

Filed for record on the 30th. day of January, 1924 at 4:30 o'clock P.M.

By: Brady Brown, Deputy

(SEAL)

O.G.WEAVER, County Clerk.

#250614 EC

STATE OF OKLAHOMA )

COUNTY OF TULSA )

SS

DECLARATION OF TRUST

OF

UNITED STATES MARBLEITE COMPANY

OF

TULSA, OKLAHOMA,

COMPARED

WITNESS this agreement by and between J. J. Burke of Tulsa, Oklahoma, herein called Trustee of the one part and John D. Richards of Tulsa, Oklahoma and M. Miesch of Tulsa, Oklahoma, herein called subscribers of the other part, as follows;

The said named Trustee and subscribers, for themselves and for such other person or persons who may hereafter become subscribers, have associated themselves together for the purpose of engaging in the Cement Products business, generally including manufacturing, advertising and distribution, and for such purposes have and do by THESE PRESENTS; mutually COVENANT AND AGREE as follows; that is to say the same named Trustee for himself as Trustee, covenants, declares and mutually agrees with the said named subscribers, which agreement shall extend to and be binding upon all other persons who may hereafter become subscribers as follows, to-wit;

1- It is provided and agreed that the title to all property, both real and personal, of every kind and character, whatsoever, that may now or hereafter belong to the Trust Estate hereby created, shall be taken and held by the Trustee and his successor or successors, in the name of the UNITED STATES MARBLEITE COMPANY" for the purposes, uses, trusts and upon the terms and conditions as hereinabove and hereinafter stipulated, it being further provided that, so far as possible this Trust Estate shall be known and called the "UNITED STATES MARBLEITE COMPANY" by which name it shall contract; sue and be sued, take hold and transfer all property and transact all business,

"2" It is stipulated that the said named Trustee and his Successors or successors shall have and exercise full and complete control and management of all of the assets and property of every kind and character, whatsoever, now and hereafter belonging to the Trust Estate hereby created, and shall conduct and carry on the business of said Trust Estate in such manner as in his judgment he may deem proper and for the best interest of this Trust Estate and, to this end, the named Trustee and his successors or successors are further specifically authorized and empowered, as follows to-wit;

- (A) To buy, acquire, own and dispose of lands, leases and royalties,
- (b) To acquire, build, own, sell and operate factories, stores, and warehouses,
- (c) To advertise and distribute Cement Products of Various kinds;
- (d) To manufacture and sell Cement Products of any and all kinds including imitation marble, imitation Granite and tile,
- (e) To sell factory rights in various cities, counties and states and generally to do any and all things necessary and convenient for the purposes of carrying on said Cement Products business, all in a manner, and when and as in the judgment of said Trustee shall be for the best interest of the Trust Estate hereby created, and upon the termination of this Trust Estate, from any cause, to liquidate the affairs of this Trust Estate by reducing its assets to cash, paying all debts and obligations owing by this Trust Estate and during and disbursing the remainder among the subscribers, according to their pro rata ownership.