

9-12-89

Last Will & Testament of Katherine M. Stribling  
 I Katherine M. Stribling being of sound and disposing mind  
 and over 21 years of age do make publish and declare the  
 following to be my last Will and Testament, and I hereby  
 revoke any and all Wills, Codicils and Testaments here-  
 tofore made by me.

FILED

JAN 04 1995

## Item 1

AT 4:10 O'CLOCK P.M.

M. Ricketts

After all Debts and Funeral expenses are paid, the money  
 that is left whether it be in certificates of deposits or  
 checking accounts 5,000.00 each is to be given to Paul M.  
 Mc Graw & Charla K. Mc Raney giving back to them  
 the money that their Father Paul Mc Graw Jr left to me  
 at his death. The remainder of the money is to be put in a  
 Trust Fund for my son Ray H. Stribling. My Executors will  
 determine when he has a need to withdraw money from it.  
 My Fur coat I leave to Carolyn Mc Graw. My Grandfather clock  
 I leave to my Brother Carol Mc Graw. The remainder of my  
 estate I hereby bequeath unto my son Ray H. Stribling real,  
 personal or mixed, all of which go into the aforementioned trust  
 for Ray H. Stribling.

## Item 2

The House, Lots and the contents of the house cannot be sold  
 nor borrowed against until Ray reaches the age of thirty  
 five (35). Then and only then if the Executors are in  
 agreement. In the event my Son shall not survive me, I  
 hereby devise and bequeath the rest and remainder of my  
 Estate to my Brother Carol B. Mc Graw.

## Item 3

I nominate and appoint as Executors of my Estate,  
 Carol B. Mc Graw  
 Lloyd W. Simpson Jr.  
 I direct that they not be required to furnish any bond  
 in such capacity and I waive an inventory appraisal and  
 accounting to any person or court.

Witness my hand this the 12 day of September 1989

Katherine M. Stribling

We, the undersigned, hereby certify that Katherine Mc Graw Stribling signed, published and declared the above instrument as her Last Will and Testament in our presence, and we, at her request, in her presence and in the presence of each other, signed our names as subscribing witnesses thereto. We further certify that in our opinion at such time said testator was of sound and disposing mind.

This the 12 day of September 1989

Katherine Mae Stribling  
[Signature]



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 4 day of January, 1995, at 4:10 o'clock P M., and was duly recorded on the January 4, 1995, Book No. 27, Page 501.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

FILED

JAN 34 1995

AT 4:10 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK  
M Ruckert

BOOK 27 PAGE 503

STATE OF MISSISSIPPI  
COUNTY OF MADISON

PROOF OF WILL

In the matter of a certain instrument of writing, purporting to be the Last Will and Testament of Katherine M. Stribling, deceased, late of Madison County, Mississippi.

PERSONALLY appeared before me, the undersigned Notary Public in and for the jurisdiction aforesaid, on December 9th, 1994, and within my jurisdiction, the within named, Haywood Smith and Emma Mae Smith, the two subscribing witnesses to a certain instrument of writing purporting to be the Last Will and Testament of Katherine M. Stribling, deceased, late of Madison County, Mississippi, bearing the date of September 12, 1989, who having been by me first duly sworn, deposed and said that the said Katherine M. Stribling signed, sealed, published, and declared said instrument to be her Last Will and Testament in the presence of these deponents, and on the day of the date thereof; that the said Katherine M. Stribling was then of sound and disposing mind and memory, and more than twenty-one (21) years of age, and that these deponents subscribed said instrument, as witnesses thereto, at the special instance and request of and in the presence of Katherine M. Stribling, and also in the presence of each other, on the day and year aforesaid.

WITNESS OUR SIGNATURES, this the 9 day of December 1994.

Haywood Smith      Emma Mae Smith  
HAYWOOD SMITH      EMMA MAE SMITH

December SWORN TO and subscribed before me, this the 9th day of December, 1994.

J M Ruckert  
NOTARY PUBLIC

My Commission Expires:

May 30, 1997

STIBLING.POW 004/120994



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 4 day of January, 1996, at 4:10 o'clock P M, and was duly recorded on the January 4, 1995, Book No 27, Page 503.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C

FILED

JAN 06 1995

LAST WILL AND TESTAMENT OF

KATHERINE M. HOWIEAT 11:50 O'CLOCK A. M.  
STEVE DUNCAN, CHANCERY CLERKBy: *Karen Hipp, et al*

KNOW ALL MEN BY THESE PRESENTS: That I, Katherine M. Howie, wife of C. Langford Howie, a resident of Jackson, Hinds County, Mississippi, being of sound and disposing mind and memory, and being over the age of twenty-one years, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all other wills, testaments and codicils heretofore made by me.

ITEM I.

I hereby direct that all of my just debts, funeral expenses, and expenses of last illness be paid as soon as the orderly administration of my estate will permit. I hereby authorize and empower my executor to settle any claim against my estate in his absolute discretion.

ITEM II.

I hereby will, devise and bequeath unto my beloved husband, C. Langford Howie, all of my property, be it real, personal or mixed, absolutely and wheresoever situated.

In the event my husband does not survive me, then I hereby will, devise and bequeath all of my property, both real and personal or mixed of whatsoever kind or nature including lapsed legacies and bequest of which I shall die seized or possessed, or to which I shall be entitled at the time of my death, or over which I shall have any power of appointment, unto my two children, Robert L. Howie and Keith M. Howie, to share and share alike. In the event one or both of my sons do not survive me, then to his issue, if any, of said deceased son, to take per stirpes.

ITEM III.

In the event my husband, C. Langford Howie, and I are killed, or should we die as a result of a common accident or disaster under such circumstances and conditions that it cannot be determined which of us died first, then it will be presumed that I survived my husband, and all of my property, real, personal or

*Katherine M. Howie*

mixed, will be disposed of under the terms of this my Last Will and Testament.

ITEM IV.

I hereby appoint my husband, C. Langford Howie, as executor of this my Last Will and Testament and direct that he be allowed to serve without bond. In the event my husband predeceases me, then I hereby appoint my two children, Robert L. Howie and Keith M. Howie, to serve as co-executors and request that both be allowed to serve without bond.

IN WITNESS WHEREOF, I have caused to be written and declared this my Last Will and Testament consisting of 3 pages, and identified by my signature on each page. I do hereby declare and publish this my Last Will and Testament and signed same in the presence of Mrs. Clifford C. Taylor and Mrs. J. F. Haskins, subscribing witnesses hereto whom I have especially requested to witness the making, publishing and declaring of this my Last Will and Testament and the witnessing of my signature hereto and in witness whereof I have signed and affixed my signature unto this 12th day of February, 1963.

Katherine M. Howie  
Katherine M. Howie

WITNESSES:

Mrs. Clifford C. Taylor  
Mrs. J. F. Haskins

We, the undersigned witnesses to the above and foregoing will, hereby certify that we and each of us signed the said Will as witnesses thereto in the presence of each other and in the presence of Katherine M. Howie, and that each of us saw Katherine M. Howie sign the same and that she and the witnesses thereto signed said Will at one and the same time and in the presence of each other and that all of the said parties signed the same as hereinabove appears.

Katherine M. Howie

WITNESS OUR SIGNATURES, this 12th day of February  
1963.

Mrs Clifford C. Taylor  
Mrs. J. F. Haskins

*Katherine M. Howie*

**STATE OF MISSISSIPPI, COUNTY OF MADISON:**

I certify that the within instrument was filed for record in my office this 6th day  
of January, 1995, at 11:50 o'clock A.M., and was duly recorded  
on the January 6, 1995, Book No. 27, Page 504.

STEVE DUNCAN, CHANCERY CLERK

BY: Nancy Hill D.C.



IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

MADISON COUNTY, MS

**FILED**

IN THE MATTER OF THE ESTATE  
OF KATHERINE M. HOWIE

JAN 06 1995

94641

AT 11:50 O'CLOCK A M  
STEVE DUNCAN, CHANCERY CLERK

By Jacely Hill, D.C.

AFFIDAVIT OF SUBSCRIBING WITNESS TO THE LAST WILL  
AND TESTAMENT OF KATHERINE M. HOWIE

STATE OF MISSISSIPPI  
COUNTY OF HINDS

PERSONALLY APPEARED BEFORE ME the undersigned authority in and for the jurisdiction aforesaid, MRS. J. F. HASKINS, a subscribing witness to the Last Will and Testament of Katherine M. Howie who, after having been by me first duly sworn, did state upon her oath the following facts and matters:

That she is a subscribing witness to the Last Will and Testament of Katherine M. Howie, executed by Katherine M. Howie on the 12th day of February, 1963, in her presence and in the presence of the other subscribing witness. That Affiant and the other subscribing witness subscribed their names under said Last Will and Testament in the testatrix's presence, and in the presence of each other. That at the time of the execution of her Last Will and Testament, the said Katherine M. Howie was over the age of twenty-one years, was of sound and disposing mind and memory, competent in all respects, and that she requested the Affiant and the other subscribing witness to witness the execution of her Last Will and

E X H I B I T "B"

Testament, which Affiant and the other subscribing witness did in fact witness in accordance with law.

And further Affiant sayeth not.

Mrs. J. F. Haskins  
MRS. J. F. HASKINS, Subscribing  
Witness

SWORN TO AND SUBSCRIBED BEFORE ME this the 9<sup>th</sup> day of  
December, 1994.

Robert A. McLaughlin  
NOTARY PUBLIC

My Commission Expires:

July 15, 1995

AFFIDAVIT OF SUBSCRIBING WITNESS  
Page 2



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 6<sup>th</sup> day of January, 1995, at 11:50 o'clock A M., and was duly recorded on the January 6, 1995, Book No. 27, Page 507.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

FILED

JAN 11 1995

BOOK 27 PAGE 509

#95-015

LAST WILL AND TESTAMENTAT 11:30 O'CLOCK A. M  
STEVE DUNCAN, CHANCERY CLERKBy: *Karen Hipp, D.C.*

I, HUGH GRAFTON RANDEL, presently residing in Madison County, Mississippi, being of sound and disposing mind and memory and over the age of eighteen years, do hereby make, declare, and publish the following as my Last Will and Testament, hereby revoking all other wills and codicils that I have heretofore made.

CLAUSE I

I give, bequeath, and devise all of my estate and property, real and personal, and of whatsoever nature and kind and where-soever located, that I may own at the time of my death unto my wife, Sibyl H. Randel, if she shall survive me.

