

LAST WILL AND TESTAMENT

of

ANNA E. CLARK

Dated July 19, 1960

CLARK, CARR & ELLIS  
120 BROADWAY, NEW YORK

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CLARK, CARR & ELLIS  
120 BROADWAY, NEW YORK

I, ANNA E. CLARK, of the City, County and State of New York, do make, publish and declare this as and for my Last Will and Testament, hereby revoking all other wills and codicils by me heretofore made.

FIRST: I give, devise, and bequeath to my daughter, HUGUETTE M. CLARK, absolutely, the following properties: (a) all my furniture, books, ornaments, objects of art, wearing apparel, jewelry, automobiles, personal and household effects, and tangible personal property of every kind and wherever situate, except the particular items otherwise bequeathed by Article FOURTH of this Will; and (b) all my real property, including the real estate, together with the buildings and improvements thereon and all appurtenances pertaining thereto, located in Santa Barbara, Santa Barbara County, California, known as "BELLOSGUARDO", being the property quitclaimed to me by heirs of William Andrews Clark, deceased, by deed dated March 20, 1925, and conveyed to me by Executor's deed dated December 17, 1926, and recorded in the Records of Santa Barbara County, California, on February 14, 1927, in Book 11, page 45, and also the real estate, together with the buildings, improvements and animals thereon and all appurtenances pertaining thereto, located in the County of Santa Barbara, California, known as "RANCHO ALEGRE", being the property conveyed to me by Thomas M. Storke and Marion D. Storke, his wife, by deed dated July 14, 1943 and recorded in the Records of Santa Barbara County, California, on July 31, 1943, in Book 585, page 31.

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SECOND: I give and bequeath to such of the fol-

lowing named persons as shall survive me, the following amounts respectively:

To my sister, AMELIA SEMPLE, Twelve thousand Dollars (\$12,000.);

To my sister-in-law, HANNAH LaCHAPELLE, Twelve thousand Dollars (\$12,000.);

To my niece, MARY ABASCAL, Twenty thousand Dollars (\$20,000.);

To my niece, ANITA MacKENZIE, Twenty thousand Dollars (\$20,000.);

To LEONTINE deSABLA LYLE, Ten thousand Dollars (\$10,000.);

To MARGARET R. ELLIS, Ten thousand Dollars (\$10,000.);

To ADELE MARIE, One hundred thousand Dollars (\$100,000.);

To M.B. STEINMAN, presently located at 230 East 50th Street, New York City, Twenty thousand Dollars (\$20,000.);

To BERTHE ALLAIZ, presently located at The Hampton House, New York City, Ten thousand Dollars (\$10,000.); and

To HELEN IVES, Two thousand Dollars (\$2,000.).

THIRD: To each person, including my chauffeur, who shall at the time of my death be regularly employed by me in connection with the operations of my New York City household and who shall have been in such service regularly during the period of twelve (12) months ending on the day of my death, and to ALBERT H. HOELSCHER, if at the time of

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my death he shall be in my employ in connection with the operations of my Bellosguardo property, and to NEILS F. LARSEN, if at the time of my death he shall be in my employ in connection with the operations of my Rancho Alegre property, I give and bequeath separate sums in an amount respectively equal to Five hundred Dollars (\$500.) for each and every continuous period of twelve (12) months of his or her service to me beginning from the time of first employment.

FOURTH: I give and bequeath to THE CORCORAN GALLERY OF ART, in Washington, District of Columbia, all violins, cellos, and violas, together with the bows, cases, and other accessories therefor, as shall be owned by me at the time of my death, with the request that it make such instruments available for loan from time to time to worthy quartets, and I also give and bequeath to said THE CORCORAN GALLERY OF ART the sum of Fifty thousand Dollars (\$50,000.), the principal and income of which shall be used for the maintenance, upkeep, insurance, and other expenses pertaining to such instruments. I direct my Executors to make proper arrangements with The Corcoran Gallery of Art for the use of such instruments by any quartet or quartets as shall with my permission be using them at the time of my death, for the duration of any tour on which they may be engaged at the time of my death or which shall have been arranged by them prior thereto.

