

SUMSION & PARK  
ATTORNEYS AT LAW  
80 NORTH 100 EAST  
PROVO, UTAH 84601  
Telephone 375-1920

WILL OF  
DOROTHY D. HALL

I, Dorothy D. Hall, of Springville, Utah County, Utah, hereby revoke my former Wills and declare this to be my last Will.

1. HEIRS. My husband, Theron S. Hall, has predeceased me. I have seven children whose names are Barbara Hall Clark, Joseph Clifton Hall, Phyllis Hall Ioane, Hilton Davenport Hall, Allan Perry Hall, Audrey Hall Barwick and Dorothy Hall Floyd. Said children are my only heirs at law.

2. PAYMENT OF EXPENSES. I request that the expenses of my last illness, my funeral and burial expenses, and any expenses incident to the administration and distribution of my estate, be paid as soon as may be convenient after my death.

3. DISPOSITION OF PERSONAL EFFECTS. I give all my personal effects such as, but not limited to, jewelry, clothing, china, silver, paintings, books, photographs, and personal or family mementos and items of all kinds, to my personal representative hereafter named, with the request that he dispose of such property in accordance with such instructions as I may give him for that purpose, but any such instructions shall not be considered testamentary nor shall this request create any legal obligation upon him as it is my intention that he have absolute discretion in disposing of all such property. To the extent I give him no instructions as to the disposition of the same, I request that he dispose of such property in such manner and to such persons as he deems proper.

4. DISPOSITION OF GENEALOGICAL RECORDS. I give all of the family genealogical records, supporting papers of all kinds, genealogical books and reference works, and the typewriter and stand used for genealogical work, all of which are in my custody, to my daughter Dorothy Hall Floyd who shall have custody of the same, subject to the right of the other members of the family to have access to them for genealogical work. My said daughter shall maintain said records and materials and provide for their eventual transfer to some other member of the family whom she deems to have a sufficient interest in genealogical work to in like manner maintain the same and pass them on.

5. DISPOSITION OF RESIDUARY ESTATE. I give all of the rest, residue and remainder of my property and interests in property, both real and personal, wherever situated, which I own at the time of my death, to my seven children, Barbara Hall Clark, Joseph Clifton Hall, Phyllis Hall Ioane, Hilton Davenport Hall, Allan Perry Hall, Audrey Hall Barwick and Dorothy Hall Floyd, in equal shares. If any child of mine shall predecease me, I give such deceased child's share per stirpes to his or her issue surviving me; but if any such deceased child leaves no issue surviving me, then I give such deceased child's share per stirpes to my issue surviving me.

6. APPOINTMENT OF PERSONAL REPRESENTATIVE. I appoint as my personal representative my son, Allan Perry Hall, to serve without bond. If he should not desire to act or should fail to qualify or cease to act as my personal representative, I appoint my son, Joseph Clifton Hall, as my personal representative in his place, to serve without bond.

In the execution of the provisions of this Will and the administration of my estate, my personal representative shall have the following powers and discretions, to be exercised without court order, in addition to all powers and discretions conferred by law on personal representatives:

- (a) To retain or to sell at public or private sale all or any part of the real or personal property of my estate.
- (b) To settle claims in favor of or against my estate.
- (c) To distribute the residue of my estate in cash or in kind or partly in each, and for this purpose the determination of my personal representative as to the value of any property distributed in kind shall be conclusive.
- (d) To execute and deliver any deeds, contracts, mortgages, bills of sale, or other instruments necessary or desirable for the exercise of the personal representative's powers and discretions.
- (e) To pay as an administration expense without reimbursement from any person, all packing, shipping, insurance, and other charges relative to the distribution of any tangible personal property in my estate.

On the 9 day of August, 1976, I sign my name to this Will at the end thereof.