CLAUSE II

In the event that my said wife, Sibyl H. Randel, should predecease me, then in such event I give, bequeath, and devise all of my estate and property as follows, to-wit:

(a) I give and bequeath unto my daughters, Margaret Randel Hall and Elizabeth Randel Moore, the sum of Sixty Thousand Dollars (\$60,000.00) each; and

(b) In the event that my son, John M. Randel, is indebted to me at the time of my death for any sums of money under and by virtue of any promissory notes or otherwise, then in such event I forgive the said John M. Randel of any obligation for the payment of any and all indebtednesses which may be due me by him, and I direct that he be relieved and discharged of any obligation or liability for the payment of any such indebtednesses; and

(c) In the event that my daughter, Sharon Randel Gatlin, is indebted to me at the time of my death for any sums of money under and by virtue of any promissory notes or otherwise, then in such event I forgive the said Sharon Randel Gatlin of any obligation for the payment of any and all indebtednesses which may be due me by her, and I direct that she be relieved and discharged of any obligation or liability for the payment of any such indebtednesses; and

Last Will and Testament of Hugh Grafton Randel - Page 2.

(d) I give and bequeath unto my son, John M. Randel, all of my right, title, and interest in and to the personal property assets of the partnership business known as Randel Farms, a partnership which is presently composed of Hugh Grafton Randel and John M. Randel; and

(e) I give, bequeath and devise all of my right, title and interest which I may own at the time of my death in the SW 1/4 of Section 27, Township 11 North, Range 3 East, Madison County, Mississippi unto my daughter, Sharon Randel Gatlin; and

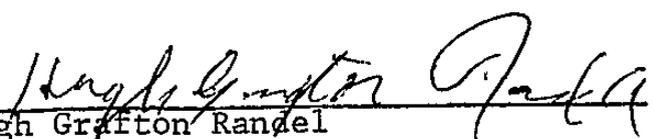
(f) I give, bequeath and devise all of the rest, residue and remainder of my real estate, exclusive of severed mineral interests, which I may own at the time of my death unto my daughters, Margaret Randel Hall and Elizabeth Randel Moore, share and share alike; and

(g) I give, bequeath and devise all the balance, remainder and residue of my estate and property of whatsoever nature and kind and wheresoever located equally unto my children, namely, Margaret Randel Hall; Elizabeth Randel Moore; Sharon Randel Gatlin; and John M. Randel.

CLAUSE III

I name, constitute and appoint my wife, Sibyl H. Randel, as my Executrix under this will, but should she predecease me or otherwise decline, refuse or be unable to act in said capacity, then I name, constitute and appoint my daughter, Elizabeth Randel Moore, as my Executrix hereunder. I direct that my said Executrix hereunder as named above be relieved of making bond or accounting to any Court.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this the 11<sup>TH</sup> day of July, 1991.

  
Hugh Grafton Randel

Last Will and Testament of Hugh Grafton Randel - Page 3.

The foregoing instrument was, on the date shown above, signed, published and declared by HUGH GRAFTON RANDEL to be his Last Will and Testament in our presence, and we, at his request, have subscribed our names hereto as witnesses in his presence and in the presence of each other.

Doc R. Fouches, Jr.

Elsie R. Fouches

WITNESSES



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 11 day of Jan, 1995, at 11:30 o'clock A M., and was duly recorded on the January 11, 1995, Book No. 27, Page 509.

STEVE DUNCAN, CHANCERY CLERK . BY: R. Gregory D.C.

PROOF OF WILL MADISON COUNTY, MS  
**FILED**

STATE OF MISSISSIPPI

JAN 11 1995

MADISON COUNTY

AT 11:30 O'CLOCK A.M.  
STEVE DUNCAN, CHANCERY CLERK

By: Karen Jupp, D.C.

Personally appeared before me the undersigned authority in and for the state and county aforesaid Joe R. Fancher, Jr. who being first by me duly sworn stated on oath that affiant, is one of the subscribing witnesses to the foregoing and annexed instrument of writing, purporting to be the last Will and Testament of Hugh Grafton Randel, deceased late of Madison County, and that the said Hugh Grafton Randel signed, published and declared said instrument as his/~~her~~ last Will and Testament, on the 11th day of July, 1991, the day of the date of said instrument, in the presence of this affiant, and in the presence of Elsie R. Fancher, the other subscribing witness thereto, and that the said testator was then of sound, disposing mind and memory, was more than twenty-one years of age, and that this affiant and Elsie R. Fancher, the other subscribing witness, subscribed and attested said instrument, as witnesses to the signature and publication thereof, at the special instance and in the presence of testator, and in the presence of each other, on the day and year of the date thereof and the affiant's address is P. O. Box 245, Canton, MS 39046-0245.

Joe R. Fancher, Jr.  
(Affiant's signature)

Joe R. Fancher, Jr.

Sworn to and subscribed before me, this 30 day of

December, 1994.

Steve Duncan Chancery Clerk  
Notary Public  
By: K. Gregory D.C.

My commission expires: 1-1-96

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 11 day of Jan, 1995, at 11:30 o'clock A M, and was duly recorded on the January 11, 1995, Book No. 27, Page 512

STEVE DUNCAN, CHANCERY CLERK

BY: K. Gregory D.C.



FILED

JAN 13 1995

AT 9:55 O'CLOCK A. M  
STEVE DUNCAN, CHANCERY CLERK

LAST WILL AND TESTAMENT

OF

ANNIE W. WARD

#94-640

By: Karen Supp, D

I, ANNIE W. WARD, a resident of Madison County, Mississippi, of legal age and of sound mind and disposing body and memory, do hereby make, declare, and publish this to be my Last Will and Testament hereby revoking any and all other wills, testaments, and codicils heretofore made intending hereby to dispose of all my wordly goods.

ARTICLE I

I direct that all of my just debts, probated according to law, including all doctor and hospital bills for my last illness, my funeral expenses, and all taxes and legal expenses chargeable to my estate, be paid as soon after my death as practical.

ARTICLE II

I hereby name, constitute, and appoint MARIE THOMAS as Executrix of this my Last Will and Testament and I direct that she shall serve in that capacity without the necessity of giving bond or accounting to any Court. I hereby waive inventory and appraisal of my estate.

ARTICLE III

I hereby give, devise, and bequeath my entire estate, including all of my property, whether real, personal or mixed, to MARIE THOMAS. In event that MARIE THOMAS should predecease me, I hereby give, will, devise and bequeath my entire estate, including all of my property, whether real, personal or mixed, to LAMPTON CHAPEL, City of Canton, Madison County, Mississippi.

ARTICLE IV

If any person or persons shall claim to be an heir of mine, and as such should assert any claim to my estate, or to any part thereof, or should any person whether a named beneficiary; under this Will or not, contest this Will or object to any of the provisions that I have made, then to such person or persons, I do hereby give, devise and bequeath the total sum of ONE DOLLAR

ONE DOLLAR (\$1.00) and no more, in lieu of the provisions which I have made or which I might have made herein for such person or persons; and said ONE DOLLAR (\$1.00) shall then be the total sum of any right or rights in my estate going to such person or persons making any such contest.

IN TESTIMONY of making, declaring, and publishing of the foregoing to be my Last Will and Testament, I now sign my name hereto in the presence of the undersigned witnesses whom I have especially requested to witness the making, publishing, and declaring of this Last Will and Testament, and the witnessing of my signature hereto, all done this the 10<sup>th</sup> day of December, 1992.

[Signature]  
TESTATOR

WITNESSES:

Mary Lou Davis  
214 South West St  
Carroll, Mississippi

Katherine Bilbrew  
415 E. Semmes St.  
Centar, ms, 39014

CERTIFICATE OF SUBSCRIBING WITNESSES

We, the undersigned witnesses do hereby certify that ANNIE W. WARD, declared and published the foregoing instrument to be her Last Will and Testament in our presence, and that she signed and subscribed the same as her Last Will and Testament in our presence, especially and expressly requesting us to be the subscribing witnesses, each signing in the presence of the Testator and in the presence of each other.

WITNESS our signatures on this the 10<sup>th</sup> day of December, 1992.

Mary Lou Davis

Katherine Bilbrew



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 13 day of January, 1995, at 9:55 o'clock A. M., and was duly recorded on the 13th day of January, 1995, Book No. 27, Page 513.

STEVE DUNCAN, CHANCERY CLERK

BY: Karen Suppi D.C.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI  
MADISON COUNTY, MS

IN THE MATTER OF  
THE WILL AND ESTATE OF  
ANNIE W. WARD, DECEASED

**FILED**

JAN 13 1995

AT 9:55 O'CLOCK A.M. NO. 94-640  
STEVE DUNCAN, CHANCERY CLERK

*By: Karen Hipp, DC*  
PROOF OF WILL

STATE OF MISSISSIPPI  
COUNTY OF MADISON

Personally appeared before me, a Notary Public in and for said county and state, the undersigned Katherine Bilbrew, 415 E. Semmes Street, Canton, MS 39046, who, being by me first duly sworn states on oath:

That affiant Katherine Bilbrew, was one of the subscribing witnesses to a certain instrument of writing purporting to be the Last Will and Testament of Annie W. Ward. That affiant has examined the document attached hereto as an exhibit and that said document is the original of said instrument of writing purporting to be the Last Will and Testament of Annie W. Ward, to which affiant was a subscribing witness. Affiant states that the said Annie W. Ward signed, published and declared said instrument as her Last Will and Testament on the 10th day of December, 1992, the date of said instrument, in the presence of this deponent and in the presence of Mandy Davis, the other subscribing witnesses thereto, and that said Testatrix was then of sound and disposing mind and memory and more than twenty-one years of age, and this deponent and Mandy Davis, subscribed and attested said instrument as witnesses

to the signature and publication thereof at the special instance of said Testatrix and in the presence of said Testatrix and in the presence of each other on the day and year of the date of said instrument.

Katherine Bilbrew  
KATHERINE BILBREW

SWORN TO AND SUBSCRIBED before me, this the 15<sup>th</sup> day of December, 1994.

Albe S. White  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

1/11/97



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 13 day of January, 1995, at 9:55 o'clock A. M., and was duly recorded on the 13<sup>th</sup> day of January, 1995, Book No. 27, Page 515.

STEVE DUNCAN, CHANCERY CLERK

BY: Karen Jupp D.C.

LAST WILL AND TESTAMENT OF  
MISS LUELLA B. VARNADO

I, Miss Luella B. Varnado, an adult resident citizen of the City of Jackson, Hinds County, Mississippi, above the age of twenty-one years and of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any previous Wills and/or Codicils heretofore made by me.

