

This deed is to cure title.


20071206000554390 1/19 \$66.00
Shelby Cnty Judge of Probate, AL
12/06/2007 03:35:09PM FILED/CERT

This instrument prepared by:

William W. Horton
Haskell Slaughter Young & Rediker, LLC
1400 Park Place Tower
2001 Park Place North
Birmingham, Alabama 35203

Send tax notices to:

BHS, L.L.C.
c/o Bradford Health Services
Attention: Chief Financial Officer
2101 Magnolia Avenue South, Suite 518
Birmingham, Alabama 35205

Attention Recording Office:

Please index in the following names:

FloWarr Management, Inc.

The Bradford Group, Inc.

Trust u/w Michael S. Currier 12/12/96

(Article EIGHTH) f/b/o Karin A. Griscom
BHS, L.L.C.

STATE OF ALABAMA

COUNTY OF SHELBY

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of TEN AND NO/100 Dollars (\$10.00), and other good and valuable considerations to **Trust u/w Michael S. Currier 12/12/96 (Article EIGHTH) f/b/o Karin A. Griscom** (hereinafter referred to as the "Grantor"), as remote successor-in-interest to **The Bradford Group, Inc., f/k/a FloWarr Management, Inc.**, in hand paid by **BHS, L.L.C.**, an Alabama corporation (hereinafter referred to as the "Grantee"), the receipt of which is hereby acknowledged, the said Grantor does by these presents hereby remise, release and quitclaim to Grantee all of the Grantor's right, title, interest and claim, if any, in or to the following described real estate situated in Shelby County, Alabama, to-wit:

Parcel II:

A tract of land in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 7, Township 20 South, Range 2 West, situated in Shelby County, Alabama, being more particularly described as follows: Commence at the Northeast corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 7, Township 20 South, Range 2 West and run in a southerly direction along the east line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 1181.11 feet to the point of beginning; thence continue in a southerly direction along the east line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 7 a distance of 426.58 feet to a point; thence turn an interior angle of 87 deg. 39 min. 57 sec. and run to the right in a westerly direction a distance of 107.88 feet to a point on the easterly right of way line of Shelby County Road No. 35; said point being a point on a curve; then turn an interior angle of 98 deg. 08 min. 55 sec. (angle measured to tangent) and run to the right in a Northerly direction along the arc of a curve to the left having a central angle of 12 deg. 51 min. 43 sec. and a radius of 1434.89 feet, a distance of 322.11 feet to the Point of Tangent of said curve; continue in a northerly direction along the easterly right of way line of

Shelby County Road No. 35 and along the projection of the tangent to the last described course 143.36 feet to a point; thence turn an interior angle of 64 deg. 11 min. 49 sec. and run to the right in an easterly direction a distance of 223.60 feet to the point of beginning; being situated in Shelby County, Alabama.

Less and except:

60 foot strip of land being a portion of that certain tract of land as recorded in Instrument No. 1998-25237 and lying in the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 7, Township 20 South, range 2 West. Shelby County, Alabama, described as follows:

Commence at the SE corner of Section 7, Township 20 South, Range 2 West, Shelby County, Alabama and run North 1296 feet, more or less, along the Eastern line of said section to a found capped rebar (Farmer) and the NE corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 7; thence said northern $\frac{1}{4}$ - $\frac{1}{4}$ line N 88°29'51" W 1081.18 feet to a 5-8" capped rebar (SMW LS 19753); thence leaving said northern $\frac{1}{4}$ - $\frac{1}{4}$ line N 00°00'00" W 358.47 feet to a capped rebar (O,G, JEFFCOAT 9587) and the Point of Beginning; thence S 88°01'23" E 200.47 feet to a point; thence N 01°58'23" E 60.00 feet to a point; thence N 88°01'23" W 200.47 feet to a point; thence N 88°01'37" W 496.53 feet to a point on the eastern right of way of Shelby County Highway No. 35 (80 foot right of way); thence along said eastern right of way in a curve concave westerly and having a radius of 2311.06 feet, BRG-S18°41'08" W, CH-62.65 feet to a point; thence leaving said eastern right of way S 88°01'37" E 514.55 feet to the Point of Beginning; said described 60 foot strip of land being situated in the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 7, Township 20 South, range 2 West, Shelby County, Alabama.