Dorothy D. Hall  
DOROTHY D. HALL

On the 9<sup>th</sup> day of AUGUST, 1976, Dorothy D. Hall declared to us, the undersigned, that said instrument typewritten on this and the preceding page was her Will, and she requested us to act as witnesses to it. She thereupon subscribed the same in our presence, and we, at her request, in her presence, and in the presence of each other, hereunto sign our names as attesting witnesses and declare that we believe the said Dorothy D. Hall to be of sound mind and free from all duress, fraud, and menace and undue influence.

Luc Sumner residing at PROVO, UTAH

Dorothy Sumner residing at SPRINGVILLE, UTAH

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STATE OF UTAH     )  
                                  ) ss.  
COUNTY OF UTAH )

DOROTHY D. HALL and Sue Sumsion and Robert J. Sumsion, the testator and the witnesses, respectively, whose names are signed to the attached instrument typewritten on the two preceding pages, being first duly sworn, do hereby declare to the undersigned authority that the testator signed and executed the instrument as her last Will, that she signed willingly, and that she executed it as her free and voluntary act for the purposes therein expressed; and that each of the witnesses, in the presence and hearing of the testator signed the will as witness, and that to the best of their knowledge the testator was at that time eighteen or more years of age, of sound mind and under no constraint or undue influence.

Dorothy D. Hall  
DOROTHY D. HALL. Testator

Sue Sumsion  
Witness

Robert J. Sumsion  
Witness

Subscribed and sworn to and acknowledged before me by Dorothy D. Hall, the testator, and subscribed and sworn to before me by Sue Sumsion and Robert J. Sumsion, witnesses, this 9th day of AUGUST, 1976.

Sharon Park  
NOTARY PUBLIC

Residing at Spanish Fork, Utah

My commission expires June 17, 1980

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DECLARATION AND AGREEMENT OF TRUST

DOROTHY D. HALL, of Springville, Utah, has established in her name and the name of her son Allan P. Hall certain joint bank accounts using for that purpose the standard forms of agreement furnished by such depositaries, and has also assigned and transferred to herself and her said son as joint tenants with right of survivorship an agreement entitled "Option to Purchase Building Lots" dated July 1, 1967, together with all money due and to become due thereunder, which at this time covers Lots 9 and 10 in Block 2, and Lots 8, 9, 10 and 11 in Block 4, of Hall's Eastern Hills Subdivision, Springville, Utah.

Dorothy D. Hall and Allan P. Hall hereby declare that all of the right, title and interest now held by Allan P. Hall as a joint tenant, and which he may hereafter hold as a surviving joint tenant, in all funds now or hereafter deposited in any joint bank account in both their names, wherever located, now or hereafter established, and in the aforesaid agreement, the lots thereunder, and the proceeds from the sale thereof, together with any and all other property added to this trust by either of them or any other person, shall be held in trust by him; and Allan P. Hall hereby agrees to hold, control and distribute such property in accordance with the following provisions:

1. Additions to trust property. Any person may at any time make additions to the trust property by depositing funds in the aforesaid bank account, or by transferring property to Allan P. Hall as Trustee with reference to this document, or by transferring property to Allan P. Hall without reference to this document but endorsing such transfer hereon, or by any other convenient means.
2. Interest on trust funds. During the lifetime of Dorothy D. Hall, all interest paid on said trust funds or assets shall be considered as income disbursed to Dorothy D. Hall at the time of payment and any interest left to accumulate in any bank account as additions made to the trust property by her.
3. Reserved rights of invasion and revocation. Dorothy D. Hall hereby expressly reserves and retains the right to withdraw for her own use any funds held in the aforesaid bank account and to have payments under the aforesaid agreement made directly to her, and the exercise of any of these rights shall not be construed as a termination of the trust. She shall also have the right to revoke this instrument in whole or in part, and to amend it from time to time in any respect by signed instruments delivered to Allan P. Hall.
4. Dispositive provisions. During the lifetime of Dorothy D. Hall, the trust property shall be held, managed and used for the benefit of Dorothy D. Hall; and whenever Allan P. Hall is so directed by Dorothy D. Hall, or in his discretion deems it necessary, he shall pay over to or expend for the benefit of Dorothy D. Hall as much of the trust income and principal as may be required for her health, comfort, care, support, welfare, or any other purpose which appears to be in her best interest. The payments herein authorized shall be made in such manner as to provide for all of the needs of Dorothy D. Hall as determined by her circumstances and conditions of life and without regard to the degree to which the principal of the trust may be depleted.

