

LAST WILL AND TESTAMENT

OF

DEFT'S

EX 1

LUCY LITTLE HAMMOND

I, Lucy Little Hammond, of Union Township, Knox County, Ohio, being of legal age, sound and disposing mind and memory and free from restraint, do make, publish and declare this to be my Last Will and Testament, hereby revoking and annulling any Will or Wills by me heretofore made.

ITEM I

I will and direct that all of my just debts, including the expense of last illness and burial, also any succession, inheritance, or estate taxes, federal or state, that may be levied or assessed by reason of my death, or by reason of any gifts, shall be paid out of my estate as soon as practicable after my decease.

ITEM II

To my daughter, Sarah Hammond Doup, I give and bequeath all diamond rings, which I may own at the time of my death.

ITEM III

To my niece, Eleanor Webb Hayt, I give and bequeath my breast pin, which came to me from my sister, Emma Webb, just before her death and which is probably over one hundred (100) years old.

ITEM IV

To my son, Felton Little Hammond, I give, devise and bequeath in fee simple, all the lands I may own, or have the right to dispose of, at the time of my death, in the Townships of Union and Butler, Knox County, Ohio, not herein after devised to my other two children.

I also give and bequeath to my said son, Felton, any automobile I may own at the time of my death, all livestock, farm machinery, tools, equipment and all other articles of personal property used in or about my farm; also all my household goods and furnishings and all other articles of personal property used in or about my home at the time of my death and not otherwise disposed of by this will.

ITEM V

To my daughter, Sarah Hammond Doup, and my son, James Harvey Hammond, I give, devise and bequeath in equal shares a fee simple estate in that portion of my lands in Butler Township, Knox County, Ohio, lying south of U. S. Highway No. 36, and being approximately Twenty-five (25) Acres in the North-east corner of the North-east quarter of Section Number Four (4).

ITEM VI

Anything and everything which may come to me during my lifetime, or to my estate after my death, as my one-fifth (1/5) share of my father's estate, which would include all my interest in property of every kind and description located in Alabama, my undivided interest in any property or funds which my brother, Felton Little, may have in his possession and control, as agent or otherwise, and my share of any income arising from said properties which may not have been paid to me prior to my death, I devise, will and bequeath as follows:

A. Twenty per cent (20%) thereof to my son, Felton Little Hammond.

B. Twenty per cent (20%) thereof to the First-Knox National Bank of Mount Vernon, Ohio, together with anything that may become due and owing to my said son, James Harvey Hammond, on account of the provisions of Item XIII of

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my said will, as hereinafter set forth, together with any and all earnings therefrom, which shall be accumulated and added to said fund, all of which shall constitute a Trust Fund for the benefit, use and enjoyment of my said son, James Harvey Hammond, through the action of said Trustee as follows:

During the period of his life while he is able to work and is gainfully employed, to pay to him, or for his benefit, the sum of Three Hundred Dollars (\$ 300.00), each and every month. Should he become unable to continue gainful employment however, as a result of accident, advanced age, or other mental or physical disability, then during the period of such disability and inability to be gainfully employed, said monthly payments shall be increased to Five Hundred Dollars (\$ 500.00) each and every month. Said trust however shall terminate and end upon the happening of either of the following contingencies.

1. Following the establishment of said Trust Fund, should any wife to whom my said son may then be married, pre-decease him, or should the relationship between them of husband and wife, for any other reason, cease to exist, then said Trust shall immediately terminate and said Trustee shall disburse the entire balance remaining in said Trust Fund to my said son and thus vest in him the absolute ownership of said fund and the property contained therein.

2. Following the establishment of said Trust Fund, should my said son pre-decease his then wife, then said Trustee shall disburse the proper proportionate share of said Trust Fund to each of his said children, as they reach the age of Twenty-one (21) years, and when his youngest child shall have reached the age of Twenty-one (21) years and the balance of said fund given him, or her, by said Trustee, then said trust immediately shall terminate and the Trustee discharged and released from all further liability or responsibility in connection with said Fund.