TO HAVE AND TO HOLD to the said Grantee forever.

This conveyance is made subject to all easements, restrictive covenants, reservations and rights of way appearing of record affecting the subject property.

IN WITNESS WHEREOF, the said Grantor has caused this deed to be executed on this the 30th
day of ^{December} ~~November~~, 2007.

**TRUST u/w MICHAEL S. CURRIER 12/12/96
(Article EIGHTH) f/b/o KARIN A. GRISCOM**

By: Karin Griscom
Karin A. Griscom, Trustee

By: _____
Lavinia M. Currier, Trustee

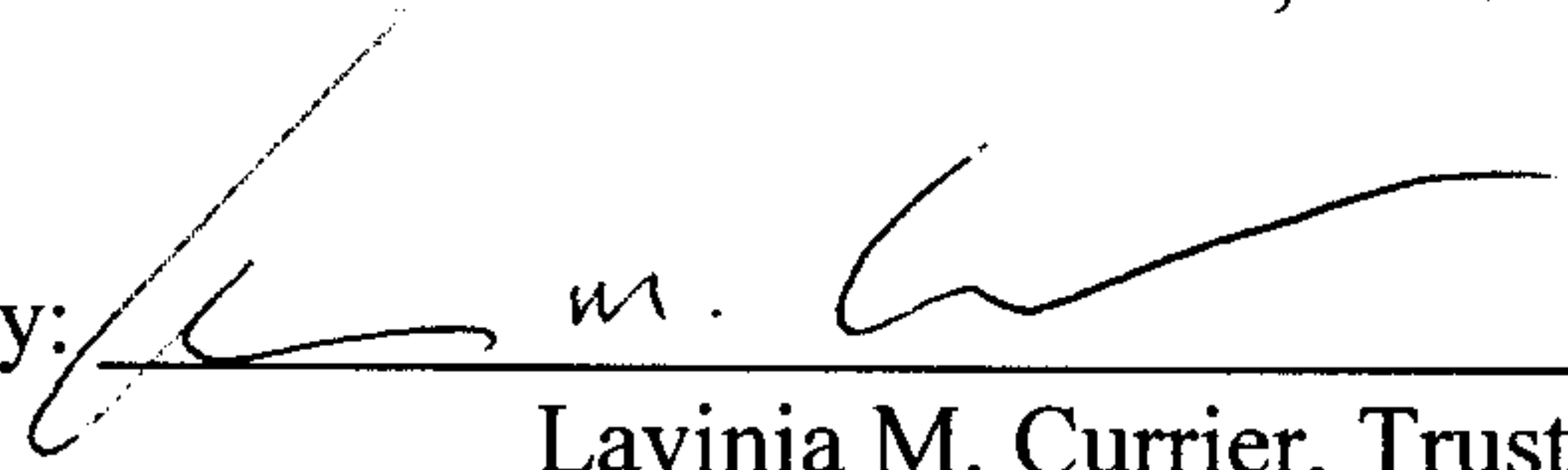
By: _____
Nicholas W. Noon, Trustee


20071206000554390 3/19 \$66.00
Shelby Cnty Judge of Probate, AL
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IN WITNESS WHEREOF, the said Grantor has caused this deed to be executed on this the 30th
day of ~~November~~^{October}, 2007.

