

and bequeath in trust to my wife Serena Mayers to have and to hold for the remaining period of her life and at her death the same to be divided equally between my Brother Roberts. Mayers and my Sister Marion Thorne - and in case of their death to my brother Herbert Mayers and my brother David Campbell Mayers."

The court finds that defendants herein are the identical persons named as Robert S. Mayers, Herbert Mayers and David Campbell Mayers and Marion Thorne, and respectively referred to as brothers and sister of said deceased, S. L. Mayers, in said provision of said will, and that plaintiff herein is the identical person named as Serena Mayers, and referred to as the wife of said deceased, S. L. Mayers, in said provision of said will and that plaintiff and said named defendants are the sole and only persons entitled to share and participate in any real estate located in Tulsa County and Oklahoma County, both in the State of Oklahoma, owned by deceased, S. L. Mayers at the time of his death, standing of record in said respective Counties in the name of said deceased;

The court further finds that at the time of said death of said S. L. Mayers, among other real estate, there was standing of record in his name, as S. L. Mayer, or Samuel L. Mayer, in Oklahoma County, State of Oklahoma, the following described real estate, to-wit: Lots Eleven (11) and Twelve (12) in Block Twenty-two (22) South Oklahoma Addition to Oklahoma City, recorded in Book 135, at page 217; Lots Three (3) and Four (4) in Block One (1) of Sulzberger Addition to Oklahoma City, recorded in Book 151, at page 537; Lots Twenty-nine (29) and Thirty (30) in Block Sixty-seven (67) of original Oklahoma City, recorded in Book 227 at page 323; Lot Twenty-two (22) of Block Four (4) of Stockyards Addition to Oklahoma City, all as shown by the respective plats thereof on file in the office of the County Clerk of Oklahoma County, Oklahoma, and all said tracts of real estate being located in said County and State; also at the time of said death of said S. L. Mayers, there was standing of record in his name, as S. L. Mayers, or Samuel L. Mayers, in Tulsa County, State of Oklahoma, the following described real estate, to-wit: Lots Six (6), Seven (7), Eight (8), Nine (9) and Ten (10) in Block Fifty-five (55) of the Town of Broken Arrow, recorded in Book 45 at page 407, and also an undivided one-half interest in Lot One (1) in Block Sixty (60) in said Town of Broken Arrow, all as shown by the respective plats thereof, on file in the office of the County Clerk of Tulsa County, Oklahoma.

The court further finds that the title to said described real estate and premises, and all thereof, was wholly acquired and purchased with the sole and exclusive funds and moneys of the plaintiff herein, and in which the said S. L. Mayers, or Samuel L. Mayers, now deceased, had no interest whatsoever; that no funds, property or money of the said S. L. Mayers, deceased, were at any time invested in said real estate or premises.

The Court further finds that the said S. L. Mayers, now deceased, at the times and dates of the conveyances of the said properties thereto, was entrusted with the moneys and funds of plaintiff to invest in said properties, exclusively for the use of and in the name of plaintiff; that in making said investments, said S. L. Mayers, without the knowledge of plaintiff, took said conveyances thereto in his name, and caused the same to be recorded; that plaintiff at all times, until after the death of said S. L. Mayers, believed said conveyances covering said described properties had been taken, and that the title thereto stood, in the name of plaintiff; that in said administration proceedings, after legal notice for the time required by law, the court found that there were no claims against said estate.

The court further finds that in said County Court proceedings, all parties hereto appeared therein by counsel, and by agreement thereof caused said proceedings to be closed, the plaintiff, as executrix, to be discharged, all for the purpose of enabling the parties hereto to have determined in this court the adverse claims of the parties hereto, to the property involved in this cause, all without prejudice in the proceeding as to any of the parties