I also give and bequeath to said THE CORCORAN GALLERY OF ART the additional sum of One hundred thousand Dollars (\$100,000.). in memory of my deceased husband,

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William Andrews Clark, to be used for the purposes of the Corcoran Gallery of Art in connection with the maintenance and operations of the W.A. Clark Wing and Collection of the Gallery.

FIFTH: I give and bequeath to the following named organizations the following amounts, respectively, for the respective purposes as specified:

(a) To the GIRL SCOUTS OF THE U.S.A., a corporation chartered by the Congress of the United States of America, its principal office being presently located at 830 Third Avenue, New York, N.Y., the sum of One hundred thousand Dollars (\$100,000.), in memory of my deceased daughter, Andree Clark, to be used for the purposes and work of the Girl Scouts Camp that was founded in memory of my said deceased daughter and located at Briarcliff Manor, New York, and also the additional sum of Twenty-five thousand Dollars (\$25,000.), in memory of the late Abigail Morris, to be used for the same purposes and work;

(b) To the UNITED HOSPITAL FUND OF NEW YORK, a New York corporation, the sum of One hundred thousand Dollars (\$100,000.), to be used for the purposes of said corporation;

(c) To the JUILLIARD SCHOOL OF MUSIC, at New York City, the sum of One hundred thousand Dollars (\$100,000.) to be used for the purposes of said institution;

(d) To the AMERICAN NATIONAL RED CROSS, the sum of One hundred thousand Dollars (\$100,000.), to be used for its purposes;

(e) To the GRAYMOOR FRANCISCAN FRIARS OF THE

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ATONEMENT, presently located at Garrison, New York, the sum of Ten thousand Dollars (\$10,000.), to be used for the purposes and work of said organization; and

(f) To the PAUL CLARK HOME, at Butte, Montana, the sum of Five thousand Dollars (\$5,000.), to be used for the purposes and work of said institution.

SIXTH: I give and bequeath to my Trustees hereinafter named the sum of Five hundred thousand Dollars (\$500,000.), IN TRUST, NEVERTHELESS, to hold, invest and reinvest the same, to collect the income and profits thereof, and to pay over the net income thereof to my sister, AMELIA SEMPLE, during her life; and upon her death, or upon my death if my said sister shall predecease me, to distribute the principal thereof absolutely to my daughter, HUGUETTE M. CLARK, but if she shall not then be living, then to her issue then living, in equal shares, or if she shall leave no issue then living, then to such person or persons as would have been entitled to my residuary estate under Article TENTH of this Will if I had died at the date of the termination of this trust.

SEVENTH: I give and bequeath to my Trustees hereinafter named the sum of Five hundred thousand Dollars (\$500,000.), IN TRUST, NEVERTHELESS, to hold, invest and reinvest the same, to collect the income and profits thereof, and to pay over the net income thereof to my sister-in-law, HANNAH LaCHAPELLE, during her life; and upon her death, or upon my death if my said sister-in-law shall pre-

decease me, to distribute the principal thereof absolutely to my daughter, HUGUETTE M. CLARK, but if she shall not then be living, then to her issue then living, in equal shares, or if she shall leave no issue then living, then to such person or persons as would have been entitled to my residuary estate under Article TENTH of this Will if I had died at the date of the termination of this trust.

EIGHTH: I give and bequeath to my Trustees hereinafter named, the sum of One hundred thousand Dollars (\$100,000.), IN TRUST, NEVERTHELESS, to hold, invest and reinvest the same, to collect the income and profits thereof, and to pay over the net income thereof to LUCILLE DICKINSON during her life; and upon her death, or upon my death if said Lucille Dickinson shall predecease me, to distribute the principal thereof absolutely to my godchildren, LEONTINE LYLE HARROWER and ANN ELLIS RAYNOLDS, share and share alike, or to the survivor of them, if one of them shall not be living at the termination of this trust, or in the event that both Leontine Lyle Harrower and Ann Ellis Raynolds shall die before the termination of this Trust, then to my daughter, HUGUETTE M. CLARK, but if she shall not then be living, then to her issue then living, in equal shares, or if she shall leave no issue then living, then to such person or persons as would have been entitled to my residuary estate under Article TENTH of this Will if I had died at the date of the termination of this trust.