**TRUST u/w MICHAEL S. CURRIER 12/12/96
(Article EIGHTH) f/b/o KARIN A. GRISCOM**

By: _____
Karin A. Griscom, Trustee

By:  _____
Lavinia M. Currier, Trustee

By: _____
Nicholas W. Noon, Trustee



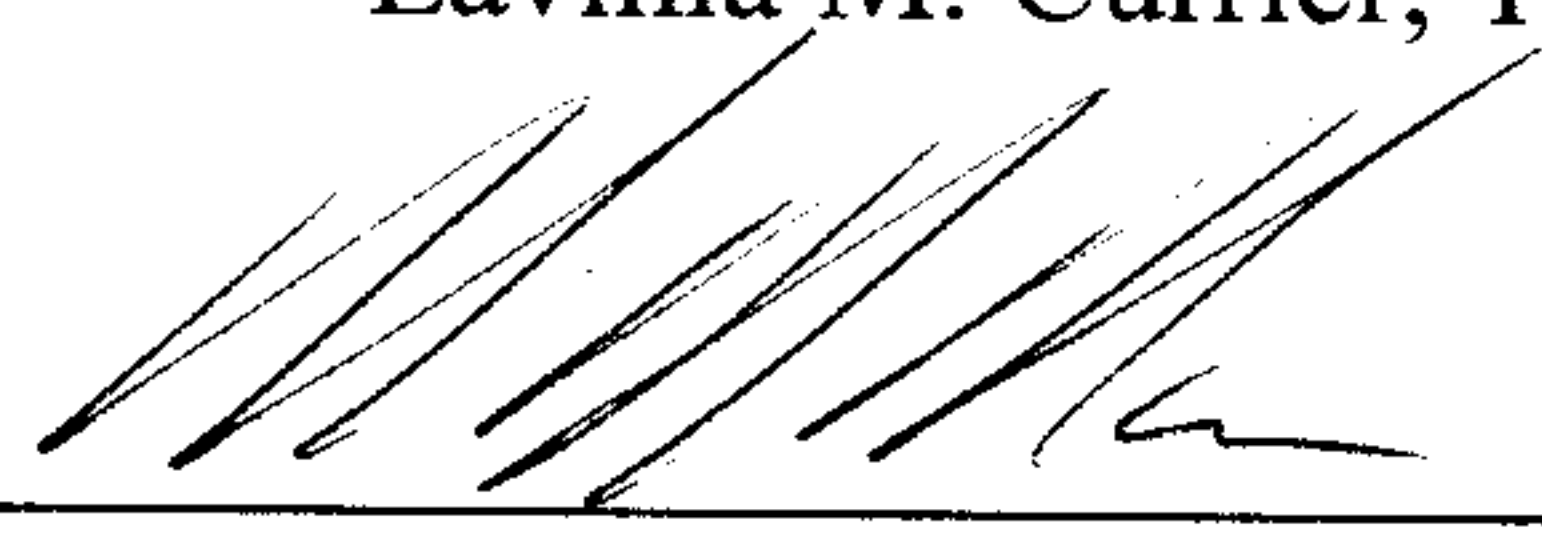
20071206000554390 4/19 \$66.00
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IN WITNESS WHEREOF, the said Grantor has caused this deed to be executed on this the 5th
day of ~~November~~ December, 2007.

**TRUST u/w MICHAEL S. CURRIER 12/16/96
(Article EIGHTH) f/b/o KARIN A. GRISCOM**

By: _____
Karin A. Griscom, Trustee

By: _____
Lavinia M. Currier, Trustee

By:  _____
Nicholas W. Noon, Trustee



20071206000554390 5/19 \$66.00
Shelby Cnty Judge of Probate, AL
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STATE OF New Mexico)
 :
Santa Fe COUNTY)


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I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that **Karin A. Griscom, as Trustee of Trust u/w Michael S. Currier 12/12/96 (Article EIGHTH) f/b/o Karin A. Griscom**, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, she executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal, this 3rd ^{December} day of ~~November~~, 2007.

[NOTARIAL SEAL]



Notary Public

Print Name: Velda Romero

My Commission Expires: 7-15-2010

STATE OF _____)
 :
_____ COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that **Lavinia M. Currier, as Trustee of Trust u/w Michael S. Currier 12/12/96 Article EIGHTH) f/b/o Karin A. Griscom**, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, she executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal, this _____ day of November, 2007.

