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BOOK 121 PAGE 312

FILED RECORD

STATE OF OHIO

BY Shirley Day

Nov 9 11 09 AM '90

P. Young

GARFIELD COUNTY

# **Last Will and Testament of**

JOHN THOMAS DAY

This Will made this 8<sup>th</sup> day of November, 1990 by JOHN THOMAS DAY. I am the person who affixes his signature as Testator below. I make this Will without influence from others; knowing the natural aspects of my bounty, and without influence of any medication as indicated on my medical chart.

I

I am a married man. My wife is SHIRLEY CROSS DAY. I have three children who were born to a previous marriage. They are ELLEN THERESA DAY, JOHN FRANCIS DAY, and NORA DAY LAKE.

II

I hereby revoke any Wills and Community Property Agreements heretofore made by me.

III

I hereby give to SHIRLEY CROSS DAY one-half of my community property plus any interest that she may claim in any article of personal property in which I may have a community, separate or other interest. This bequest shall include all business and casualty claim interest but shall not include any interest in the stock or assets of Tourist Facilities, Inc.

IV

I give my stock in Tourist Facilities, Inc. in equal shares to NORA DAY LAKE, PATRICK YOUNG and SHIRLEY CROSS DAY providing that if SHIRLEY CROSS DAY shall make any claim that she has any previous claim in said Corporation, she shall not participate in this grant or ownership of said stock.

Last Will and Testament

JTD

AD.

LDN

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Filed	11-19-90
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V

It is to be remembered by all grantees of stock in Tourist Facilities, Inc. that I am indebted to Herbert Cahn in an amount in excess of \$20,000.00 and that I have pledged 60% of said stock to him to secure said loans. If Herbert Cahn gives you forbearance to use tools belonging to Tourist Facilities, Inc. and time to complete, sell or refinance the Snake River Kate, you shall pay the debt due him and return the stock. Every nut, bolt, engine, tool, fixture or item of machinery in my accumulation of same is the property of Tourist Facilities, Inc.

VI

The rest and remainder of my estate shall not be subject to distribution for three years and only then in such amounts as are needed to serve the following trust.

I give the remainder of my estate to Nora Day Lake in trust for the educational benefit of the children of John Francis Day who have been born or conceived prior to this date and to any children born or adopted by Ellen Theresa Day or Nora Day Lake. I give Nora Day Lake full discretion in her use of those funds to further the education of any of my grandchildren at any age up to their 30th year.

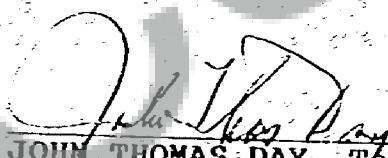
VII

I appoint SHIRLEY CROSS DAY as the Personal Representative of my estate and request that neither my Personal Representative named above nor the trustee named above be required to furnish bond or undertake any reporting or be subject to any control except for the laws of the state in which they are performing their duties.


VIII

I direct that my body be given to Oregon State University Hospital and disposed of as that institution shall determine. I request a service be conducted by my church and that Ross Rakow and Gene Hanson participate.

DONE at North Bonneville, Washington this 24th day of November, 1990.

  
JOHN THOMAS DAY, Testator

Last Will and Testament

  
JTD  
LH HLN

The foregoing instrument, consisting of three pages including this one, was, on the date given above, signed by JOHN THOMAS DAY in our presence. JOHN THOMAS DAY appeared to be in good mental health. We signed as witnesses to his signature in his presence and the presence of each other.

Lee Lane  
WITNESS

10110 NE 35<sup>th</sup> ST VANC, WA 98662  
Address

Norman D. Mayo  
WITNESS

11613 SE 7th ST VANC, WA 98684  
Address

Last Will and Testament

JTD  
JTD  
RD 10N