ITEM I: I hereby appoint, nominate and constitute my niece, Mrs. Martha V. Underwood, as Executrix of this my Last Will and Testament, and if she be unable or unwilling to so serve, then her husband, J. W. Underwood, as Executor; and in either event I waive all bond, inventory, appraisal and accounting, insofar as I am legally entitled to waive same.

ITEM II: I give, devise and bequeath all of my property, both real, personal and mixed and wheresoever situated to my niece, Mrs. Martha V. Underwood.

ITEM III: In the event my said niece, Mrs. Martha V. Underwood, does not survive me, then I give, devise and bequeath all of my property, both real, personal and mixed, to J. W. Underwood.

IN WITNESS WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament on this the 4th day of June, 1982.

Luella B. Varnado  
MISS LUELLA B. VARNADO

This instrument was, on the day and year shown above, signed, published and declared by MISS LUELLA B. VARNADO to be her Last Will and Testament in our presence, and we, at her request, have subscribed our names hereto as witnesses in her presence and in the presence of each other.

MADISON COUNTY, MS

**FILED**

JAN 13 1995

AT 115 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK

By Kenigowide

Linda P. Jennings  
Betty J. Pige  
Joe Jack Hurst  
WITNESSES



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 13th day of January, 1995, at 115 o'clock P M., and was duly recorded on the January 13, 1995, Book No 27, Page 517

STEVE DUNCAN, CHANCERY CLERK

BY Stacey Hill DC

FILED

BOOK 27 PAGE 518

JAN 13 1995

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

AT 1:15 P M  
STEVE DUNCAN, CHANCERY CLERK  
By: K. Coleman, Jr

IN THE MATTER OF THE ESTATE OF  
MISS LUELLA B. VARNADO, DECEASED

No. 95024

STATE OF MISSISSIPPI  
COUNTY OF HINDS

AFFIDAVIT OF SUBSCRIBING WITNESSES

THIS DAY personally came and appeared before me, the undersigned authority in and for said jurisdiction, Linda P. Jennings, Bettie J. Pierce, and Joe Jack Hurst, who are the subscribing witnesses to a certain instrument of writing, a copy of which is attached hereto as Exhibit "A," which instrument consists of one (1) legal-sized type-written page purporting to be the Last Will and Testament of Miss Luella B. Varnado, deceased, late of Madison County, Mississippi, and said affiants, who, having been first duly sworn, make oath that the said Miss Luella B. Varnado, deceased, signed, published and declared the original of said instrument as her Last Will and Testament on the 4th day of June, 1982, the day and date of said instrument, in the presence of said affiants; that said Testatrix was then of sound and disposing mind and memory and twenty-one (21) years and upwards of age; and the said affiants each subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of the said Testatrix and in the presence of each other.

Linda P. Jennings  
LINDA P. JENNINGS

Bettie J. Pierce  
BETTIE J. PIERCE

Joe Jack Hurst  
JOE JACK HURST

SWORN to and subscribed before me, this the 11<sup>th</sup> day of JANUARY, 1995.

William Hudson Glover, Jr  
NOTARY PUBLIC

My Commission Expires:  
My Commission Expires March 15, 1997

LAST WILL AND TESTAMENT OF  
MISS LUELLA B. VARNADO

I, Miss Luella B. Varnado, an adult resident citizen of the City of Jackson, Hinds County, Mississippi, above the age of twenty-one years and of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any previous Wills and/or Codicils heretofore made by me.

ITEM I: I hereby appoint, nominate and constitute my niece, Mrs. Martha V. Underwood, as Executrix of this my Last Will and Testament, and if she be unable or unwilling to so serve, then her husband, J. W. Underwood, as Executor; and in either event I waive all bond, inventory, appraisal and accounting, insofar as I am legally entitled to waive same.

ITEM II: I give, devise and bequeath all of my property, both real, personal and mixed and wheresoever situated to my niece, Mrs. Martha V. Underwood.

ITEM III: In the event my said niece, Mrs. Martha V. Underwood, does not survive me, then I give, devise and bequeath all of my property, both real, personal and mixed, to J. W. Underwood.

IN WITNESS WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament on this the 4th day of June, 1982.

Luella B. Varnado  
MISS LUELLA B. VARNADO

This instrument was, on the day and year shown above, signed, published and declared by MISS LUELLA B. VARNADO to be her Last Will and Testament in our presence, and we, at her request, have subscribed our names hereto as witnesses in her presence and in the presence of each other.

Linda P. Jennings  
Betty J. Purge  
Joe Jack Hurst  
WITNESSES



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 13th day of January, 1985, at 1:15 o'clock P. M., and was duly recorded on the January 13, 1985, Book No. 27, Page 518

STEVE DUNCAN, CHANCERY CLERK

BY: Hacey Hill D.C

# 32-431

LAST WILL AND TESTAMENT OF EMMA C. JACKSON

I, Emma C. Jackson, a widow, and resident of Madison County, Mississippi, being over the age of eighteen years and of sound mind and memory, do hereby make, declare and publish this to be MY LAST WILL AND TESTAMENT, and do hereby revoke all other wills and/or codicils heretofore made by me.

ITEM #1. I devise and bequeath all of my property of every kind and description and wheresoever located to my seven children, to-wit: Nathaniel B. Jackson, Jr., Ella M. Bell, Thelma J. Carter, Curtis L. Jackson, James A. Jackson, Apie J. Durham and Eunice J. Dobbins, each to sharw alike.

ITEM #2. I hereby appoint my daughter, Eunice J. Dobbins, executrix of my estate without bond, waiving all requirements whatever of bond from her as such executrix. I hereby waive an inventory and an appraisement of my estate as required by statute, and relieve my said executrix of all duty to account to the courts for her acts and doings as such, and do hereby waive all court proceedings whatever in the administration of my estate, save the probate of this, MY LAST WILL AND TESTAMENT.

SIGNED AND DECLARED to be MY LAST WILL AND TESTAMENT, this 20th day of January, 1984.

Emma C. Jackson  
EMMA C. JACKSON

Hurretta Nicholas (WITNESS)

R. L. Williams (WITNESS)

ATTESTATION CLAUSE

We, the undersigned witnesses to the Will of Emma C. Jackson, do hereby certify that the said Emma C. Jackson on the day she executed the foregoing will was over the age of eighteen years and of sound and disposing mind and memory; that she signed and subscribed said Will and published it as her LAST WILL AND TESTAMENT in our presence and in the presence of each of us and that we at her expressed instance and request signed and subscribed said Will as witnesses thereto in her presence and in the presence of each other as an attestation thereof.

WITNESS OUR SIGNATURES, this 20th day of January, 1984.

Hurretta Nicholas (WITNESS)

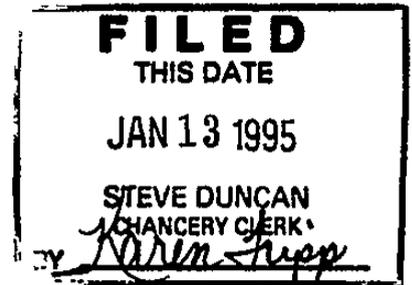
R. L. Williams (WITNESS)

**FILED**  
THIS DATE  
JAN 13 1995  
STEVE DUNCAN  
CHANCERY CLERK  
Steve Duncan



STATE OF MISSISSIPPI, COUNTY OF MADISON:  
I certify that the within instrument was filed for record in my office this 13th day of January, 1995, at 1:15 o'clock P. M., and was duly recorded on the January 13, 1995, Book No 27, Page 520.  
STEVE DUNCAN, CHANCERY CLERK BY Stacey Hill D.C.

BOOK 27 PAGE 521



IN THE CHANCERY COURT OF MADISON COUNTY

STATE OF MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
EMMA C. JACKSON, DECEASED

CIVIL ACTION FILE NO. 32-931

PROOF OF WILL

COMES NOW Henrietta Nicholson, one of the subscribing witnesses to the instrument filed herein for probate and purporting to be the Last Will and Testament of Emma C. Jackson, and enters her appearance herein as provided by Section 91-7-9, Mississippi Code Annotated (1972), as amended, and makes oath before the undersigned authority that Emma C. Jackson, the above named decedent, signed, published and declared said instrument to be her Last Will and Testament on the 20th day of January, 1984, the day of the date of said instrument, in the presence of this deponent and R. L. Williams, the other subscribing witness, and that said testator was then of sound and disposing mind and memory, more than twenty-one (21) years of age, and having her usual place of abode in Madison County, Mississippi, and that she and R. L. Williams subscribed and attested said instrument as witnesses to the signature and publication thereof, at the

special instance of said testator and in the presence of said testator and in the presence of each other, on the day of the date of said instrument.

Henrietta Nicholson  
HENRIETTA NICHOLSON

STATE OF MISSISSIPPI  
COUNTY OF Madison

SWORN TO AND SUBSCRIBED before me on this the 2<sup>nd</sup>  
day of July, 1993.

Marie H. Lanes  
NOTARY PUBLIC

(SEAL)

MY COMMISSION EXPIRES:  
January 31, 1994



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 13<sup>th</sup> day of January, 1995, at 9:15 o'clock A M., and was duly recorded on the January 13, 1995, Book No. 27, Page 521.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

# Last Will and Testament

MADISON COUNTY, MS  
**FILED**

OF  
JAN 13 1995

HUGH O. SMITH

AT 3:15 O'CLOCK P. M.  
STEVE DUNCAN, CHANCERY CLERK  
By: Karen Gipp, D.C.

I, HUGH O. SMITH, a resident of and domiciled in the Madison County, State of Mississippi, being over the age of twenty-one (21) years and of sound and disposing mind and memory, and in all respects competent and qualified, do hereby make, publish and declare this to be my true Last Will and Testament, hereby revoking all previous wills and codicils heretofore made by me.

## ARTICLE ONE

### Family Members

At the time of the execution of this Will, I am married to NORMASTEL PEATROSS SMITH, and all references in this Will to "my wife" or "said wife" shall be deemed to refer to her. My wife and I have no children of our marriage. I have two surviving children by my first marriage, namely: ELIZABETH ANNE SMITH JACO and BARBARA ALICE SMITH LESLEY. All references in this Will to "my children" or "said children" shall be deemed to refer to my above named children.

## ARTICLE TWO

### Payment of Debts

I hereby direct my Executrix to pay all expenses of my last illness and funeral expenses, and to pay all of my just debts which may be probated, registered and allowed against my estate as soon as may be conveniently done; provided, however, that my Executrix is authorized to pay any debt which I may owe at the time of my death not exceeding Five Hundred Dollars (\$500.00) without the necessity of such debt being probated, registered or

allowed against my estate so long as my said Executrix determines that such debt is a valid debt of my estate. It is my intention, however, that nothing in this Article of my Will shall be construed as creating an express trust or fund for the payment of my debts and expenses which would in any way extend the statute of limitations for the payment of debts, or enlarge upon my or my Executrix's statutory duty to pay debts.