C. Twenty per cent (20%) thereof to the First-Knox National Bank of Mount Vernon, Ohio, together with anything that may become due and owing to my said daughter, Sarah Hammond Doup, on account of the provisions of ITEM XIII of my said will, as hereinafter set forth, with any and all earnings therefrom, which shall be accumulated and added to said fund, all of which shall constitute a Trust Fund for the benefit, use and enjoyment of my said daughter, Sarah Hammond Doup, through the action of said Trustee as follows:

To pay to her, or for her benefit, the sum of Two Hundred Dollars (\$ 200.00) each and every month, during her life, which trust shall terminate and end upon the happening of either of the following contingencies:

1. Should my son-in-law, Robert E. Doup, predecease my said daughter, or should the relationship between them of husband and wife for any other reason cease to exist, then said Trust shall immediately terminate and said Trustee shall disburse the entire balance remaining in said Trust Fund to my said daughter, and thus vest in her the absolute ownership in said fund and the property contained therein.

2. Should my said daughter predecease her said husband, then said Trustee shall disburse the proper proportionate share of said Trust Fund to each of her said children as they reach the age of Twenty-one (21) years, and when her youngest child shall have reached the age of Twenty-one (21) years and the balance of said Trust Fund given him, or her, by said Trustee, then said Trust shall immediately terminate and the Trustee be discharged and released from any and all further liability or responsibility in connection with said Trust.

D. Forty per cent (40%) to be paid to The First-Knox National Bank of Mount Vernon, Ohio, which shall receive it in trust, and said fund, together with any and all earnings therefrom, which shall be accumulated and added to said fund, shall constitute a trust fund for the benefit, use and enjoyment of my then living grand-children, whether now in being or hereafter born.

Upon each grand-child reaching the advancement in age and education where they are capable of participating in and desiring a college education, no long as their desire for such advancement in education continues and

they make satisfactory grades in their studies, said Trustee shall disburse from said Trust Fund, such necessary sums for said grand-child as in the best judgment of its trust officers may be adequate and necessary to enable said grand-child to continue its college education to a Bachelor's Degree. Providing, however, that said sums so advanced shall not exceed One Thousand Five Hundred Dollars (\$ 1,500.00) in any one college year and not to exceed Six Thousand Dollars (\$ 6,000.00) for a full four (4) year course. Upon the completion of said college training, or upon termination of their desire for such training or upon their failure to make grades satisfactory to the college in which they are enrolled and reaching the age of twenty-one (21) years, said grand-child shall be entitled to the balance, if any, of his proportionate share of said trust fund.

Likewise, should any grand-child not have reached the advancement in education and age and not desiring a college education, said grand-child shall receive its portion of said trust fund upon arriving at the age of Twenty-one (21) years.

Provided, however, that the total amount, whether for education or otherwise, to be paid to or for the benefit of any such grand-child shall not exceed its proportionate share of the total trust fund when compared to the total number of grand-children. As an illustration, if there should be a total of fifteen (15) living grand-children at the time said trust fund is set up, then no grand-child should receive, both for his education or otherwise, more than one fifteenth (1/15) of the total trust fund. If, after the setting up of said trust fund, other grand-children should be born, it would be necessary for the Trustee to re-allocate and re-calculate the amount due for each grand-child so that the total amount received by each would be his proportionate share of said fund, considering the total number of grand-children to participate therein. After any grand-child shall have started to participate in said fund, his percentage shall remain the same until he has received the full fraction to which he was entitled at the beginning, irrespective of how many other grand-children may have been born in the meantime.

Upon the completion of the payments of its proportionate share of said trust fund to any grand-child, then the trust so far as it applied to that particular grand-child shall terminate and the Trustee be discharged from further responsibility in regard thereto and upon reaching the age of twenty-one (21) years of the youngest grand-child to share in said fund, the balance of said trust fund shall be paid to it and the trust, in its entirety, shall then terminate and the Trustee be discharged and released from any and all further liability or responsibility in connection with said trust.

Should any of my grand-children living at the time said trust fund is set up, but becomes deceased prior to the time it is entitled to any part of said trust fund, or even if it should become deceased during the period of time that it is receiving benefits from said trust fund, then its full share, or the remainder of its share, shall be added to and divided equally between and among the surviving grand-children.

Each of the above trust funds shall be held and possessed by said Trustee who shall have full power and at the sole risk of the trust estate, in its absolute and uncontrolled discretion and on such terms and conditions as in its judgment are reasonable, to grant, bargain, sell, contract to sell, convey, exchange, convert, assign, reloan, invest and reinvest in real and/or personal property and securities, and to control, dispose of or otherwise deal with the trust estate or any part or portion thereof, and to receive, sue for, or otherwise collect all the interest, dividends, rents, issues and profits thereof, and at its discretion to compromise or compound the same or any claim of either of said trust estates.

