

STATE OF KENTUCKY
COUNTY OF FLOYD

I, JARVIS ALLEN, Clerk of the County Court for the County and State aforesaid, certify that the foregoing Will was on the 26 day of August, 1946, lodged for record, whereupon the same with this certificate have been duly recorded in my office.

Witness my hand, this 11 day of September, 1946.

JARVIS ALLEN, Clerk
By Jarvis Allen D. C.

LAST WILL AND TESTAMENT OF JOSEPHINE D. HARKINS

I, Josephine D. Harkins, of Prestonsburg, Floyd County, Kentucky, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my last will and testament.

FIRST: I do hereby revoke any and all former wills by me at any time heretofore made.

SECOND: I direct that my funeral expenses and all of my just debts be paid.

THIRD: I do hereby give, devise and bequeath to my grandsons the following amounts, to-wit:-

To Joseph D. Harkins, Jr., Prestonsburg, Ky.	\$500.00
To Walter Scott Harkins, III Prestonsburg, Ky.	\$500.00
To Walter Davidson Howard, Miami, Fla.,	\$500.00
To Grever Latham Howard, Jr., Miami, Fla.,	\$500.00
To Iley Baker Browning, Jr., Ashland, Ky.	\$500.00
To Walter Scott Browning, Ashland, Ky.	\$500.00
To Monte Scott Harkins, Prestonsburg, Ky.	\$500.00
To William Fox Harkins, Prestonsburg, Ky.	\$500.00
To George Archer Harkins, Prestonsburg, Ky.	\$500.00
To Donald Davidson Harkins, Prestonsburg, Ky.	\$500.00

and do hereby direct that said money so devised and bequeathed to my said grandsons, respectively, shall be applied by the guardians of such grandsons, respectively, to towards the expenses of the education of such grandsons, respectively; PROVIDED, however that as to each grandson whose education shall have been completed prior to my death, then said amount herein devised to such grandson shall be paid direct to him; provided, further, however, that should any of my grandsons pre-decease me, then the amount herein devised to such grandson shall be paid to his estate.

FOURTH: I do hereby give, devise and bequeath to each of the following persons now employed by me, who may be employed by me at the time of my death the following amounts:

To C.C. (Buck) Noble, Prestonsburg, Ky.	\$25.00
To W.S. (Uncle) Collins, Prestonsburg, Ky.	10.00
To Andrew Conn, Prestonsburg, Ky.	10.00

FIFTH: I do hereby devise and bequeath to my son, Joseph D. Harkins, my ring set with a ruby and diamonds; to my daughter, Mary Elizabeth Harkins Howard, my diamond bar pin, and ring set with Turquoise and diamonds; to my daughter Josephine Anna Harkins Browning, my ear rings set with diamonds, my necklace set with diamonds and the double ring set with one white diamond and one canary diamond; to Monte Scott Harkins, William Fox Harkins, George Archer Harkins and Donald Davidson Harkins, jointly, my bracelet set with diamonds; to my daughter-in-law, Rees E. Harkins, my cameo pin, set with pearls; to my daughter-in-law Marguerite F. Harkins, my Turquoise bracelet; to my grandson, Walter Scott Harkins, III, son of Joseph D. Harkins, the diamond ring mounted with five diamonds, which belonged to my late husband, Walter Scott Harkins. I make this specific devise to Walter Scott Harkins, III, because of the fact that my said grandson is the only one of my grandchildren who bears the full name of my late husband, provided, however, that the appraised value of said ring herein devised to Walter Scott Harkins, III, shall be charged as an advancement my son, Joseph D. Harkins.

SIXTH: I do hereby devise and bequeath to my daughter-in-law, Rees E. Harkins, One hundred Dollars, and to my son-in-law, Iley Baker Browning the sum of One hundred Dollars. I do not make a similar devise to my daughter-in-law, Marguerite F. Harkins for the reason that further and other provision is made for her in a subsequent paragraph in this Will.

SEVENTH: I do hereby devise, give and bequeath all the silverware, of every kind and nature which I may own at my death as follows: One fourth to Joseph D. Harkins; one fourth to Mary E. Harkins Howard; one fourth to Josephine A. Browning; and one fourth to Monte Scott Harkins, William Fox Harkins, George Archer Harkins and Donald Davidson Harkins, children of my deceased son, Walter Scott Harkins, jointly. In the division of such silverware, the quantity, quality and value thereof shall be considered.