#### ARTICLE THREE

##### **Payment of Taxes**

I direct my Executrix to pay out of my residuary estate all Federal and State estate, inheritance, succession, or other death taxes which are assessed against my estate, or against any beneficiary, if any, including estate and inheritance taxes assessed on account of life insurance proceeds or any other property which shall be included in my estate for the purpose of such taxes, whether or not included in my estate for probate purposes.

#### ARTICLE FOUR

##### **Disposition of Estate**

After payment of debts and taxes as hereinabove provided, I will, devise and bequeath all of the rest, residue and remainder of my property and estate, whether real, personal or mixed, and of whatsoever kind or character and wheresoever situated (my "residuary estate"), as follows:

- A. If my wife, **NORMASTEL PEATROSS SMITH**, survives me, then I will, devise and bequeath my entire residuary estate unto my Trustee, In Trust, Nevertheless, to be held, maintained, administered, invested, reinvested and distributed for the uses and purposes and upon the terms and conditions hereinafter set forth:

1. The name of this Trust shall be the "**HUGH O. SMITH TRUST**".

2. This Trust shall be for the benefit of my wife, **NORMASTEL PEATROSS SMITH**, during her life. My Trustee shall pay all the net income of the Trust to or for the benefit of my said wife in convenient installments, periodically, at least as often as annually, during her life.
3. During the life of my wife, **NORMASTEL PEATROSS SMITH**, if her total income is, in the sole discretion of my Trustee, insufficient to provide for my wife's health and to permit her to maintain and support herself in the standard of living to which she is accustomed at the time of my death, then my Trustee may pay to or for the benefit of my wife out of the principal of the Trust such additional sum or sums as my Trustee shall deem proper for the health care of my wife and to enable her to support and maintain herself in the standard of living to which she is accustomed at the time of my death, taking into account her needs. In making this determination, my Trustee may take into consideration my wife's assets and income from sources other than this Trust. The Trustee is also authorized, in her discretion, to pay any and all medical, nursing, hospital, institutional care and other related expenses which may be incurred by my wife out of the principal of the Trust.
4. Upon the death of my said wife, my Trustee shall pay or reserve from the Trust estate for subsequent payment any taxes and expenses attributable to the property and income of the Trust, as well as any amount necessary to pay my

wife's funeral expenses and the expenses of the administration of her estate to the extent her estate is insufficient to do so, and my Trustee shall then divide the balance of the property remaining in the Trust estate into two (2) equal shares, one of which shall be distributed to my daughter, ELIZABETH ANNE SMITH JACO, and the other of which shall be distributed to my daughter, BARBARA ALICE SMITH LESLEY, thereby terminating the Trust. If a daughter of mine is then deceased such deceased child's share shall be distributed in equal shares to such deceased child's children, per stirpes, or if such deceased child of mine has no child or other direct lineal descendant then surviving, the share of the Trust estate which would have otherwise been distributed to such deceased child of mine shall instead be distributed to my other child, or if she is then also deceased, then in equal shares to her children, per stirpes.

B. If my wife, NORMASTEL PEATROSS SMITH, does not survive me, then, in that event, I will, devise and bequeath my entire residuary estate in equal shares to my daughters, ELIZABETH ANNE SMITH JACO and BARBARA ALICE SMITH LESLEY. If a daughter of mine is then deceased such deceased child's share shall be distributed in equal shares to such deceased child's children, per stirpes, or if such deceased child of mine has no child or other direct lineal descendant surviving, then the share of the residuary estate which would have otherwise been distributed to such deceased child of mine shall instead be distributed to my other child, or if she is also deceased, then in equal shares to her children, per stirpes.

ARTICLE FIVETrust Provisions

To the extent permitted or required by law, it is my intention and I hereby direct, with respect to any trust created under the terms of this, my Last Will and Testament, that:

- A. Neither the principal nor the income of any trust created hereunder, nor any part of same, shall be liable for the debts of any beneficiary hereunder, nor shall the same be subject to seizure by any creditor of any beneficiary hereunder and no beneficiary hereunder shall have any power to sell, assign, transfer, encumber or in any manner to anticipate or dispose of his or her interest in any trust, or any part of same, or the income produced from said trust, or any part of same. No part of any trust created hereunder, principal, income or increment shall be attachable, assignable, trustable or liable to be taken at law or in equity for or on account of any debt, obligation or contract of the beneficiary hereunder.
- B. Any trust created under this, my Last Will and Testament, shall be a private trust, and the Trustee shall not be required to obtain the order or approval of any Court for the exercise of any power or discretion herein given. The Trustee shall not be required to return to any Court any periodic formal accounting of his administration of any trust, but said Trustee shall render annual accounts to each beneficiary of each trust.
- C. No person paying money or delivering property to the Trustee shall be required to see to its application. No bond or other security shall be required of my

Trustee. The Trustee of any trust created hereunder is authorized to receive and retain for her services in administering each trust reasonable compensation in accordance with that which is customarily and generally charged for performing trust services of the nature involved in such trust.

- D. Notwithstanding any other provision of this Will to the contrary, I direct that any trust created hereunder shall terminate within twenty-one (21) years after the death of the survivor of my wife and my children. I further direct that in the event such termination is required, the principal of any trust then in effect shall be paid over to the primary income beneficiary of such trust, or if there is more than one, then in equal shares to the income beneficiaries, thereby terminating such trust.

#### ARTICLE SIX

##### **Powers of Executrix and Trustee**

I hereby authorize and empower my Executrix, with respect to my estate, and my Trustee, with respect to any trust created hereunder, and any successor thereof, in their sole and absolute discretion, to do the following:

1. To exercise all of the powers, rights and discretions granted by virtue of the "Uniform Trustees' Powers Law", being §§91-9-101 through 91-9-119, inclusive, of the Mississippi Code of 1972, Annotated, as now enacted, or as hereafter amended, which "Uniform Trustees' Powers Law" is hereby incorporated by reference as though fully and completely copied herein. Should said "Uniform Trustees' Powers Law" be repealed, then my Executrix and Trustee shall continue to have all of the powers, rights and discretions

granted by said "Uniform Trustees' Powers Law", the same as if it were still in effect.

2. To purchase or otherwise acquire and to retain, whether originally a part of the estate or subsequently acquired, any and all stocks, bonds, notes or other securities, or shares or interests in investment trusts and common trust funds, or in any other property, real, personal or mixed, as they may deem advisable, whether or not such investments or property be of the character permissible by fiduciaries, without being liable to any person for such retention or investment.
3. To pay all necessary expenses of administering the estate and any trust including taxes, trustees' fees, fees for the services of accountants, agents and attorneys, and to reimburse said parties for expenses incurred on behalf of the estate or any trust hereunder.
4. To determine what is principal and what is income with respect to all receipts and disbursements; to establish and maintain reserves for depreciation, depletion, obsolescence, taxes, insurance premiums, and any other purpose deemed necessary and proper by them and to partite and to distribute property of the estate or trust in kind or in undivided interests, and to determine the value of such property. The Trustee is hereby authorized and empowered to hold and invest the assets of any trust created hereunder jointly and in undivided shares or interests.
5. To perform any and all such other acts, and to take any and all such other proceedings and to exercise all such other rights and privileges in respect to any

property, as if they were the absolute owners thereof, and in connection therewith to enter into and execute any and all agreements binding my estate and any trust created hereunder, including the express right, power, and discretion to sell any and all property, real, personal or mixed, at public or private sale, to be exercised without court order.

6. To borrow money from such source or sources and upon such terms and conditions as my Executrix or Trustee shall determine, and to give such security therefor as my Executrix or Trustee may determine.
7. To participate in any plan of reorganization, consolidation, dissolution, redemption, or similar proceedings involving assets comprising my estate or any trust created hereunder, and to deposit or withdraw securities under any such proceedings.
8. To compromise, settle or adjust any claim or demand by or against my estate, or any trust, to litigate any such claims, including, without limitation, any claims relating to estate or income taxes, and to agree to any rescission or modification of any contract or agreement.
9. To sell, exchange, assign, transfer and convey any security or property, real or personal, held in my estate, or in any trust, at public or private sale, at such time and price and upon such terms and conditions (including credit) as my Executrix or Trustee may deem advisable and for the best interest of my estate, or any trust. I hereby waive any requirement of issuing summons, giving notice of any hearing, conducting or holding any such hearing, filing bond or other security, or in any way obtaining court authority or

approval for any such sale, exchange, assignment, transfer or conveyance of any real or personal property.

10. To lease any real or personal property for such term and upon such terms and conditions and rentals and in such manner as may be deemed advisable (with or without privilege of purchase), and any lease so made shall be valid and binding for the full term thereof even though the same shall extend beyond the duration of the administration of my estate, or any trust created hereunder, all without the approval or authority of any court; and to insure against fire or other risks, to make repairs, replacements and improvements, structural or otherwise, to any real property, to improve any real property and to pay the cost out of principal.
11. Unless otherwise specifically provided, to make distributions (including the satisfaction of any pecuniary bequest) in cash or in specific property, real or personal, or in an undivided interest therein, or partly in cash and partly in other property, and to do so with or without regard to the income tax basis of specific property allocated to any beneficiary and without making pro rata distributions of specific assets.
12. To settle, adjust, dissolve, windup or continue any partnership in which I may own a partnership interest at the time of my death, subject, however, to the terms of any partnership agreement to which I am a party at the time of my death. I authorize my Executrix and Trustee to continue in any partnership for such periods and upon such terms as they shall

determine. Neither my Executrix nor my Trustee shall be disqualified by reason of being a partner in such firm from participating on behalf of my estate in any dealings herein authorized to be carried on between my Executrix or Trustee and the partners of any such partnership.

13. To make any elections and to take any actions necessary in connection therewith which are available under the Internal Revenue Code of 1986, as amended, including, but not limited to, Section 2032, Section 2032A, and Section 6166.
14. To disclaim any property which my estate or any trust created hereunder may otherwise be entitled to receive and to take any and all necessary or proper actions to make and fully effectuate a qualified disclaimer or disclaimers under Internal Revenue Code Section 2518, or any similar provision which may be subsequently enacted, and under any disclaimer statute or law which may at any time be in effect under Mississippi law.

