, except as provided in Item VII above, leaving such to be provided for by the bounty and in the wisdom of their respective parents. I do, however, request, without thereby creating any charge upon my estate, that the named devisees herein, make adequate provision for the education of their children, or, if that be otherwise provided for, for such other benefits as may seem necessary or desirable.

ITEM IX. If my wife predeceases me, or if we should die in a common disaster, then Items III and V which are bequests to my wife are inoperative and all the rest, remainder and residue of the estate shall pass to and vest in my beloved son, Karl M. Hoenic and my beloved daughter, Martha J. Connelly, share and share alike, or if either of such children should predecease me, then the share to which such deceased child and spouse (mother or father of said children) surviving such deceased child, share and share alike. The bequests, desires, and authorities expressed in Item VI are not cancelled by this item.

ITEM X. I hereby designate and appoint my son, Karl M. Hoenic and my son-in-law, Donald L. Connelly, Executors of this, my LAST WILL AND TESTAMENT, hereby stipulating that they may qualify and serve without bond, and I hereby expressly authorize and empower my said Executors to sell, transfer, convey, or lease, including leases for oil and gas, any real estate, oil and gas leases, mineral rights and royalties, or personal property of which I may die seized, for any purpose whatsoever, whether for payment of debts, family allowance, costs, charges and expenses of administration, purpose of distribution or otherwise, as in their discretion may seem for the best interest of my estate, at either public or private sale, with or without securing any previous order of court therefor, all such sales or conveyances being subject to confirmation of court, as provided by law. I also give my Executors full power and authority to settle or compromise any claim, either in favor of or against my estate, as to my said Executors shall seem best, and for the purposes aforesaid, to execute and deliver all proper and necessary conveyances and to give full receipts and discharges.

In case of the death, resignation, inability or refusal of either or both the same to serve as such, a successor or successors are to be chosen by agreement in writing by the surviving executor and my said wife, or should such successor be not so designated in writing within sixty (60) days next following the death, resignation, inability or refusal of such person or persons so to act as such, then a successor or successors shall be designated by the Judge of the Court having jurisdiction of the administration of my estate. Such successor and successors shall have the same rights, duties and powers as the original executors, but shall give bond and security for the faithful discharge of their trust.

IN WITNESS WHEREOF, I have hereunto set my hand to this, my LAST WILL AND TESTAMENT, consisting of five (5) typewritten pages, including attestation hereof, and subscribed my name this the 15th day of February, 1956.

ARTHUR V. HOENIG

ATTESTATION:

We, whose names are hereto subscribed, do hereby certify and declare that ARTHUR V. HOENIG, the maker and publisher of the foregoing

Will, consisting of five (5) sheets of paper, including the attestation hereof, signed and executed the same in our presence and in the presence of each of us, and at the time the said ARTHUR V. HOENIG declared to each of us that said WILL was his LAST WILL AND TESTAMENT, and we thereupon at the request of the said ARTHUR V. HOENIG in his presence and in the presence of each other, signed our names hereto as witnesses on this the 15th day of February, 1954.

NAME	ADDRESS
FAY SRELPH	STILLWATER, OKLA.
MAXINE CARTER	SAPULPA, OKLA.
J. C. FARMER	TULSA, OKLA.

MAGOFFIN COUNTY COURT

REGULAR APRIL TERM, FIRST DAY  
25TH. DAY OF APRIL, 1955.

IN THE MATTER

OF

ORDER PROBATING COPY OF  
FOREIGN WILL

THE ESTATE OF ARTHUR V.  
HOENIG, DECEASED.

An instrument of writing purporting to be the duly authenticated copy of the last will and testament of Arthur V. Hoenig, deceased, late of the County of Tulsa, State of Oklahoma, together with all proceedings, proof of witnesses and certificates thereto attached, having been produced in open court, and on motion of Earl R. Cooper, of Salyersville, Kentucky, an attorney of this court and it appearing from such copy that said will was approved and probated in the Tulsa County Court in the State of Oklahoma on the 29th. day of June, 1954, to have been so executed as to be a valid will of personality and real estate in the Commonwealth of Kentucky, by the laws thereof, and executed and authenticated in the manner required by the laws of the State of Kentucky; and the court being sufficiently advised, the same is hereby ordered to be admitted as a valid will of personality and real estate of said testator in the Commonwealth of Kentucky, and the same is hereby ordered to be recorded in the office of the County Court Clerk of Magoffin County.