[NOTARIAL SEAL]

Notary Public

Print Name: _____

My Commission Expires: _____

STATE OF _____

_____ COUNTY

20071206000554390 7/19 \$66.00
Shelby Cnty Judge of Probate, AL
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I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that **Karin A. Griscom, as Trustee of Trust u/w Michael S. Currier 12/12/96 (Article EIGHTH) f/b/o Karin A. Griscom**, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, she executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal, this _____ day of November, 2007.

[NOTARIAL SEAL]

Notary Public

Print Name: _____

My Commission Expires: _____

STATE OF New York

New York COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that **Lavinia M. Currier, as Trustee of Trust u/w Michael S. Currier 12/12/96 Article EIGHTH) f/b/o Karin A. Griscom**, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, she executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal, this 30th day of November, 2007.

[NOTARIAL SEAL]

Kathleen Meehan
Notary Public

Print Name: _____

My Commission Expires: _____

KATHLEEN MEEHAN
NOTARY PUBLIC, State of New York
No. 01MES140000
Qualified in New York County
Commission Expires July 3, 20 10

COMMONWEALTH

STATE OF MASSACHUSETTS

SUFFOLK COUNTY



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I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that **Nicholas W. Noon, as Trustee of Trust u/w Michael S. Currier 12/12/96 Article EIGHTH) f/b/o Karin A. Griscom**, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, he executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal, this 5th day of ~~November~~ December, 2007.

[NOTARIAL SEAL]



Margaret M. Leyne
Notary Public

Print Name: MARGARET M. LEYNE

My Commission Expires: 1/21/2011

509264.2

AFFIDAVIT

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Before me, the undersigned Notary Public, personally appeared **Nicholas W. Noon**, who, first being duly sworn, deposes and says as follows:

1. I am a resident of the Commonwealth of Massachusetts, am over the age of 21, and am not subject to any disability which would render me incompetent to provide this Affidavit.

2. This Affidavit is based upon my personal knowledge, upon public records and upon facts which have been represented to me and which I believe to be accurate.

3. The Bradford Group, Inc. ("Bradford Group") was an Alabama corporation formed under the name "FloWarr Management, Inc." on or about September 28, 1983. The name of the corporation was changed to "The Bradford Group, Inc." on or about October 9, 1987.

4. For a period of several years prior to the dissolution of Bradford Group, I served as a member of the Board of Directors of Bradford Group.

5. On or about June 15, 1998, Bradford Group conveyed certain of its real property assets to BHS, L.L.C., an Alabama limited liability company ("BHS"). Such transaction is hereinafter called the "Asset Sale".

6. It was the intention of Bradford Group that all real estate owned by Bradford Group in Shelby County, Alabama be conveyed to BHS as part of the Asset Sale. Bradford Group received the full bargained-for consideration for such real estate at the time of the Asset Sale.

7. On December 27, 2001, Bradford Group was voluntarily dissolved.

8. By operation of law and pursuant to a plan of dissolution duly adopted by Bradford Group in accordance with the Alabama Business Corporation Act, any and all assets of Bradford Group that existed at the time of such dissolution devolved upon the Estate of Michael S. Currier (the "Estate"), the sole shareholder of Bradford Group at the time of such dissolution.

9. The Estate has been closed, and any and all residuary property of the Estate has been conveyed to Trust u/w Michael S. Currier 12/12/96 (Article EIGHTH) f/b/o Karin A. Griscom (the "MSC Trust").

10. I have been advised by Haskell Slaughter Young & Rediker, LLC, counsel to Bradford Group in connection with the Asset Sale and in connection with the dissolution of Bradford Group, that certain real property more particularly identified on Exhibit A hereto (the

"Real Property") may, through inadvertence, not have been conveyed by Bradford Group to BHS at the time of the Asset Sale.

11. To my knowledge and belief, it was the intent of Bradford Group to convey the Real Property to BHS as part of the Asset Sale.