All authorities and powers hereinabove granted unto my Executrix and Trustee shall be exercised from time to time in their sole and absolute discretion and without prior authority or approval of any Court, and I intend that such powers be construed in the broadest possible manner.

#### ARTICLE SEVEN

##### Appointment of Executrix

I hereby appoint NORMASTEL FORD MOSBY to be Executrix of this, my Last Will and Testament. In the event that NORMASTEL FORD MOSBY shall predecease me, or, for any reason, shall fail to qualify or cease to act as my Executrix, then I hereby appoint DAVENPORT MOSBY, JR. to serve as successor Executor of this, my Last Will and Testament, and my estate. Any reference

herein to my "Executrix" shall also refer to and include my successor Executor herein named and I confer upon said successor Executor all of the rights, powers, duties, discretions and obligations conferred upon my original Executrix hereinabove named. My Executrix and my successor Executor, hereinabove named, shall serve without any bond, and I hereby waive the necessity of preparing or filing any inventory, accounting or formal appraisalment of my estate.

ARTICLE EIGHT

**Appointment of Trustee**

I hereby appoint NORMASTEL FORD MOSBY to be Trustee of any Trust created under this, my Last Will and Testament. In the event that NORMASTEL FORD MOSBY shall not survive me or shall for any other reason be or become unable or unwilling to serve as my Trustee, or shall resign as Trustee, then I hereby appoint DAVENPORT MOSBY, JR. to serve as my successor Trustee. Any reference herein to my "Trustee" shall also refer to and include my successor Trustee, and my successor Trustee shall have all of the rights, powers, authorities and discretions conferred upon my original Trustee hereinabove named. In the event that my successor Trustee shall be unable or unwilling to accept appointment as successor Trustee or for any reason shall discontinue his service as Trustee or shall resign as Trustee then a successor Trustee may be appointed upon the petition of any beneficiary or other interested party by the Chancery Court of the First Judicial District of Hinds County, Mississippi. All beneficiaries and other interested parties shall be made parties to any proceeding for the appointment of a successor Trustee.

ARTICLE NINE

**Construction**

Throughout this Will, the masculine gender shall be deemed

to include the feminine, the singular shall be deemed to include the plural, and vice versa. The headings used herein are for convenience only and shall not be construed or interpreted as limiting the scope of the Article to which the heading pertains.

IN WITNESS WHEREOF, I have hereunto affixed my signature in the presence of Jamie G. Houston, III and Susan G. Hebert, whom I have requested to act as subscribing witnesses hereto on this the 2nd day of June, 1993.

Hugh O. Smith  
HUGH O. SMITH

WITNESS:

Jamie G. Houston, III  
Jamie G. Houston, III

Susan G. Hebert  
Susan G. Hebert

We, each of the subscribing witnesses to the foregoing last Will and Testament of HUGH O. SMITH, do hereby declare that we have acted as subscribing witnesses hereto at the request of the said HUGH O. SMITH, that he declared this instrument to be his Last Will and Testament to us; that he affixed his signature hereto in the presence of each of us; and that we have affixed our signatures hereto in his presence and in the presence of each other all on the day and year above written; and that on this occasion the said HUGH O. SMITH was of sound and disposing mind and memory.

WITNESS OUR SIGNATURES on this, the 2nd day of June, 1993.

WITNESS:

ADDRESS:

Jamie G. Houston, III  
Jamie G. Houston, III

400 E. Capitol St., Suite 300  
Jackson, Mississippi 39201

Susan G. Hebert  
Susan G. Hebert

400 E. Capitol St., Suite 300  
Jackson, Mississippi 39201

PAGE 12 OF 12 PAGES



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 13th day of January, 1995, at 3:15 o'clock A.M., and was duly recorded on the January 13, 1995, Book No. 27, Page 523

STEVE DUNCAN, CHANCERY CLERK

BY: Hacey Hill D.C.

PROOF OF WILL

MADISON COUNTY, MS

**FILED**

JAN 13 1995

AT 3:15 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK

*M. Lockett*

STATE OF MISSISSIPPI

COUNTY OF HINDS

Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Jamie G. Houston, III and Susan G. Hebert, credible and competent subscribing witnesses to the foregoing instrument of writing dated June 2, 1993, purporting to be the Last Will and Testament of HUGH O. SMITH, each of whom having been first duly sworn, state on oath that the said HUGH O. SMITH signed, made, published and declared said instrument as his Last Will and Testament on the 2nd day of June, 1993, the date of said instrument, in the presence of these affiants; that the Testator was then of sound and disposing mind and memory, and above the age of twenty-one (21) years; that the Testator was acting voluntarily without undue influence, fraud or restraint; that the affiants subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance of HUGH O. SMITH and in the presence of HUGH O. SMITH and in the presence of each other; that the Testator at the time of the attestation was mentally capable of recognizing, and actually conscious of said act and attestation; that the subscribing witnesses were, at the time of said attestation, competent witnesses under the laws of the State of Mississippi; that at the time of said attestation the Testator, HUGH O. SMITH, indicated to the affiants that he was a resident of and had a fixed place of residence in the City of Jackson, Hinds County, State of Mississippi; and that this Proof of Will is attached to the original of that certain foregoing written instrument signed, made,

published and declared by the said Testator, HUGH O. SMITH, as his Last Will and Testament on this, the 2nd day of June, 1993.

Jamie G. Houston, III  
Jamie G. Houston, III  
400 E. Capitol, Suite 300  
Jackson, MS 39201

Susan G. Hebert  
Susan G. Hebert  
400 E. Capitol, Suite 300  
Jackson, MS 39201

SWORN TO AND SUBSCRIBED before me on this, the 2nd day of June, 1993.

M. H. Coleman  
NOTARY PUBLIC

My Commission Expires:  
My Commission Expires October 21, 1996



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 13th day of January, 1995, at 3:15 o'clock P.M., and was duly recorded on the January 13, 1995, Book No 27, Page 535.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

# Last Will and Testament

STATE OF GEORGIA )

COUNTY OF FULTON )

I, PERCY L. BARDIN, of Fulton County, State of Georgia, being of sound and disposing mind, memory and discretion, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking and annulling all Wills heretofore made by me at any time.

ITEM I

I direct that all of my just debts be paid by my Executor hereinafter named and appointed, as soon after my death as in its judgment may be practicable.

ITEM II

I give and bequeath to my wife, MRS. FAY S. BARDIN, all clothing, jewelry, watches, household furniture, personal effects of all kinds, and automobiles which I may own at the time of my death. I hereby declare that all of the household goods, including furniture and furnishings, which are in our residence at 3105 Cascade Road, S. W., Atlanta, Georgia, belong to my wife.

ITEM III

I give and bequeath to my son, WILLIAM M. BARDIN, the sum of One Thousand (\$1,000.00) Dollars, provided he is in life at the time of my death.

ITEM IV

I give and bequeath to my daughter-in-law, MRS. BARBARA M. BARDIN, the sum of One Thousand (\$1,000.00) Dollars, provided she is in life at the time of my death.

ITEM V

I give and bequeath to my sister, MRS. ERSLE BARDIN BOYD, the sum of Two Thousand Five Hundred (\$2,500.00) Dollars, provided she is in life at the time of my death.

*Percy L. Bardin*

MADISON COUNTY, MS

**FILED**

JAN 13 1995

AT 3:15 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK

By: *Hacey Hill, D.C*

Page Two

Last Will and Testament of PERCY L. BARDIN

ITEM VI

If my wife survives me, then I give, devise and bequeath to the Trustees hereinafter named in Item IX a part of my estate, selected by my Executor to be held in trust by such Trustees under this Item VI of my Will, having a value determined as follows:

(1) Determine the value of my entire estate passing under this Will, (2) add thereto the value of any and all insurance, joint accounts and other property passing outside of this Will but includable therein for estate tax purposes, (3) deduct therefrom all debts and expenses of administration but not any estate or inheritance tax, (4) ascertain one-half (1/2) of the remainder, (5) deduct from such one-half (1/2) the value of any life insurance and other property passing to my wife outside of this Will or under any other Item of this Will; (6) the remainder of such one-half (1/2) shall be the value of the part of my estate bequeathed in this Item.

The determination of this bequest and the division of my estate shall be on the basis of values existing on the date of division in the case of property then divided, or on the date of distribution in the case of any property previously distributed, or on such estate tax value as finally determined in the case of any property passing outside of this Will, and this bequest shall carry with it its proportionate part of the income of my estate from the date of my death.

(a) The Trustees shall pay to my wife for her life all of the net income of the trust, annually or at more frequent intervals, as she may desire.

(b) My wife shall have the right, at any time and from time to time, to direct the Trustees in writing to distribute principal of the trust to her, in such amount as she may desire, provided, however, that the amount of principal which my wife shall

*Percy L. Bardin*

Last Will and Testament of PERCY L. BARDIN

have the right to direct be paid to her shall not in any event exceed Ten Thousand (\$10,000.00) Dollars in any one fiscal year of the trust, and such right shall be non-cumulative.

(c) My wife shall have full power of testamentary appointment over all property in the trust at her death, exercisable as to all or any part of such property, by herself alone, and in all events, by her Last Will and Testament, duly proved and allowed, either in favor of her estate or of others, or in favor of her estate and others, in trust or otherwise, as she shall choose; provided, however, that she may exercise such power of appointment only by specific reference thereto in her Will.

(d) Upon the death of my wife, any property remaining in the trust and not disposed of by my wife by an effective exercise of her appointment shall be distributed by the Trustee to the trust created pursuant to Item VII of this my Will, to be held in trust as a part of said trust and distributed, pursuant to the provisions hereinafter set forth for such trust.

(e) Should my wife and I both die under such circumstances that the order of our deaths is in doubt, it shall be presumed that my wife survived me.

ITEM VII

All of the rest, residue, and remainder of my estate and property which I shall own, or to which I shall have any right, title, claim, or demand, at the time of my death, I give, devise and bequeath to THE CITIZENS AND SOUTHERN NATIONAL BANK, in trust, for the uses and purposes hereinafter specifically set forth.

Said Trustee is hereby authorized, empowered and directed to receive, hold, manage, invest and reinvest all property and assets of my estate transferred to it under this Item of my Will and shall pay over the net income from such property and assets held by it, from the date of my death, as hereinafter directed.