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NINTH: I give and bequeath to my Trustees here-

inafter named the sum of One hundred thousand Dollars (\$100,000.), IN TRUST, NEVERTHELESS, to hold, invest and reinvest the same, to collect the income and profits thereof, and to pay over the net income thereof to ADELE MARIE' during her life; and upon her death, or upon my death if said Adel Marie' shall predecease me, to distribute the principal thereof absolutely to my daughter, HUGUETTE M. CLARK, but if she shall not then be living, then to her issue then living, in equal shares, or if she shall leave no issue then living, then to such person or persons as would have been entitled to my residuary estate under Article TENTH of this Will if I had died at the date of the termination of this trust.

TENTH: All the rest, residue and remainder of my property and estate, both real and personal, of whatever nature and wherever situate, and property over which I shall have any power of testamentary disposition, (all such properties being herein referred to as my residuary estate), I give, devise and bequeath to my daughter, HUGUETTE M. CLARK; but if my said daughter shall not then be living, then to her issue then living, in equal shares, or if she shall leave no issue then living, then to my sister, AMELIA SEMPLE, one-half of my said residuary estate, or the whole thereof if there are no issue of my brother, Arthur LaChapelle, then living, and to the issue then living of my brother, Arthur LaChapelle, in equal shares per stirpes, one-half of my said residuary estate, or the whole thereof if my sister,

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Amelia Semple, is not then living.

ELEVENTH: I nominate, constitute and appoint my daughter, HUGUETTE M. CLARK, my brother-in-law, T. DARRINGTON SEMPLE, my personal attorney, FREDERICK H. STOKES, and THE FIRST NATIONAL CITY BANK OF NEW YORK, or the survivors of them, Executors of this my Last Will and Testament and Trustees of the several trusts created hereunder.

I direct that no one acting as Executor or Trustee hereunder, whether in any domiciliary or ancillary proceeding involving the administration of my estate in any jurisdiction, shall be required to post any bond or other undertaking for the faithful performance of such duties and if any bonds or undertakings are required by law, statute or rule of court, that no sureties be required thereon.

TWELFTH: All estate, inheritance, transfer, legacy, succession, and other death taxes of any nature (including interest and penalties) which may be imposed upon or with respect to property passing under this Will, and by reason of my death upon property not passing under this Will, shall be paid out of my residuary estate as an expense of administration, and no part of said taxes shall be apportioned or charged to any legatee or devisee under this Will or to any person owning, receiving or becoming entitled to any property not passing under this Will, provided, however, that if the value of all or any part of those three certain trusts created by me, as grantor, under three separate Indentures of Trust, each dated May 11, 1926, of which First

National City Trust Company of New York City (as successor to The Farmers' Loan and Trust Company) is now acting as Trustee, is required to be included in my estate for the purpose of computing any estate, inheritance, transfer, legacy, succession or other death taxes, then that proportion of any such taxes as the value of each of said trusts so required to be included in my taxable estate bears to the total value of my estate subject to tax, shall be paid out of the principal of each said trust and I hereby specifically charge each of said trusts with its proportionate share of such taxes.

THIRTEENTH: I authorize and empower my Executors and Trustees, respectively, in their discretion in each instance:

To sell, exchange, or otherwise dispose of any and all property, whether real or personal, at public or private sale, at any time, upon such terms, credits, and conditions as they shall deem proper, and to give good and valid conveyances thereof, and no purchaser upon any sale by my Executors or by my Trustees shall be bound to see to the application of the proceeds thereof, or to inquire into the validity, expediency or propriety of any such sale;

To execute and deliver leases of my real estate or any interest therein or any part thereof for any periods and upon any terms and conditions that may be deemed advisable, without being limited by any law restricting the term of leases made by fiduciaries;