This trust shall terminate on the death of Dorothy D. Hall. The trust property shall then be used to pay all or any part of expenses of the last illness and burial and such other of the legally enforceable obligations of Dorothy D. Hall as Allan P. Hall in his sole discretion deems advisable. The balance of the trust property shall then be distributed in accordance with the provisions of the Will of Dorothy D. Hall of even date herewith, in the same manner as if it were part of her residuary estate; and distribution shall be made without the necessity of any probate proceedings whatsoever unless Allan P. Hall, in his sole discretion, deems such proceedings advisable.

5. Successor Trustee. If Allan P. Hall dies, resigns, refuses or is unable to act as trustee, Dorothy D. Hall may appoint a successor trustee by placing such successor's name on said joint bank accounts and having such successor trustee endorse his or her acceptance of the trust hereon. The trustee hereunder agrees to administer this trust without compensation for his services, but shall be entitled to reimbursement for reasonable, ordinary and necessary expenses incurred in the administration of the trust property.

IN WITNESS WHEREOF, Dorothy D. Hall and Allan P. Hall, have signed their names to this instrument this 9<sup>th</sup> day of August, 1976.

Dorothy D. Hall  
DOROTHY D. HALL

Allan P. Hall  
ALLAN P. HALL

STATE OF UTAH     )  
                                  ) ss.  
COUNTY OF UTAH    )

On the 9<sup>th</sup> day of August, 1976, personally appeared before me, Dorothy D. Hall, one of the signers of the above instrument who duly acknowledged to me that she executed the same.

Sharon Park  
NOTARY PUBLIC

Residing at Spanish Fork, Utah  
My commission expires June 17, 1980

STATE OF UTAH     )  
                                  ) ss.  
COUNTY OF UTAH    )

On the 9<sup>th</sup> day of August, 1976, personally appeared before me, Allan P. Hall, one of the signers of the above instrument, who duly acknowledged to me that he executed the same.

Sharon Park  
NOTARY PUBLIC

Residing at Spanish Fork, Utah  
My commission expires June 17, 1980

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ASSIGNMENT

DOROTHY D. HALL, surviving wife of Theron S. Hall, deceased, Assignor of Springville, Utah, for value received, hereby assigns, transfers and sets over to Dorothy D. Hall and Allan P. Hall, as joint tenants with right of survivorship, Assignees, the Seller's interest in that certain Option to Purchase Building Lots dated July 1, 1967, which now covers lots 9 and 10 in Block 2, and Lots 8, 9, 10 and 11 in Block 4, Halls' Eastern Hills Subdivision, Springville, Utah, and is held by Robert E. Peay and Donald C. Dean, a partnership, as Buyers, together with all moneys due and to become due thereunder; and the Assignor does further grant and convey to the Assignees as joint tenants with right of survivorship, but subject to the aforesaid option agreement, the following parcels of land:

Lots 9 and 10 in Block 2, and Lots 8, 9, 10 and 11 in Block 4, Halls' Eastern Hills Subdivision, Springville, Utah, according to the official plat thereof on file in the office of the Utah County Recorder.

IN WITNESS WHEREOF, Dorothy D. Hall has hereunto signed her name this 9TH day of AUGUST, 1976.

Dorothy D. Hall  
DOROTHY D. HALL

STATE OF UTAH     )  
                              ) ss.  
COUNTY OF UTAH )

On the 9TH day of AUGUST, 1976, personally appeared before me, Dorothy D. Hall, the signer of the above instrument who duly acknowledged to me that she executed the same.

Theron S. Hall  
NOTARY PUBLIC

Residing at Janice Park, Utah  
My commission expires June 14, 1977