12. If, through inadvertence, the Real Property was not so conveyed, any interest in the Real Property held by Bradford Group at the time of the Asset Sale would now be held by the MSC Trust, as ultimate successor-in-interest to Bradford Group as a result of the chain of events described above.

13. The Trustees of the MSC Trust are Karin A. Griscom, Lavinia M. Currier and myself. Pursuant to the terms of the governing documents of the MSC Trust, relevant excerpts of which are attached hereto as Exhibit B, any two of such Trustees may cause the MSC Trust to take action with respect to any property of the MSC Trust.

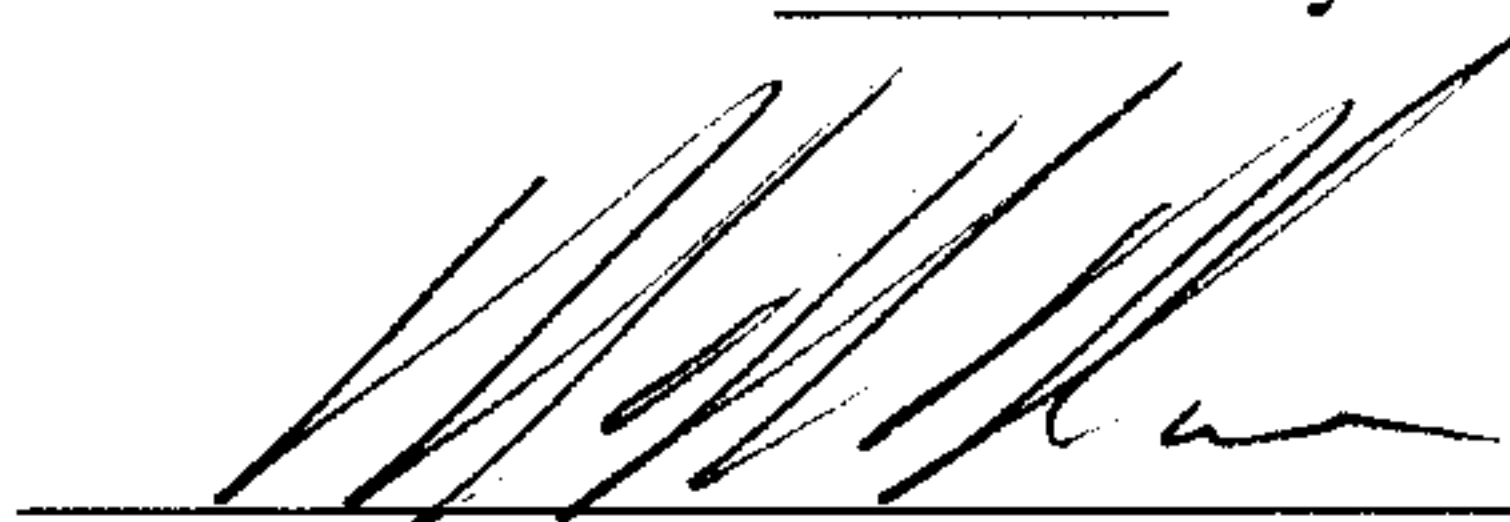
14. In furtherance of the Asset Sale, the MSC Trust, through its duly appointed and acting Trustees, has executed and delivered a Quitclaim Deed conveying to BHS any and all right, title and interest the MSC Trust may have in the Real Property as a result of the chain of events described above, it being the intention of the MSC Trust to divest itself of any right, title or interest it may have in the Real Property and to quitclaim all such right, title and interest to BHS.

FURTHER AFFIANT SAYETH NAUGHT.

[Signature page follows.]


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IN WITNESS WHEREOF, I have set my hand and seal this 5th day of ~~November~~ ^{December}, 2007.



Nicholas W. Noon (L.S.)

COMMONWEALTH OF MASSACHUSETTS)
:)
SUFFOLK COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said Commonwealth, hereby certify that Nicholas W. Noon, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, she executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal, this 5th day of ~~November~~ ^{December}, 2007.