ITEM VII

To my son, Elton Little Hammond, I give and bequeath my sterling silver table service, my hand painted china, any jewelry not hereinbefore disposed of, and all of my bed linens, including quilts, blankets, etc.,

ITEM VIII

To George Hammond, son of Burl Hammond, I give and bequeath ten (10) shares of stock in the Commercial and Savings Bank of Danville, Ohio.

ITEM IX

To Jack Hammond, son of Burl Hammond, I give and bequeath the sum of Two Thousand Dollars (\$ 2,000.00), same being the redemption value of the Mount Vernon Telephone Stock, which I had planned to leave to him and which stock has since been redeemed.

ITEM X

To the First Christian Church of Mount Vernon, Ohio, I give and bequeath the sum of Three Thousand Dollars (\$ 3,000.00), to be used in the operation, maintenance and carrying on the activities of the church as the best judgment of its governing body shall dictate.

ITEM XI

To the Homemakers Class of the First Christian Church of Mount Vernon Ohio, I give and bequeath the sum of Five Hundred Dollars (\$ 500.00) to be used for such purpose, or purposes, as the officers of said class may dictate.

ITEM XII

To The Cleveland Christian Home, I give and bequeath the sum of One Thousand Dollars (\$ 1,000.00) to be used for such purpose, or purposes, as the best judgment of its governing body shall dictate.

ITEM XIII

I give and bequeath my Series "H" Government Bonds, as well as the proceeds of any and all oil and/or gas production that there may be from any of my real estate at the time of my death, or that later may be discovered and developed thereon as follows:

- (a) One Third (1/3) to my son, Felton Little Hammond.
- (b) One Third (1/3) to my son, James Harvey Hammond.
- (c) One Third (1/3) to my daughter, Sarah Hammond Doup.

The share of both James and Sarah is to be turned over to The First-Knox National Bank of Mount Vernon, Ohio as Trustee and by it added to the 20% Trust Fund provided for each in Item VI - B. & C. of this will and administered as a part of said Trust Fund provided for each in said Item VI of this my will.

ITEM XIV

To my daughter, Sarah Hammond Doup, and my son, James Harvey Hammond I give, devise and bequeath, share and share alike, all the rest, residue and remainder of my property of every kind and description, which is not otherwise disposed of by this will.

ITEM XV

Should I die prior to the death of my brother, Felton Little, then if, prior to his death or his voluntary resignation as Administrator, or Executor of the estate of my father, Charles Edward Little, any one of my three said children shall demand of my brother, a distribution to them of their share of my father's estate, or initiate any action in partition, the purpose of which would be to secure their share of said estate, or should they interfere in any way with the management, control and/or administration of said estate by my brother, Felton Little, then said child shall forfeit and lose the entire legacy provided for said child by any and all items of this my Last Will and Testament.

ITEM XVI

I nominate and appoint The First-Knox National Bank of Mount Vernon,

Ohio, to be the Executor of this my Last Will and Testament and I empower it, as such Executor, to compound, compromise, settle and adjust, according to the best judgment and discretion of its officers, any and all claims against, or in favor, of my estate. I also authorize my said Executor to make sale of any personal property not otherwise disposed of, at either private or public sale, and for such prices as it may deem proper. I further authorize my said Executor to make, execute and deliver all necessary papers in connection with any such sale.

I request that said bank be permitted to serve as Executor of my estate without the necessity of giving bond for its faithful performance as such Executor.

IN WITNESS WHEREOF, I have hereunto set my hand to this my Last Will and Testament at Mount Vernon, Ohio, this 15th day of April, A. D. 1968.

Lucy Little Hammond
Lucy Little Hammond

The foregoing instrument was signed by the said Lucy Little Hammond in our presence and was by her published and declared as and for her Last Will and Testament and at her request and in her presence and in the presence of each other, we hereunto subscribed our names as attesting witnesses.

Walter J. [unclear] residing at 3404 1/2 E. [unclear] St

Howard H. [unclear] residing at 304 E. [unclear] Street
Mr. [unclear]

STATE OF OHIO, COUNTY OF KNOX

I, James M. Ronk, Judge of the County and State aforesaid do hereby certify that the foregoing is a true copy of same as appears on file in my office in Probate Court
Given under my hand and seal this 23rd day of July, 1996
James M. Ronk
By Rose Ann [unclear] D.C.

Inst # 1996-25621
08/08/1996-25621
01:50 PM CERTIFIED

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