

THIS AGREEMENT, Made the 30th day of August, 1909, between Ward H. Johnson of the City of New York, N. Y., party of the first part, and Montgomery H. Johnson and Mary S. Johnson of Utica, N. Y., parties of the second part.

Whereas, the party of the first part because of physical infirmity, namely, deafness, is unable to transact business properly and safely, and,

Whereas, said party of the first part has an undivided interest in the estate of Leon A. Johnson, deceased, late of said City of Utica, which said interest is as yet undetermined, which interest was inherited by the said Leon A. Johnson from the estate of his mother, Eliza S. Johnson, deceased, and,

Whereas, the said Eliza S. Johnson, mother of the party of the first part, in due exercise of her discretion, placed in the hands of the parties of the second part the share and interest coming to the party of the first part from her estate, and,

Whereas, the party of the first part believes that his said mother would have made the same disposition of said share of said Leon A. Johnson in her estate had he not survived his said mother,

Now, therefore, in consideration of the foregoing and of the sum of One Dollar to him paid by the parties of the second part, the receipt whereof is hereby acknowledged, and of mutual love and affection, the said party of the first part agrees to and hereby does transfer, set over and convey to the said parties of the second part, as trustees, for the benefit of the said party of the first part, and eventually of his, the party of the first part's brother and sisters and their children, all of his, the said party of the first part's interest, rights and share in the estate of the said Leon A. Johnson, deceased, as the same may be adjusted and determined upon the judicial settlement of the estate of the said Leon A. Johnson, deceased, which