[NOTARIAL SEAL]



Margaret M. Leyne

Notary Public

Print Name MARGARET M. LEYNE

My Commission Expires: 1/21/2011

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EXHIBIT A

Parcel II:

A tract of land in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 7, Township 20 South, Range 2 West, situated in Shelby County, Alabama, being more particularly described as follows: Commence at the Northeast corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 7, Township 20 South, Range 2 West and run in a southerly direction along the east line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 1181.11 feet to the point of beginning; thence continue in a southerly direction along the east line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 7 a distance of 426.58 feet to a point; thence turn an interior angle of 87 deg. 39 min. 57 sec. and run to the right in a westerly direction a distance of 107.88 feet to a point on the easterly right of way line of Shelby County Road No. 35; said point being a point on a curve; then turn an interior angle of 98 deg. 08 min. 55 sec. (angle measured to tangent) and run to the right in a Northerly direction along the arc of a curve to the left having a central angle of 12 deg. 51 min. 43 sec. and a radius of 1434.89 feet, a distance of 322.11 feet to the Point of Tangent of said curve; continue in a northerly direction along the easterly right of way line of Shelby County Road No. 35 and along the projection of the tangent to the last described course 143.36 feet to a point; thence turn an interior angle of 64 deg. 11 min. 49 sec. and run to the right in an easterly direction a distance of 223.60 feet to the point of beginning; being situated in Shelby County, Alabama.

Less and except:

60 foot strip of land being a portion of that certain tract of land as recorded in Instrument No. 1998-25237 and lying in the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 7, Township 20 South, range 2 West. Shelby County, Alabama, described as follows:

Commence at the SE corner of Section 7, Township 20 South, Range 2 West, Shelby County, Alabama and run North 1296 feet, more or less, along the Eastern line of said section to a found capped rebar (Farmer) and the NE corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 7; thence said northern $\frac{1}{4}$ - $\frac{1}{4}$ line N $88^{\circ}29'51''$ W 1081.18 feet to a 5-8" capped rebar (SMW LS 19753); thence leaving said northern $\frac{1}{4}$ - $\frac{1}{4}$ line N $00^{\circ}00'00''$ W 358.47 feet to a capped rebar (O,G, JEFFCOAT 9587) and the Point of Beginning; thence S $88^{\circ}01'23''$ E 200.47 feet to a point; thence N $01^{\circ}58'23''$ E 60.00 feet to a point; thence N $88^{\circ}01'23''$ W 200.47 feet to a point; thence N $88^{\circ}01'37''$ W 496.53 feet to a point on the eastern right of way of Shelby County Highway No. 35 (80 foot right of way); thence along said eastern right of way in a curve concave westerly and having a radius of 2311.06 feet, BRG-S $18^{\circ}41'08''$ W, CH-62.65 feet to a point; thence leaving said eastern right of way S $88^{\circ}01'37''$ E 514.55 feet to the Point of Beginning; said described 60 foot strip of land being situated in the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 7, Township 20 South, range 2 West, Shelby County, Alabama.



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EXHIBIT B

**EXCERPTS FROM THE GOVERNING DOCUMENTS OF
TRUST U/W MICHAEL S. CURRIER 12/12/96 (ARTICLE EIGHTH)
F/B/O KARIN A. GRISCOM**

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I, MICHAEL S. CURRIER, of Santa Fe, New Mexico, do make, publish and declare this to be my Last Will and Testament, hereby revoking all wills and codicils at any time heretofore made by me.