This the 25th. day of April, 1955.

SILAS CARTY  
JUDGE MAGOFFIN COUNTY  
COURT.

STATE OF KENTUCKY )  
COUNTY OF MAGOFFIN )     Sct.

I, H. Green Rudd, Clerk of the Magoffin County Court, certify that the order attached hereto admitting to probate the last will and testament of Arthur V. Hoenig, is a true and correct copy of said order as appears of record in order book No. 17, page 120, Magoffin County Court Orders, and that the photostatic copy of will also attached hereto is a true and correct copy of will which appears of record in Will Book No. 2, pages 50, 51, and 52 in my said office.

This the 20th. day of May, 1955.

H. GREEN RUDD  
Clerk Magoffin County  
Court.

By EMILY LYON     D.C.

STATE OF KENTUCKY : : S. S.  
COUNTY OF FLOYD

I, Duran Moore, Clerk of the County Court in and for the County and State aforesaid, certify that the foregoing Will & Order Probating Will was on the 23rd day of May, 1955, approved for record, whereupon the same with the foregoing and this certificate have been duly recorded in my office.

1955.

Witness my hand, this the 12th day of April,

DURAN MOORE, CLERK  
BY: *Att: G. A. Moore, Jr.*

will and testament. I, S. D. Osborn of Martin, Ky. make this my last

unto my wife, Myrtle Osborn. I give, devise and bequeath all my personal property

real estat\_ unto my wife, Myrtle Osborn and at her death it is to become the property of my son Scott Osborn and my daughter Ann Osborn, who shall share equal in same\_

I hereby appoint my wife, Myrtle Osborn sole executrix of this my will and she shall not be required to give bond.

S. D. OSBORN

Subscribed by the testator in the presence of each of us and at the same time declared by him to be his last will and testament.

Witness our hands this 20th day of Nov. 1937\_

DR. H. H. MAYO

PEARL MAYO

I, S.D. Osborn, being of sound mind do hereby make this codicil to my will which was made and witnessed by Dr. H. H. Mayo and Pearl Mayo on Nov. 20, 1937.

I give\_ devise and bequeath all cash which I have on hand or in bank or invested in bonds to my wife Myrtle Osborn.

I give, devise and bequeath the following real estate in fee simple to my wife Myrtle Osborn\_

One farm in Lawrence County Ky. bought of George W. Pack.

Lots No. 14, 15 and 16 in Melvin Frazier Sub-division at Arkansas, Station, Floyd County, Ky.

Lots No. 1, 2, 3, 4, 12, 13 in block G and lots 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 in block H in Osborn addition to Martin, Ky.

With the foregoing exceptions the will made Nov. 20, 1937 shall be of full force and effect. This 24 day of June 1944.

S. D. OSBORN

STATE OF KENTUCKY,     ///SCT.  
COUNTY OF FLOYD

I, Duhan Moore, Clerk of the County in and for the County and State aforesaid, do hereby certify that at a regular County Court held for Floyd County, at the Courthouse in the City of Prestonsburg, Kentucky, on the 26th day of March, 1956, the foregoing instrument of writing, and codicil thereto, purporting to be the last will and testament of S. D. Osborn, deceased, late of Floyd County was produced in said Court and proven by the testimony of Pearl Mayo and William A. Spradlin that both the will and codicil are wholly in the handwriting of the testator, and that the will was executed by him in the presence of the witnesses thereto, who subscribed their names as witnesses in the presence of each other and in the presence of and at the request of the testator.

WHEREUPON, the same was duly probated and established by the Court to be the last will and testament of the said S.D. Osborn, and was ordered to be, and together with this certificate has been duly recorded in my office as Clerk of said Court in Will Book E, at page 267, Floyd County Court Records.

1956. GIVEN under my hand, this the 12th day of April,

DURAN MOORE, CLERK  
FLOYD COUNTY COURT

BY: *Charles A. Tamm*  
Deputy Clerk