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To invest and reinvest the principal of my estate or of the several trusts created hereunder, with full power of sale at all times, in any corporate stocks, either common or preferred, or any bonds or other securities, which they in their uncontrolled discretion may deem proper, and without being confined to such investments as are specified by law for trust funds;

To vote in person or by proxy upon any securities which they may hold as part of my estate or of the several trusts created hereunder;

To consent to or dissent from any plan of consolidation, merger or reorganization, dissolution, increase or decrease of capital stock, issue or retirement of stocks, bonds or debentures, sale of real or personal property, corporate mortgage, or any other corporate act of any corporation whose securities are held as part of my estate or of the several trusts created hereunder;

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To exercise, sell or waive, any stock rights, or other rights, which may be issued to the holders of any securities held as part of my estate or of the several trusts created hereunder;

To hold securities owned or purchased at a premium for the several trusts created hereunder without being required to set aside any part of the income therefrom as a sinking fund to retire or absorb such premium, or to meet any depreciation or loss in the value of any securities

that may be sold or that may continue to be held, it being my will that no part of the income on any securities held by my Trustees shall be applied for such sinking fund purposes;

To consider as income, and not principal, all dividends paid upon any securities held as part of the several trusts created hereunder, whether paid in cash or in securities or otherwise, and whether or not paid out of earnings accrued prior to the date of my decease, excepting however, dividends paid in stock of the same class and character; it being my will that subject to the foregoing exception all dividends shall be accounted for as income and not as principal as between the life beneficiary and the remainderman of the particular trust created hereunder;

To compromise, compound, adjust, sell and release any claims or demands of my estate or of the several trusts created hereunder against others, or of others against my estate, on such terms and conditions as they shall deem advisable;

To cause any securities to be registered in the name of a nominee or nominees without disclosure of the trust;

All and singular the foregoing powers and immunities may be exercised by and shall inure to the benefit of the survivor of my Executors hereinbefore named, or such of them as shall qualify, and to the benefit of the successor

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or successors of my said Trustees.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal this 19<sup>th</sup> day of July, in the year of our Lord, one thousand nine hundred and sixty.

Anna E. Clark

In the presence of:

Robert B. ... residing at 1088 Park Ave. New York

Robert J. ... residing at 126 Melbourne Ave. N. Jarrytown N.Y.

The preceding instrument consisting of this and eleven (11) other typewritten pages, was on the day of the date hereof subscribed at the end and sealed by ANNA E. CLARK, the Testatrix named in the foregoing Will, in the presence of each and both of us, and at the time of making such subscription, the above instrument was declared and published in the presence of each and both of us by the said Testatrix to be her Last Will and Testament, and we and each of us, at the request of the said Testatrix, and at her express direction, in her presence and in the presence of one another, did thereupon subscribe our names as attesting witnesses thereto at the end of the Will. The said Testatrix at the time of executing the foregoing Will was in our opinion of sound mind, memory and understanding, not under any restraint or in any respect incompetent to make a will.

Robert B. ... residing at 1088 Park Ave. New York

Robert J. ... residing at 126 Melbourne Ave. N. Jarrytown N.Y.

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residing at

The preceding instrument consisting of this and eleven (11) other typewritten pages, was on the day of the date hereof subscribed at the end and sealed by ANNA E. CLARK, the Testatrix named in the foregoing Will in the presence of each

**Surrogate's Court, County of New York**

**Be it remembered,** that in pursuance of Section 151 of the Surrogate's Court Act, I hereby certify that on the 28<sup>th</sup> day of October, 1963 the last will and testament of Anna E. Clark, deceased, being the foregoing written instrument, was upon due proof duly admitted to probate by the Surrogate's Court of the County of New York, and by the Surrogate of said county, as and for the last will and testament of said deceased, and as a will valid to pass Real and personal property. Said last will and testament recorded in the office of said Surrogate in liber 2438 of wills, page 611.

**In testimony whereof,** I have subscribed my name and affixed the seal of office of the Surrogate of said county, this 8<sup>th</sup> day of November one thousand nine hundred and eighty-three.

Philip C. Donahue  
Clerk of the Surrogate's Court