FIRST: A. I give and bequeath to my wife, KARIN GRISCOM, if she survives me, all (i) personal effects, wearing apparel, jewelry of personal use, and automobiles owned by me at the time of my death, and (ii) furniture, furnishings, rugs, pictures, books, silver, plate, linen, china, glassware, paintings, engravings, etchings, tapestries, sculpture, figurines, porcelains, ceramics and other objects of art, office furnishings, stable and garage equipment, machinery, appliances, tools, farm or ranch implements or supplies, carriages, carts and wagons, horses, dogs, cows, sheep and other livestock and other household goods and personal effects and farm and other equipment of every description owned by me at the time of my death, which is customarily located upon and used in connection with any real property in the State of New Mexico or in the State of Colorado which is used by us as a residence.

B. The bequest of any object of art under this my Will shall include any copyright interest therein which I may own.

C. If any uncertainty should arise with respect to the identity of any property encompassed within bequest made by paragraph A of this Article FIRST, the decision of my Personal Representatives with respect thereto shall be binding upon all persons interested in my estate.

SECOND: A. I give and devise to my wife, KARIN GRISCOM, if she survives me, (i) all interest which I may have in any real property in the State of New Mexico which is occupied by us as a

I, MICHAEL S. CURRIER, of Santa Fe, New Mexico, do make, publish and declare this to be my Last Will and Testament, hereby revoking all wills and codicils at any time heretofore made by me.

★ ★ ★

EIGHTH: All the rest, residue and remainder of my property and estate, both real and personal, of whatsoever kind and wheresoever situated, of which I shall die seized or possessed or of which I shall be entitled to dispose at the time of my death, excluding any property over which I may possess a power of appointment (my "residuary estate"), shall be disposed of as follows:

A. If my wife, Karin Griscom, survives me, I give, devise and bequeath my residuary estate to the Trustees hereinafter named, IN TRUST, NEVERTHELESS, to hold, manage, invest and reinvest the same, to collect the income thereof, and to pay over or apply the net income, in as nearly equal quarterly installments as may be practicable, but at least annually, to or for the benefit of my wife, KARIN A. GRISCOM, during her life.

Upon the death of my wife, except to the extent that her Will shall by specific reference to this provision direct to the contrary, the Trustees shall pay from the principal of this trust the increase in all estate, inheritance, legacy, succession, transfer or other death taxes (including any interest and penalties thereon) [hereinafter "taxes"] imposed by any domestic or foreign taxing authority on the death of my wife by reason of the inclusion in her gross estate for the purposes of any such tax of all or any part of the principal of this trust [such increase being the difference between all such taxes actually paid by reason of my wife's death and the taxes which would have been payable if such part or all of the trust principal had not been included in her gross estate], provided, however, that such payments shall be made only from the portion of this trust which, without regard to the provisions of this paragraph,

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The Trustees may at any time and from time to time pay over to my wife, KARIN GRISCOM, or apply for her benefit, any part or all of the principal of this trust as the Trustees, other than my said wife, may, in their sole and absolute discretion, deem advisable.

★ ★ ★

THIRTEENTH: A. I appoint my wife, KARIN GRISCOM, my sister, LAVINIA M. CURRIER, and NICHOLAS W. NOON Personal Representatives of this my Last Will and Testament and Trustees of the trusts hereby created; provided, however, that if a trust is held for the benefit of Luke Griscom or Dakotah Griscom under paragraph A of Article NINTH hereof, I appoint my wife as sole Trustee of each such trust, or, if she shall fail to qualify or cease to act, I appoint my wife's father, RICHARD GRISCOM, as Trustee of each such trust, or, if he should fail to qualify or cease to act as Trustee of such trust, I appoint my wife's sister, MEGAN GRISCOM, as Trustee of each such trust. The provisions of paragraph B of this Article THIRTEENTH shall not apply to the Trustee acting from time to time of each trust held under paragraph A of Article Ninth hereof, but all other provisions of this Article shall apply to them.

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other jurisdiction, I appoint as Personal Representative therein such person or corporation as may be designated by the Personal Representatives then in office in the jurisdiction in which this Will is originally admitted to probate. Such substituted Personal Representative shall, without giving any security, have in such other jurisdiction all the rights, powers, privileges, discretions and duties conferred or imposed upon my Personal Representatives by the provisions of this Will.