EIGHTH: I do hereby request and direct that the Executors of my Estate hereinafter named, shall pay to the Pastor in charge of the Methodist Episcopal Church, South, of Prestonsburg, Kentucky the sum of Twenty (\$20.00) Dollars per month out of the income of my estate which payment shall be made in my name and for me, and which such payments shall be continued to be made until such time as my as my estate shall be fully settled, distributed and divided.

NINTH: I have from time to time made loans of money to different ones of my children and have from time to time become responsible for divers sums of money for different ones of my children by reason of endorsements of notes, or surety ship or otherwise, and anticipate that I may continue to do so in the future. It is my wish, purpose and desire, that each of my children, and the Estate of my deceased son, Walter Scott Harkins, Junior, shall share equally in my estate, EXCEPT AS TO SPECIFIC DEVISES made to them, respectively; and to the end that such equal distribution shall be made, I do hereby request and direct that each of my children, and the respective estates of such of my children who shall pre-decease me, shall be charged with advancements, respectively, of such sums of money as I shall have loaned to each of them, respectively, or shall have paid out for each of them, respectively, or which I or my estate shall be compelled to pay out for each of them, respectively less any credit or credits upon said respective accounts by payment or by transfer of property or otherwise; provided, however, that no interest shall be charged upon any such advancements or either of them.

TENTH: It is my desire that my beloved home shall remain in my family name for as long a time as my be; and to that end I do hereby devise and bequeath to my son, Joseph D. Harkins, the residence and residence lot now occupied by me in the City of Prestonsburg, Floyd County, Kentucky, being bounded on the North by the lands of Orie F. Lizon; on the East by U.S. Highway No. 23; on the South by lands of Virginia Arnold and E.P. Arnold; and on the West by Second Avenue of the City of Prestonsburg, Kentucky, the same being a portion of the lands which were conveyed to me by Joseph D. Harkins, Mary E. Harkins Howard, Josephine A. Harkins and Walters S. Harkins, Jr., by deed dated March 5, 1920, recorded in Deed Book No. 56, page 448, Floyd County Court Clerk's Office. Provided, however, that this devise does not embrace or include therein any of the household furnishings which may be in said residence at the time of my death. In the distribution of my estate, I do hereby direct that my said son, Joseph D. Harkins, shall be charged with the sum of Twenty Thousand (\$20,000.00) Dollars as an advancement on account of the devise of said residence property to him.

ELEVENTH: I do hereby appoint and designate Joseph D. Harkins, Mary E. Harkins Howard and Josephine A. Browning as Executors of this Last Will and Testament, and direct that they, and each of them, be permitted to act and serve as such Executors, without Bond. In the event of the death of either of Executors, the survivor or survivors shall continue to act in such capacity; and as long as there shall be two or more Executors of my Estate as herein named, any two of said Executors shall have the right to execute and convey any and all questions pertaining to my estate, and I do hereby request and direct that no inventory be required to be made or filed as to my said estate, and that no appraisal of any portion thereof (other than as to the diamonds and other jewelry hereinbefore directed to be appraised for distribution and division purposes solely) be required to be made or to be filed.

TWELFTH: In addition to the advancements hereinbefore set out and referred to in Paragraph EIGHTH hereof, I do furthermore direct that my son, Joseph D. Harkins, my daughters, Mary E. Harkins Howard and Josephine A. Browning, and the Estate of my son, Walter Scott Harkins Jr. (as represented by Monte Scott Harkins, William Fox Harkins, George Archer Harkins and Donald Davidson Harkins) shall each be charged with advancements of the diamond and other jewelry herein before, in Paragraph No. Fifth hereof devised to them, respectively, at the appraised value thereof.

THIRTEENTH: Excepting from and out of my Estate all the specific devises herein made, mentioned and set out, I do hereby devise and bequeath all of the remainder of my property, real, personal and mixed (with proper accounting for all of the advancements hereinbefore mentioned and referred to) as follows, to-wit:

- One-fourth to Joseph D. Harkins.
- One-fourth to Mary Elizabeth Harkins Howard.
- One-fourth to Josephine Anna Harkins Browning.
- One-fourth to Marguerite F. Harkins, as Trustee for Marguerite F. Harkins, Monte Scott Harkins, William Fox Harkins, George Archer Harkins and Donald Davidson Harkins, upon the following trusts and conditions to-wit:

(a) The said Trustee shall be charged with all advancements he heretofore or hereafter made to and/or for my deceased son, Walter Scott Harkins, Junior.

