

WILL OF JOHN R. ALLEN

I, John R. Allen, of Langley, Floyd County, Ky. 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 one) I direct that all my property, real personal and mixed, of every kind and 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 to my nephew by marriage John R. Baldridge, absolutely and in fee simple.

(Item 2) I make, nominate and appoint John R. Baldridge to be the executor of this, my last will and testament, and I request that no inventory of my estate be made or taken, and that no bond be required of him in so far as same may be lawfully omitted.

Dated at Langley Floyd County, Kentucky this June 6 1950.

JOHN R. ALLEN

Signed, sealed and acknowledged by the said John R. Allen to be his last will and testament before us and in our presence, and by us signed as witnesses at his request, in his presence and in the presence of each other at his presence and in the presence of each other, - This June 6 1950.

6-6-1950

JAMES HYDEN

Langley, Ky.

6-6-1950

WAYNE HAGANS

Langley, Ky.

STATE OF KENTUCKY

COUNTY OF FLOYD

I, DuRan Moore, Clerk of the County Court in and for the County and State aforesaid, certify that the foregoing Will was on the 24th day of August, 1953, approved for record, whereupon the same with the foregoing and this certificate have been duly recorded in my office.

Witness my hand, this the 8th day of September, 1953.

DURAN MOORE, CLERK

BY: *Bertie Hall* D. C.

LAST WILL AND TESTAMENT

ITEM I.

I, W. P. Hayes, of Hi Hat, Floyd County, Kentucky, make and publish this my last will, hereby revoking all wills and testamentary dispositions of property heretofore made by me.

ITEM II.

I direct that all my just debts and funeral expenses be paid out of my personal estate or money I may have on deposit in the bank, or from insurance which may be payable to my estate. If insufficient, then I direct my executors to sell sufficient of my personal or real property and apply the proceeds to payment of the deficiency.

ITEM III.

All my household furniture and furnishings, books, pictures, silverware, jewelry, clothing, and other such personal effects, any automobiles

and all other personal property that I may own at the time of my death, I bequeath to my beloved wife, Laura Alice Ferguson Hayes, if she be living at the time of my death.

However, if my wife be not living at my death, then said personal property shall be distributed in equal shares to my children per stirpes.

ITEM IV.

W P H if copied at length herein, a map showing certain subdivisions of my real property at Hi Hat, Floyd County, Kentucky, which map was drawn, as indicated thereon, by George L. Shannon, Prestonsburg,

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Kentucky, and which map substantially indicates the boundaries of property which I desire to devise to my wife, sons, daughters and grandson.

It should be pointed out herein that the map attached hereto and made a part hereof, which is hereinabove referred to, is subject to property conveyed from said tract as follows:

A deed dated March 1st, 1949, from W. P. Hayes and wife to Arlie Hayes, and recorded in Deed Book 141, at page 211, Floyd County Court Clerk's office.

A deed dated April 3, 1943, from W. P. Hayes and wife to Anabel Newman Kelly, recorded in Deed Book 120, page 497, Floyd County Court Clerk's office.

And said map does not indicate an additional tract of land which was conveyed by Sadie Newman and Ted Newman to W. P. Hayes, by deed dated July 19, 1941, and recorded in Deed Book 116, page 617, Floyd County Court Clerk's office. The devises herein in no way affect the deeds heretofore mentioned to Arlie Hayes and Anabel Newman Kelly, and the additional land hereinbefore referred to is included in the devises hereinbefore set out.

With further reference to said map, there is indicated thereon a twelve-foot roadway which is an entrance to my property, and which makes a perpendicular intersection with another twelve-foot roadway running from one boundary to the other of my property; and this roadway is excepted out and it is my will and I direct that these roadways be treated and considered as public passways for the use and benefit of all of my sons and daughters, their heirs and assigns.

W P H The real property which I desire to and do devise to my daughter Opal Newsome, my daughter, Edna Stewart, my son Fred Hayes, and my son Paul Hayes, and my son Arlie Hayes, is designated upon said map.

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I devise and bequeath to my daughter Anabel Newman Kelly that plot labeled upon said map as "Church House Plot".

To my son, Otis Hayes, I devise a lot 77 x 100 feet, indicated by his name upon said map; and to my son Claude Hayes I devise a lot 68 x 100 feet, which lot is indicated by his name upon said map. To my sons Otis Hayes and Claude Hayes I devise, in addition to the lots hereinbefore mentioned, in equal portions, all hillside land which I own back of the lots indicated upon said map, and expressly point out that the line drawn by George L. Shannon upon said map be not considered as the division line of said hillside land; but it is my will, and I direct, that my sons, Otis Hayes and Claude Hayes, agree upon a boundary line which shall divide said hillside land in equal portions so that my son, Otis Hayes, will have that portion of the hillside land lying up the creek, and my son Claude Hayes will have that portion of the hillside land lying down the creek.

To my grandson, Larry Joe Spears, I devise a lot below and adjoining the "Church House Plot", which lot shall be 110 feet deep, south from the roadway hereinabove mentioned, and is bounded by Clear Creek.

ITEM V.

W P H All real property of which I may be seized at the time of my death which is not specifically devised in Item IV, including the store building lot which bears her name and all property not labeled upon said map, I devise to my wife, Laura Alice Ferguson Hayes. It is my will, and I direct, that only the devises to my wife, Laura Alice Ferguson Hayes, shall be in fee simple. I devise unto my wife's life estate in the remainder of all my real property of which I may be seized at my death, and the devises mentioned in Item IV to my sons and daughters and grandson shall be subject to the life estate of my wife, but at her death to my sons, daughters, and grandson, their heirs and assigns, respectively.

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