*Percy L. Bardin*

Page Four

Last Will and Testament of PERCY L. BARDIN

A. So long as my wife, MRS. FAY S. BARDIN, shall remain in life, all of the income accruing from the property held by the Trustee appointed in this Item of my Will shall be paid to her in monthly installments or otherwise as she may desire. Should any unusual emergencies, such as sickness, accident, or other misfortune befall her so that her income, plus the distribution to her provided under Item VI of this my Will shall not be sufficient to properly support and maintain her in the manner in which she has been accustomed, and of this the Trustee shall be the sole judge, then the Trustee, in its sole discretion, is authorized to encroach upon the principal of the trust remaining in its hands and to pay to her such additional amounts as it may deem necessary for her requirements.

B. Upon the death of my wife, I direct that the net income from any property held by the Trustee shall be paid, in monthly or quarterly installments, as follows:

(1) To my son, WILLIAM M. BARDIN, Three Thousand Six Hundred (\$3,600.00) Dollars annually;

(2) To my daughter-in-law, MRS. BARBARA M. BARDIN, Twelve Hundred (\$1,200.00) Dollars annually;

(3) To my grandchildren who survive my wife, all of the remainder, in equal shares, subject to the provisions of this Item for accumulating all or a portion of the same in trust.

Upon the death of WILLIAM M. BARDIN, his share of the income shall be divided equally among my then living grandchildren.

Upon the death or remarriage of BARBARA M. BARDIN, her share of the income shall be divided equally among my then living grandchildren.

Any amounts of income payable to a grandchild who is less than twenty-five (25) years of age shall be held by the Trustee

*Percy L. Bardin*

## Last Will and Testament of PERCY L. BARDIN

for the benefit of such grandchild. Such income shall be accumulated except to the extent expended by the Trustee for the maintenance, support and education of each such grandchild, in its discretion. In exercising this discretion the Trustee shall determine the actual needs of each such grandchild for the stated purposes. In exercising this discretion the Trustee will be expected to act upon all information which it has but shall not be charged with responsibility for facts not known to it. Having determined that the need exists, the Trustee may pay such income to the person then having the custody of such grandchild, to its legally appointed guardian if one has otherwise been appointed, directly to such child, or expend the same directly for the benefit of such child, all in the discretion of the Trustee without causing a guardian to be appointed. When a grandchild attains the age of twenty-five (25) years, the Trustee shall pay to such grandchild all accumulations of income held for its benefit.

C. Upon the death of my son, WILLIAM M. BARDIN, and of my daughter-in-law, BARBARA M. BARDIN, the Trustee shall divide the trust property into a number of shares equal to the number of my grandchildren who survive them, and shall deliver such grandchild's share of the trust property to such grandchild who has at that time attained the age of thirty (30) years. Each share of a grandchild who has not reached the age of thirty (30) years at that time shall be held in a separate trust, as follows:

(1) The Trustee may, in its discretion, accumulate the income in the trust, or may at any time and from time to time, distribute any part or all of the income to such grandchild. The Trustee may, in its discretion, pay from the principal of the trust of any grandchild such educational and extraordinary medical expenses of the grandchild as it may deem advisable.

(2) Each grandchild for whom a trust was created shall have testamentary power to appoint to his or her surviving

*Percy L. Bardin*

## Last Will and Testament of PERCY L. BARDIN

spouse the property remaining in the trust for such grandchild at the time of the grandchild's death.

(3) If not otherwise terminated sooner, each trust shall terminate when the grandchild for whom the trust was created reaches thirty (30) years of age and, upon termination, all property remaining in the trust shall be distributed to such grandchild.

(4) If not otherwise terminated sooner, each trust shall terminate upon the death of the grandchild for whom such trust was created. Upon such termination, the Trustee shall distribute all property remaining in the trust, which has not been disposed of by the power of appointment granted to such grandchild, equally to the then living children of such grandchild, if any, and if none, equally to any other grandchildren then living; provided, however, that if any trust created under this Item for the benefit of any grandchild is then in existence, the share of such grandchild shall instead be added to the principal of the trust for such grandchild, and administered as a part thereof; and provided further, that if upon such termination no appointment has been made, and the grandchild for whom the trust was created has no living children, and none of my other grandchildren is living, any property remaining in the trust shall be distributed as provided in Item VIII of this my Will.

ITEM VIII

Should my son, WILLIAM M. BARDIN, die without lineal descendants, I direct that any remaining assets held by the Trustee named in Item VII of my Will shall be distributed as follows:

(a) If the amounts transferred to the trust created under Item VI of this my Will are not withdrawn by my wife, or are not disposed of by her by testamentary appointment as provided in Item VI (c) of this my Will, with the result that all of my net

*Percy L. Bardin*

Page Eight

Last Will and Testament of PERCY L. BARDIN

my Will receives the bequest set forth in paragraph (a) or (b) of this Item of my Will, then I direct that any amount held by the Trustee shall be paid to the Endowment Fund of MISSISSIPPI COLLEGE, Clinton, Mississippi.

ITEM IX

I hereby nominate, constitute and appoint THE CITIZENS AND SOUTHERN NATIONAL BANK, Atlanta, Georgia, or its successor, as Executor of this my Will.

I hereby nominate, constitute and appoint my wife, MRS. FAY S. BARDIN, and THE CITIZENS AND SOUTHERN NATIONAL BANK as Trustees of the trust created under Item VI of this my Will.

ITEM X

I give to my wife, MRS. FAY S. BARDIN and to THE CITIZENS AND SOUTHERN NATIONAL BANK, when acting hereunder as Executor and/or as Trustee, as provided for in Item IX hereof, authority to sell, exchange, and dispose of all or any part of the property held by them at any time hereunder, at public or private sale, without any order of court or advertising, for cash or on terms, and in such manner in all respects as they shall deem proper, including the right to lease for any term irrespective of the period of this trust, and for such purposes to execute and deliver all such deeds, assignments, leases, assurances and instruments as shall be required; to invest and reinvest all sums of money coming into their possession, according to their absolute discretion in such loans, stocks, bonds, securities or real estate, as they shall deem for the best interest of my estate, irrespective of any statute or rule of law now or hereafter in force limiting the class of investments of executors, trustees or trust companies generally, with the right to retain by way of investment any property or securities coming to them from my estate without liability for depreciation in value.

*Percy L. Bardin*

Last Will and Testament of PERCY L. BARDIN

In the management of said property and in the sale, investment and reinvestment thereof, the said Executor and/or Trustees shall not be required to report to or to secure the approval or consent of any court, to make any annual or other returns to any court, to file any inventory or appraisal, or to file bond with any court.

ITEM XI

At any time, or from time to time, during the administration of my estate, the Executor shall pay over to my wife all of the net income of the estate.

ITEM XII

The provisions which I have made herein for my wife are in lieu of dower, year's support, or any other interest she may have as my widow, or as one of my heirs-at-law.

IN WITNESS WHEREOF, I have hereunto set my signature and seal on this page and have signed my name on the margins of the eight preceding pages of this my Will, this 13<sup>th</sup> day of April, 1965.

Percy L. Bardin (SEAL)  
(Percy L. Bardin)

Signed, sealed, declared and published by PERCY L. BARDIN as his Last Will and Testament in the presence of us, the undersigned witnesses, the said Testator first signing his name hereunto in the presence of all of us, and then, each of us, at the special instance and request of said Testator, signing our names hereunto as witnesses in the presence of said Testator and in the presence of each other.

187	<u>Martha Robertson</u>	residing at	<u>Atlanta, Georgia</u>
188	<u>Eva H. McNewen</u>	residing at	" "
189	<u>John J. Poole</u>	residing at	" "

**CERTIFICATION OF COPY**

This document consisting of 9 + back page(s) is hereby certified to be a true copy of an original document on file in the Probate Court of Fulton County, Georgia. In witness whereof, I have hereto set my official signature and affixed the seal of the Probate Court, of the County and State aforesaid on February 13, 1995.

*Pearlie E. Sanchez-Brown*  
**PEARLIE E. SANCHEZ-BROWN**  
CLERK, PROBATE COURT OF FULTON COUNTY



**STATE OF MISSISSIPPI, COUNTY OF MADISON.**

I certify that the within instrument was filed for record in my office this 13th day of January, 1995, at 3:15 o'clock P.M., and was duly recorded on the January 13, 1995, Book No 27, Page 537

**STEVE DUNCAN, CHANCERY CLERK**

BY: Stacey Hill D.C.

BOOK 27 PAGE 546

# Last Will and Testament

MADISON COUNTY, MS

**FILED**

OF

JAN 19 1995

ALVIN WOFFORD PHILLEY

AT 1:50 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK  
By K. C. [Signature]

#95-022

I, ALVIN WOFFORD PHILLEY, residing in the City of Indianola, County of Sunflower, State of Mississippi, being twenty-one (21) years of age and over and of sound and disposing mind, do make, publish and declare this instrument to be my Last Will and Testament hereby revoking and cancelling all former wills and codicils by me at any time heretofore made.

FIRST: I direct that all of my just debts, including the expenses of my last illness and funeral shall be paid out of my estate by my Executor hereinafter named.

SECOND: I declare that I am married; that my wife's name is MARY FARRAR PHILLEY and that there have been no children born unto our marriage; I further declare that I was previously married and that I have three (3) children who are now living whose names are: JIMMY GEORGE PHILLEY, LINDA ANN PHILLEY THARP and BRENDA PHILLEY MATTHEWS.

THIRD: I give to my three (3) children, JIMMY GEORGE PHILLEY, LINDA ANN PHILLEY THARP and BRENDA PHILLEY MATTHEWS, to share and share equally, all of my property, real, personal and mixed, of which I may die seised or possessed, or to which I may be entitled at the time of my death.

FOURTH: It is my further wish and desire that in the event one or more of my three (3) children named above should predecease me, then to the issue of such deceased child or children, per stirpes.

FIFTH: I appoint as my Executor hereof, my son, JIMMY GEORGE PHILLEY, and if he be not living at the time of my death, then I appoint my daughter, LINDA ANN PHILLEY THARP, as my Executrix, and I hereby direct that no bond shall be required of either of them in any jurisdiction and I further waive the necessity of having a formal appraisal, inventory and accounting made of my estate.

SIXTH: Should any part, clause, provision and/or condition of this Will be held to be void, invalid and/or inoperative, then I direct that such invalidity shall not affect any other clause, provision and/or condition hereof, but the remainder of this Will shall be effective as though such void clause, provision and/or condition had not been contained herein.

IN WITNESS WHEREOF, I have hereunto set my hand this 19<sup>th</sup> day of April, A. D., 1983, in Indianola, Mississippi.