(b) The said Trustee shall hold the legal title to the properties herein devised to her as such Trustee, for and during the term hereinafter provided, and is hereby given the right, power and authority to sell, resell, lease release, purchase or repurchase any and all properties herein bequeathed and devised to her, in such manner and upon such terms and conditions as to her may seem to be the best interest of said trust estate; provided, however, that any real estate coal or mineral properties, or oil or gas, which may pass hereunder shall only be sold or leased upon such terms and conditions as may be agreed upon by all the adult joint owners of said real estate, or coal or mineral properties or oil or gas.

In the event of sale of any such real estate or coal or mineral properties or oil or gas, the proceeds arising from said sale shall be re-invested in other properties for such trust estate herein created which such property so acquired shall be subject to the same trusts and powers of sale and lease as are hereinbefore set out, during the term of said trust.

(c) One-third of the net income arising from said trust estate herein created shall be paid by said Trustee from time to time to Marguerite F. Harkins, during each period of time as she remains the widow of Walter S. Harkins, Junior, and not re-married; provided, however, that the remarriage, or death, of the said Marguerite F. Harkins shall terminate any interest which she may personally have in said trust estate herein created. Subject to the payment herein directed to be made by said Trustee to the said Marguerite F. Harkins, the net income from such trust estate shall be paid by said Trustee, in equal portions, to the guardians of Monte Scott Harkins, William Fox Harkins, George Archer Harkins, and Donald Davidson Harkins, during the minority of such infants, respectively; and thereafter, and as each of said infants shall arrive at the age of twenty-one years, his portion of such income shall be paid direct to him.

(d) In the event of the death of the said Monte Scott Harkins or William Fox Harkins or George Archer Harkins or Donald Davidson Harkins, or either of them, WITHOUT LEGAL ISSUE, during their term of this trust, the survivor or survivors from time to time shall be paid the income of said trust estate (subject to the defeasable payments herein directed to be made to Marguerite F. Harkins) always in equal portions.

(e) In the event of the death of the said Monte Scott Harkins, with legal issue, during the term of this trust, then the portion of the income of said trust estate herein directed to be paid to the said Monte Scott Harkins shall be paid to the legal issue of the said Monte Scott Harkins.

(f) In the event of the death of the said William Fox Harkins, with legal issue, during the term of this trust, then the portion of the income of said trust estate herein directed to be paid to the said William Fox Harkins shall be paid to the legal issue of the said William Fox Harkins.

(g) In the event of the death of the said George Archer Harkins, with legal issue, during the term of this trust, then the portion of the income of said trust estate herein directed to be paid to the said George Archer Harkins shall be paid to the legal issue of the said George Archer Harkins.

(h) In the event of the death of the said Donald Davidson Harkins, with legal issue, during the term of this trust, then the portion of the income of said trust estate herein directed to be paid to the said Donald Davidson Harkins shall be paid to the legal issue of the said Donald Davidson Harkins.

(i) The trusts herein created shall continue in full force and effect for a term of twenty-five years from and ensuing the probate of this Last Will and Testament.

(j) Should the said Marguerite F. Harkins at any time resign as such Trustee hereunder, or should she depart this life during the term of this trust herein created, then my eldest direct descendant shall be and is hereby substituted as Trustee for her; and likewise, and from time to time, in the event of the resignation or death of any such Trustee, then the next eldest of my direct descendant shall be substituted as such Trustee, it being my purpose and intention that either my daughter-in-law, Marguerite F. Harkins, or one of my direct descendants shall at all times during the term of hereof act as Trustee hereunder.

(k) All powers which are granted to Marguerite F. Harkins as Trustee hereunder are like wise granted to any successor trustee.

(l) At the termination of the trust hereby created, the Trustee herein provided for shall convey the legal title to all properties and interests in properties herein devised and bequeathed, or hereafter acquired by said trust estate, as hereinbefore authorized and directed, as follows: One-third thereof to Marguerite F. Harkins for and during her natural life, and the remainder in equal moieties to Monte Scott Harkins, William Fox Harkins, George Archer Harkins and Donald Davidson Harkins; provided, however, that should either the said Monte Scott Harkins or William Fox Harkins or George Archer Harkins or Donald Davidson Harkins depart this life with legal issue, then such conveyance shall be made by said Trustee to the survivors or survivor of the said Monte Scott Harkins, William Fox Harkins, George Archer Harkins and Donald Davidson Harkins; provided, further, however, that should either the said Monte Scott Harkins or William Fox Harkins or George Archer Harkins or Donald Davidson Harkins depart this life, with legal issue surviving them, respectively, at the same herein fixed for the conveyance of the legal title by said Trustee, then such conveyance shall be made by said Trustee to the legal issue of the said Monte Scott Harkins or George Archer Harkins or William Fox Harkins or Donald Davidson Harkins so surviving them respectively, per stirpes and not per capita.

