

ITEM: I give and bequeath, absolutely and free of any deduction for Collateral Inheritance Tax, the sum of One thousand Dollars each unto David Bennis and Edward F. Bennis Jr., children of my step-son, Edward F. Bennis.

ITEM: I give, devise and bequeath unto my Executors, hereinafter named, all my property and estate, real, personal and mixed and whatsoever and wheresoever the same may be, including all the outfit, plant, equipment and good will of my contracting business, upon the following uses and

-1-

trusts, that is to say:- IN TRUST to collect all the rents, income and profits arising from my real and personal estate and to continue, carry on and conduct, in the name of my estate and for the benefit of my estate, for the full term of five years after the date of my decease, my general contracting business, and after deducting and paying all costs, charges, expenses, taxes and assessments properly chargeable against my property and estate and all such expenses as may be properly incurred in the management of my business to make payments out of the net income arising from my said estate as follows:-

FIRST. To pay unto my son, Daniel J. McMahon, the weekly allowance of Twenty-five Dollars per week whilst he remains unmarried and Fifty Dollars per week during his married life, as I have above provided, so and in such manner that the same shall be free from liability for the payment of any of the debts, obligations or contracts of my said son, Daniel J. McMahon.-

SECOND: To pay thereout unto my grand-daughter, Norita McMahon, the sum of One thousand Dollars per annum, beginning when she attains the age of twenty-one years, as I have provided.-

THIRD. To pay unto David Bennis and Edward F. Bennis Jr., each one thousand Dollars, free and clear of deduction for Collateral Inheritance Tax, as above provided.

FOURTH. To pay unto my daughter, Anna A. McMahon, the sum of Three thousand Dollars per annum as and for household expenses whilst she shall continue to maintain the household and home at No. 600 East Chelton Avenue, Germantown, Philadelphia, for herself and my son, David McMahon Jr., it being my wish that until the final division of my estate my said daughter and my said son shall be permitted to occupy the said premises as and for their home and household free of any charge for rental. This provision shall end, however, upon my said daughter ceasing to maintain said household for herself and my said son, David McMahon Jr.-

-2-

Fifth. To pay over equally in shares of one-fourth to each, all the balance of the net income arising from my property and estate and from my contracting business unto and among my four children, David McMahon Jr., James T. McMahon, Anna A. McMahon and Mary McMahon Clark.-

It is my wish and I hereby direct that my Executors and Trustees shall select and authorize my daughter, Mary McMahon Clark, to collect for them all the rents of my real estate during the continuance of this Trust.-

The Collateral Inheritance Tax upon any bequest or legacy herein given shall be paid out by my Executors and Trustees from the gross income of my estate and shall be considered and treated as an expense to be deducted before the division of the net income.-

At the expiration of five years from and after the date of my decease, I order and direct that there shall be a final division and distribution of the entire principal of my

estate and for this purpose I order and direct as follows:

FIRST: My said Executors and Trustees, at the expiration of five years from and after the date of my decease, shall have an appraisement of the equipment, outfit and good will of my contracting business and of any unfinished or unfulfilled contracts made by three competent appraisers to be selected by my said Trustees, and the said business and everything therewith connected shall be sold at a price so fixed by said appraisement unto my two sons, David McMahon Jr, and James T. McMahon, and my step-son, Edward F. Bennis, in equal shares of one-third to each. Out of the purchase price of, and for, said business and equipment there shall be paid unto my step-son, Edward F. Bennis, the sum of Ten thousand Dollars free of any deduction for Collateral Inheritance tax and in making settlement for his share of the said purchase price of said business he may be allowed a credit for the said

-3-

sum of Ten thousand Dollars so herein given and bequeathed to him out of the purchase price of said business. This provision as to the sale of my contracting business, with its outfit, good will, equipment and contracts, is made subject to the provision which I have hereinafter made in the interest of my son, Daniel J. McMahon, and under which he may become a part owner thereof.-

SECOND. I order and direct that at the expiration of said period of five years from and after the date of my decease all of my real estate shall, for the purposes of the said final division and distribution, be valued and appraised by three competent appraisers selected by my Executors and Trustees, - My desire is that the Post Office Building, owned by me, located at the Corner of Main Street and Chelton Avenue, in Germantown, Philadelphia, containing a frontage of about seventy-two feet on Main Street and extending in depth about ninety feet on Chelton Avenue, shall not be sold but that the same shall be taken by my sons, David McMahon Jr. and James T. McMahon, at the value so placed upon it in such appraisement, and as a part of their shares in my estate. My wish is that the title to this property shall remain in my family and the family name of McMahon.-

THIRD. I order and direct that my said Executors and Trustees shall, out of the principal of my estate, set apart a fund sufficient to yield a net income to pay unto my son, Daniel J. McMahon, the aforesaid sum of Twenty-five Dollars per week during all the time that he shall be unmarried and of Fifty Dollars per week during all the term of his married life, if he should re-marry. They, my said Executors and Trustees may themselves hold IN TRUST the said sum so set apart, or they may select and appoint any proper Trust Company as Trustee to hold said fund upon said Trust during all the term of the life of him, the said Daniel J. McMahon. I hereby ordering, directing and providing that during the continuance of said Trust no part of the income or

-4-

principal or of any of said payments shall, in any way, be subject to or liable for the payment of the debts, obligations or contracts of my said son, Daniel McMahon. Upon the death of my said son the said Trust shall cease and determine and the said fund so set apart shall fall into and become a part of my residuary estate to be disposed of as I have hereinafter directed relative to my residuary estate.-

I hereby order and provide, however, that in lieu of such provision for his support and maintenance, my said son, Daniel J. McMahon, may at the expiration of said term of five years from and after my decease, elect to become a joint purchaser of my said contracting business, with its good will, outfit, equipment and contracts, jointly with my two sons, David McMahon Jr.