ALVIN WOFFORD PHILLEY  
ALVIN WOFFORD PHILLEY

We, the undersigned, do hereby certify that ALVIN WOFFORD PHILLEY, the above named testator, on the day and year above written, signed the foregoing instrument in our presence, and published and declared the same to be his Last Will and Testament, and we, at the same time, at his request, in his presence, and in the presence of each other, have hereunto set our hands as subscribing witnesses, and we further certify that at such time he was of sound and disposing mind and memory.

Laura A. Tisdell

Edna Mae Daniels

Joe M. Buchanan



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 19<sup>th</sup> day of January, 1995, at 1:50 o'clock P. M., and was duly recorded on the January 19, 1995, Book No. 27, Page 546.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

JAN 19 1995

AT 1:50 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK

By: *[Signature]*

NO. 95022

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
ALVIN WOFFORD PHILLEY, DECEASED

BY:

JIMMY GEORGE PHILLEY, EXECUTOR

AFFIDAVIT

STATE OF MISSISSIPPI  
COUNTY OF SUNFLOWER

Personally appeared before me, the undersigned authority in and for said county in said state, the within named Joe M. Buchanan, who being by me first duly sworn, stated on his oath as follows:

That he is an adult resident citizen of Sunflower County, Mississippi and was personally acquainted with Alvin Wofford Philley for 50 years during his lifetime.

Affiant states that he has examined an instrument of writing purports to be the last will and testament of Alvin Wofford Philley, signed, published and declared by the said Alvin Wofford Philley on April 19, 1983 in Affiant's presence and in the presence of Laura A. Tisdale and Elder Mae Daniels (now Elder Mae Daniels McClellan). Affiant further states that he, in the presence of the said Alvin Wofford Philley and in the presence of the said Laura A. Tisdale and Elder Mae Daniels (now Elder Mae Daniels McClellan), signed said instrument of writing as a witness thereto, and that the said Laura A. Tisdale and Elder Mae Daniels (now Elder Mae Daniels McClellan) in the presence of the said Alvin Wofford Philley and in Affiant's presence, signed said instrument of writing as subscribing witnesses thereto, and that on said date the said Alvin Wofford Philley was an adult and of sane mind.

*Joe M. Buchanan*  
\_\_\_\_\_  
JOE M. BUCHANAN

SWORN to and subscribed before me on this the 10<sup>th</sup> day of January, 1995.



*W. Smith*  
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: August 27, 1998

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 19<sup>th</sup> day of January, 1995, at 1:50 o'clock P M., and was duly recorded on the January 19, 1995, Book No. 27, Page 548.



STEVE DUNCAN, CHANCERY CLERK

BY: *Harvey Hill* D.C.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI JAN 19 1995

AT 1:50 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK

By: *Koragoude*

IN THE MATTER OF THE ESTATE OF  
ALVIN WOFFORD PHILLEY, DECEASED

NO. 95-022

BY:

JIMMY GEORGE PHILLEY, EXECUTOR

AFFIDAVIT

STATE OF MISSISSIPPI  
COUNTY OF WASHINGTON

Personally appeared before me, the undersigned authority in and for said county in said state, the within named Elder Mae Daniels McClellan formerly Elder Mae Daniels, who being by me first duly sworn, stated on her oath as follows:

That she is an adult resident citizen of Washington County, Mississippi and was personally acquainted with Alvin Wofford Philley for 15 years during his lifetime.

Affiant states that she has examined an instrument of writing purporting to be the last will and testament of Alvin Wofford Philley, signed, published and declared by the said Alvin Wofford Philley on April 19, 1983 in Affiant's presence and in the presence of Laura A. Tisdale and Joe M. Buchanan. Affiant further states that she, in the presence of the said Alvin Wofford Philley and in the presence of Laura A. Tisdale and Joe M. Buchanan, signed said instrument of writing as a witness thereto, and that the said Laura A. Tisdale and Joe M. Buchanan in the presence of the said Alvin Wofford Philley and in Affiant's presence, signed said instrument of writing as subscribing witnesses thereto, and that on said date the said Alvin Wofford Philley was an adult and of sane mind.

*Elder Mae Daniels McClellan*  
ELDER MAE DANIELS McCLELLAN  
(Formerly Elder Mae Daniels)

SWORN to and subscribed before me, by Elder Mae Daniels McClellan, formerly Elder Mae Daniels, on this the 10<sup>th</sup> day of January, 1995.

*Gene G. Jones*  
NOTARY PUBLIC  
My Commission Expires: 12-14-97

SEAL;



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 19<sup>th</sup> day of January, 1995, at 1:50 o'clock P M., and was duly recorded on the January 19, 1995, Book No. 27, Page 549.

STEVE DUNCAN, CHANCERY CLERK

BY: *Stacey Hill* D.C.

MADISON COUNTY, MS

FILED

JAN 20 1995

## LAST WILL AND TESTAMENT

OF

ALICE GATES EDINGTON

#95-033

AT 10:15 O'CLOCK A. M.  
STEVE DUNCAN, CHANCERY CLERK

By: Karen Jupp, OC

I, ALICE GATES EDINGTON, a resident of Jackson, Hinds County, Mississippi, being of sound and disposing mind and memory and over the age of eighteen (18) years, make, publish, and declare this to be my Last Will and Testament. I hereby revoke all wills or codicils previously made by me.

1. Debts, Expenses and Taxes. I direct that all my just debts in excess of five hundred dollars (\$500.00) which are properly probated and allowed according to law, the expenses of my last illness, funeral expenses and the costs of administration of my estate be paid as soon as possible. I specifically provide that my Executrix is authorized to pay any just debt of my estate which does not exceed five hundred dollars (\$500.00) without the necessity of probating the claim. I direct my Executrix to pay out of my property all estate, inheritance, transfer and succession taxes, including interest and penalties thereon, which may be lawfully assessed by reason of my death.

2. Residue. I give absolutely to Caroline Lilly Becker of Helotes, Texas, all of the rest and residue of my property, both real, personal or mixed, wherever situated. In the event that Caroline Lilly Becker does not survive me, then this property shall pass according to the provisions of her last will and testament disposing of her residuary estate; if she has no will, then to her then surviving heirs-at-law as determined under the laws of the state of her domicile at the time of her death.

3. Mortgages and Liens. All property bequeathed or devised hereunder, is bequeathed or devised subject to existing mortgages, liens, or encumbrances thereon.

4. Appointment of Executrix. I nominate and appoint Sue Stringer Busby, who presently resides at 102

Heron Court, Brandon, MS 39042, as Executrix of my estate. I waive the necessity of her posting bond to serve as Executrix and to, the fullest extent possible under law, I waive the necessity of a formal appraisal, inventory or accounting to any court. My Executrix shall be entitled to an Executrix's fee of \$500.00 for her services.

5. Fiduciary Powers. I hereby grant to my Executrix the continuing, absolute, discretionary power to deal with any property, real or personal, held in my estate as freely as I might in the handling of my own affairs. Such power may be exercised independently without prior or subsequent approval of any judicial authority, and no person dealing with the Executrix shall be required to inquire into the propriety of any of their actions. I expressly confer upon my Executrix hereunder the specific powers set forth in Miss. Code Ann. §91-9-101 - §91-9-109 (1972) as now enacted or hereafter amended. Without limiting the generality of the foregoing, I hereby grant to my Executrix hereunder, the following specific powers and authority in addition to and not in substitution of powers conferred by law:

(a) To compromise, settle, or adjust any claim or demand by or against my estate and to agree to any rescission or modification of any contract or agreement.

(b) To retain any security or other property owned by me at the time of my death, so long as such retention appears advisable, to exchange any such security or property for other securities or properties and to retain such items received in exchange. My Executrix may presume any securities owned by me at the time of my death including capital stock of my corporate trustee or its holding company to be of investment merit and worthy of retention by my Executrix. Such presumption shall not impair the power of sale or exchange or any other powers or discretion given the Executrix, but if said

securities or any of them are retained by my Executrix for the duration of the administration of my estate or any shorter period of time, my Executrix shall not be responsible or liable for any loss or decrease in the value of said securities or any of them by reason of such retention. My Executrix may also presume that the management of the companies whose securities are held in my estate from time to time should be supported. Such presumption shall not impair the power of voting such securities or any other powers or discretion given my Executrix, but if said securities or any of them are voted by my Executrix in favor of the management of the respective companies issuing them or in favor of any proposals supported by such management, my Executrix shall not be responsible or liable for any act of such management or for any loss or decrease in the value of said securities or any of them, by reason of such voting.

(c) To sell, exchange, assign, transfer, and convey any security or property, real or personal, held in my estate at public or private sale, at such time and price and upon such terms and conditions (including credit) as it may deem to be advisable and for the best interest of my estate.

(d) To invest and reinvest (including accumulated income) in any property (real or personal) as it may deem advisable, including stock (whether listed or unlisted) and unsecured obligations, undivided interests, interests in investment trusts, legal and discretionary common trust funds, leases, and property which is outside of my domicile, all without diversification as to kind or amount without being restricted in any way by any statute or court decision (now or hereafter existing) regulating or limited investments by fiduciaries.

(e) To register and carry any property in its own name or in the name of its nominee or to hold it unregistered, but without thereby increasing or decreasing its liability as fiduciary.

(f) To sell or exercise any rights issued on any securities held in my estate.

(g) Unless inconsistent with other provisions of this instrument, to consider and treat as principal all dividends payable in stock of the issuing corporation, all dividends in liquidation and all rights to subscribe to securities of the issuing corporation, and to consider and treat as income all other dividends and rights received (except those declared and payable as of a record date preceding my death, which shall be considered and treated as principal).

(h) To charge or credit to principal any premiums and discounts on securities purchased at more or less than par.

(i) To vote in person or by proxy any stock or securities held, and to grant such proxies and powers of attorney to such person or persons that it may deem proper.

(j) To consent to and participate in any plan for the liquidation, reorganization, consolidation or merger of any corporation, any security of which is held.

(k) To borrow money from itself individually or from others upon such terms and conditions as it may determine and to mortgage and pledge estate and trust assets as security for the repayment thereof.

(l) To lease any real estate for such term or terms and upon such conditions and rentals and in such manner as it may deem advisable (with or without privilege of purchase), and any lease so made shall be valid and binding for the full term thereof even though

same shall extend beyond the duration of the trust; to insure against fire or other risk; to make repairs, replacements and improvements, structural or otherwise, to any such real estate; to subdivide real estate, to dedicate same to public use and to grant easements as it may deem proper.

(m) Whenever required or permitted to divide and distribute my estate, to make such distribution, including the satisfaction of any pecuniary bequests, in cash or in specific property, real or personal, or an undivided interest therein or partly in cash and partly in such property, and to do so without regard to the income tax basis of specific property allocated to any beneficiary, including any trust.