H. Whenever the terms "Personal Representative," "Personal Representatives," "Trustee" and "Trustees" are used in this Will, they shall be deemed to refer to the Personal Representative or Personal Representatives and the Trustee or Trustees acting hereunder from time to time.

I. No Trustee who is a beneficiary of a trust hereunder shall participate in the exercise of any power over trust income or principal if such exercise could be for his or her benefit and, in such case, the power shall be exercised solely by the Trustee or Trustees who are not persons who could benefit from the exercise of such power.

FOURTEENTH: In addition to, and not by way of limitation of, the powers conferred by law upon fiduciaries, I hereby expressly grant to my Personal Representatives with respect to my estate and the Trustees with respect to each of the trust estates herein created, including any accumulated income thereof, the powers hereinafter enumerated, all of such powers so conferred or granted to be exercised by them as they may deem advisable in their sole and absolute discretion:

(1) To purchase or otherwise acquire, and to retain, whether originally a part of my estate or subsequently acquired, any



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and all stocks, bonds, notes or other securities, or any variety of real or personal property, including securities of any corporate fiduciary, or any successor or affiliated corporation, interests in common trust funds and securities of or other interests in investment companies and investment trusts, whether or not such investments be of the character permissible for investments by fiduciaries; and to make or retain any such investment without regard to degree of diversification.

(2) To sell, lease, pledge, mortgage, transfer, exchange, convert or otherwise dispose of, or grant options with respect to, any and all property at any time forming a part of my estate or any trust estate, in any manner, at any time or times, for any purpose, for any price and upon any terms, credits and conditions; and to enter into leases which extend beyond the period fixed by statute for leases made by fiduciaries and beyond the duration of any trust.

(3) To borrow money from any lender, including any corporate fiduciary, for any purpose connected with the protection, preservation or improvement of my estate or any trust estate, and as security to mortgage or pledge upon any terms and conditions any real or personal property of which I may die seized or possessed or forming a part of any trust estate.

(4) To vote in person or by general or limited proxy with respect to any shares of stock or other security; directly or through a committee or other agent, to oppose or consent to the reorganization, consolidation, merger, dissolution or liquidation of any corporation, or to the sale, lease, pledge or mortgage of any property by or to any such corporation; and to make any payments and take any steps proper to obtain the benefits of any such transaction.

persons who may be beneficially interested (whether presently or contingently) in my estate or in any trust created hereunder, including any person who may be acting as a fiduciary hereunder, and any such sale to a fiduciary in his or her individual capacity shall be as absolute and effectual as though he or she were not acting in any fiduciary capacity hereunder.

(13) To drill, test, explore, maintain, develop and otherwise exploit, either alone or jointly with others, any and all property in which my estate or any trust estate created hereunder may have any rights and interests of whatsoever kind or nature with respect to oil, gas, minerals, timber or other natural resources, whether originally a part of my estate or any such trust or subsequently acquired; to enter into operation, farm-out, pooling or unitization agreements in connection with any or all of such rights and interests; and to extract, remove, process, convert, retain, store, sell or exchange such rights and interests and the production therefrom, all in any manner, to any extent, on any terms and for any consideration.

★ ★ ★

IN WITNESS WHEREOF, I, MICHAEL S. CURRIER, have to this my Last Will and Testament subscribed my name and set my seal this 12th day of December, in the year One Thousand Nine Hundred and Ninety Six.

Michael S. Currier (L.S.)

Subscribed and sealed by the Testator in the presence of us and of each of us, and at the same time published, declared and acknowledged by him to us to be his Last Will and Testament, and thereupon we, at the request of the said Testator, in his presence and in the presence of each other, have hereunto subscribed our names as witnesses this 12th day of December, 1996.

Louis L. Ryzik residing at

36 Elmsted Rd
Scarsdale, N.Y.

Brad T. Ryzik residing at

25 Central Park West
New York, N.Y.

Mary Ann Ryzik residing at

11-69 Jackson Ave
Scarsdale, NY