(m) In the event the said Monte Scott Harkins and William Fox Harkins and George Archer Harkins and Donald Davidson Harkins, and each of them, should depart this life, without legal issue surviving them and or each of them, respectively, then the Trustee herein provided shall convey one-third of such properties to Marguerite F. Harkins, for and during her natural life, and the remainder of such properties to my then heirs at law, per stirpes and not per capita. Should the conditions provided for in this paragraph arise at any time prior to the expiration of the term hereinbefore provided for this trust, then the conveyance herein in this paragraph provided for shall be made immediately and such trust

estate then terminated, anything herein to the contrary notwithstanding.

IN TESTIMONY WHEREOF, I have executed the foregoing as My Last Will and Testament, at Prestonsburg, Floyd County, Kentucky, the Nineteenth day of December, A. D. 1936.

JOSEPHINE D. HARKINS

WITNESS:

ELIZABETH A. WELLS
EMMA WELLS MAY
JOHN G. ARCHER M. D.

PRESTONSBURG, KENTUCKY
PRESTONSBURG, KENTUCKY
PRESTONSBURG, KENTUCKY

The affiant, Josephine H. Browning, says that she is a citizen and resident of Ashland, Boyd County, Kentucky, that she is one of the executors named in the last will and testament of Josephine D. Harkins, deceased; and that she will well and faithfully discharge her duties as an executor of said estate.

JOSEPHINE H. BROWNING

Sworn to before me by Josephine H. Browning, the 24 day of September, 1946.

ELEANOR BROWNING, Notary Public
Com. Expires the 9 day of May, 1949

The affiant, Mary E. Harkins Vanlandingham, says that she is temporarily residing in Miami, Dade County, Florida; that her legal residence is Prestonsburg, Floyd County, Kentucky; that she is one of the persons designated by the last will and testament of Josephine D. Harkins, as an executor of her estate; that she will well and faithfully administer the affairs of such estate as executor thereof.

MARY E. HARKINS VANLANDINGHAM

Subscribed and sworn to before me by Mary E. Harkins Vanlandingham, this the 26 day of September, 1946.

WALTER D. HOWARD, Notary Public
Commission expires the 23 day of May 1950.

SEAL

STATE OF KENTUCKY

COUNTY OF FLOYD

I, JARVIS ALLEN, Clerk of the County Court for the County and State aforesaid, certify that the foregoing Will was on the 23 day of September, 1946, lodged for record, whereupon the same with the foregoing and this certificate have been duly recorded in my office.

Witness my hand, this 4 day of October, 1946.

JARVIS ALLEN, Clerk

By *Ethel Allen* D. C.

WILL OF FELIX G. ALLEN

I, Felix G. Allen, of Langley, County of Floyd and State of Kentucky being of full age and of sound mind and memory, do make publish and declare this to be my last will and testament, here by 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, My son Leo Allen has already received by deed dated February 20, 1940 his fair share of my property, therefore Leo Allen is not to receive any property of any kind whatsoever under this will.

Item III, I give, devise and bequeath to my wife Rebecca Allen during her natural life all my real property and all my personal property, of every kind and description, whatsoever situated, which I may own or have the right to dispose of at the of my decease, after the death of my wife Rebecca Allen I give devise and bequeath to Wayne Allen as compensation for his aid in my support, the following described property as follows. The house and land around it Beginning at public road and running up the branch with line between Ethel (May) Ratliff and Wayne Ratliff her husband and me 400 feet to end of point, then following same line up the point 40 feet to a big tree thence thence left 175 feet, over to branch, thence 45 feet up the hill to a mulberry and a walnut trees. Thus forming a straight line from tree to the two mentioned; thence turning around the hill 95 feet to a walnut tree at edge of hollow; thence down the hollow 50 feet to branch at foot of hill; thence down the branch along foot of hill 180 feet; thence turning with an angle across (near where the branch now runs) a straight line from the last given point to a gate post 20 feet up public road, from Ethel and Wayne Ratliff line, thus leaving a 20 foot entrance to road.