(n) To employ accountants, attorneys and such agents as it may deem advisable; to pay reasonable compensation for their services and to charge same to, or apportion same between, income and principal as it may deem proper.

(o) Unless inconsistent with other provisions of this instrument, to hold two or more trusts or other funds in one or more consolidated funds, in which the separate trusts or funds shall have undivided interests.

(p) Wherever authorized by this instrument to accumulate or distribute income, to make such decision free from attack or question by any person, it being intended that the Executrix may feel free to make such decisions on the basis of the facts as they exist at the time any such decision is made.

(q) Abandon, in any way, property which it determines not to be worth protecting.

(r) To buy or sell any stock or security options including but not limited to calls, puts, straddles, spreads, strips or straps, whether over any recognized

exchange or over-the-counter market and whether covered or uncovered.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this the 9<sup>th</sup> day of March, 1989.

Alice Gates Edington  
ALICE GATES EDINGTON

This instrument was, on the date shown above, signed, published and declared by ALICE GATES EDINGTON to be her Last Will and Testament in our presence, and we, at her request, have subscribed our names hereto as witnesses in her presence and in the presence of each other.

Louise Munn Jones  
Address: 5025 Wayneland, M-5  
JACKSON, MS 39211

W. J. Mumpower  
Address: 5025 Wayneland M-5  
JACKSON, MS 39211



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 20 day of January, 1995, at        o'clock — M., and was duly recorded on the January 20, 1995, Book No. 27, Page 550.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

AFFIDAVIT OF SUBSCRIBING WITNESSES AT 10:15 O'CLOCK A.M. STEVE DUNCAN, CHANCERY CLERK

By: Karen Fypp, D.C.

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for the aforesaid jurisdiction, Louise Mumpower and D. Mumpower the two witnesses to the execution of the foregoing Last Will and Testament who, after being duly sworn by me, declared:

- (1) that the Testatrix declared and executed the instrument as her Last Will and Testament;
- (2) that, in the presence of both witnesses, she signed or acknowledged her signature already made or directed another to sign for her in her presence;
- (3) that, to the best of the witnesses' knowledge, the Testatrix executed the Will as her free and voluntary act for the purposes expressed in it;
- (4) that each of the witnesses, in the presence of the Testatrix and of each other, signed the Will as witness;
- (5) that the Testatrix was of sound mind; and
- (6) that the Testatrix was at the time eighteen (18) or more years of age.

Louise Mumpower  
WITNESS  
D. Mumpower  
WITNESS

WITNESS MY HAND AND SEAL on this 9<sup>th</sup> day of March, 1989.

Elizabeth Dixon Brack  
Notary Public

My Commission Expires:  
My Commission Expires June 9, 1991



STATE OF MISSISSIPPI, COUNTY OF MADISON:  
I certify that the within instrument was filed for record in my office this 20 day of January, 1995, at 10:15 o'clock A.M., and was duly recorded on the January 20, 1995, Book No. 27, Page 556.  
STEVE DUNCAN, CHANCERY CLERK BY: Stacey Hill D.C.

**FILED**

JAN 24 1995

BOOK 27 PAGE 557

AT 9:30 O'CLOCK ~~A~~ M  
STEVE DUNCAN, CHANCERY CLERK*By Karen Tripp, De*  
**Last Will and Testament**

OF

EMERSON CROSBY

# 95 035

I, EMERSON CROSBY, a resident of Canton, Madison County, Mississippi, declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils heretofore made by me.

## ITEM I.

My wife's name is PEGGY HARRELL CROSBY, and she is herein referred to as my "wife".

I have five (5) children now living as follows: CHERYL CROSBY ROBERTS, STEPHEN GLENN CROSBY, MICHAEL KEVIN CROSBY, BRIDGET ANNE CROSBY, and JOSEPH EMERSON CROSBY. All references in this Will to my "child", "children" and words of like import shall mean my five (5) named children.

## ITEM II.

I direct that all of my debts, (including unpaid charitable pledges whether or not the same are enforceable obligations of my estate), all expenses of my last illness, and funeral and burial expenses (including the cost of a suitable monument at my grave) and the cost of administration of my estate be paid as soon as practicable after my death out of the principal of that portion of my residuary estate which is not included in the share qualifying for the marital deduction. My Executor in its sole discretion is authorized to accelerate the payment of any debt or charitable pledge, payment of which may be due at some future date or which may be payable in installments, upon such terms, as to discount or otherwise, as it may deem advisable.

In the event that any property or interest in property passing under this Will or by operation of law or otherwise by reason of my death shall be encumbered by a mortgage or a lien, or shall be pledged to secure any obligation (whether the property or interest in property so encumbered or pledged shall be owned by me jointly or individually), it is my intention that

g.l.

such indebtedness shall not be charged to or paid from my estate, but that the devisee, legatee, joint owner taking by survivorship or beneficiary shall take such property or interest in property subject to all encumbrances existing at the time of my death.

It is my intention, however, that nothing in this Item of my Will should be construed as creating an express trust or fund for the payment of debts and expenses which would in any way extend the normal statute of limitations for the payment of my debts or enlarge upon my statutory duty to pay debts.

ITEM III.

I direct that all estate and inheritance taxes and other taxes in the general nature thereof (together with any interest or penalty thereon), but not including any taxes imposed on any Qualified Terminable Interest Property or Generation-Skipping Transfers imposed by Chapter 13 of the Internal Revenue Code, which shall become payable upon or by reason of my death with respect to any property passing by or under the terms of this Will or any Codicil to it hereafter executed by me, or with respect to the proceeds of any policy or policies of insurance on my life, or with respect to any other property (including property over which I have a taxable power of appointment) included in my gross estate for the purpose of such taxes, shall be paid by my Executor out of the principal of that portion of my residuary estate which is not included in the share qualifying for the marital deduction, and I direct that no part of any of such taxes be charged against (or collected from) the person receiving or in possession of the property taxed, or receiving the benefit thereof, it being my intention that all such persons, legatees, devisees, surviving tenant by the entirety, appointees and beneficiaries receive full benefits without any diminution on account of such taxes.

ITEM IV.

I bequeath to my wife, PEGGY HARRELL CROSBY, if she shall survive me, all my personal effects and all tangible personal

property including any automobiles owned by me and held for personal use at the time of my death, but excluding cash on hand or on deposit, securities, choses in action or other intangibles.

If my wife shall predecease me, I bequeath so much of the above-described property to my children, share and share alike, per stirpes, to be divided among them with such equality and appropriateness as my Executor, in its sole discretion, shall determine. In the division into equal shares, if any of my children (or surviving issue of deceased children) shall be a minor, such child's share may be delivered to the person with whom such child is residing, or to such child's legal guardian, or directly to such child. The receipt of the guardian, or the person with whom such minor resides, or the receipt of such minor child, shall constitute a full acquittance of my Executor with respect to the legacy so delivered. This authority is given my Executor notwithstanding any statute or rule of law to the contrary. I direct that any expenses incurred in safeguarding or delivering such property be paid from my estate as an administration expense thereof. Any of such property which the Executor determines that I would not wish to have preserved for my children should be disposed of by sale or otherwise as it shall determine. The proceeds of any such sale shall form part of my residuary estate.

I may leave a memorandum or private letter to my Executor containing suggestions as to the disposition of certain tangible personal property bequeathed under this Item, but such letter or memorandum shall not affect the absolute nature of this bequest.

ITEM V.

I bequeath and devise and appoint all the residue and remainder of my property and estate of every nature and wheresoever situated (including all property which I may acquire or become entitled to after the execution of this Will, all lapsed legacies and devises or other gifts made by this Will which fail for any reason, but excluding any property over or

concerning which I may have any power of appointment), hereinafter referred to as my residuary estate, unto my Executor, and I direct that my Executor shall administer and dispose of my said residuary estate in accordance with the terms and provisions set forth and contained in the succeeding Items of this Will.

If my wife, PEGGY HARRELL CROSBY, shall survive me, I bequeath to my wife that fractional share of my residuary estate, determined as follows:

1. The numerator shall be the maximum allowable marital deduction as finally determined for federal estate tax purposes, diminished by the value of all other items in my gross estate which pass or have passed to or for the benefit of my said wife under other provisions of this Will or otherwise in such manner as to qualify for and be allowed as a marital deduction but no greater amount than is necessary to reduce to zero or the smallest possible amount the federal estate tax payable as a result of my death, taking into account all other deductions and the unified credit and the credit for state death taxes (provided the use of this credit does not require an increase in the state death taxes paid).

2. The denominator shall be the value of my residuary estate. In making the computations to determine such fractional share of my residuary estate, the final determinations in the federal estate tax proceedings shall control.

My Executor is authorized to satisfy said share in cash or in kind or partly in each; and if wholly or partly in kind, to select, transfer and convey the specific asset or assets so selected; provided, however, that any assets transferred in kind to satisfy said share shall be valued for that purpose at their fair market values determined as of the dates of their respective transfers. This share shall carry with it (as income and not as

principal) its proportionate share of all net income received during the administration of my estate.

Only assets which qualify for the marital deduction shall be used to satisfy the foregoing bequest.

Subject to the foregoing, the decision of my Executor as to which assets shall be distributed in satisfaction of this bequest for the benefit of my wife, as to whether my estate shall be valued under the optional provisions of the federal estate tax law, as to what elections shall be exercised, and as to what proceedings are necessary to complete the ascertainment of the federal estate tax, shall be conclusive and binding on all persons.

If my wife shall fail to survive me, then all bequests under this Item shall lapse and shall pass under the terms of the EMERSON CROSBY FAMILY TRUST contained in Item VI as hereinafter provided.

#### ITEM VI.

I direct that, after satisfying all the bequests and devises hereinabove set out and after the payment or provision for the payment of all administration expenses and all death taxes as directed in Items II and III, my Executor shall deliver and convey all the remainder of my aforesaid residuary estate wheresoever situated, including all lapsed legacies and devises (but expressly excluding any property over or concerning which I may have any power of appointment), to my daughter, CHERYL CROSBY ROBERTS of Vicksburg, Mississippi, in trust for the use and purposes hereinafter set forth; and I direct that such remainder of my residuary estate (hereafter referred to as my trust estate) so passing to my Trustee shall be administered and disposed of upon the following terms and provisions - that is to say:

A. The Trustee shall distribute among or pay to or for the benefit of my wife, my children and the descendants of any deceased child of mine (but not necessarily in equal shares) as much of the net income as the Trustee deems advisable for the

health, support, education and maintenance of my beneficiaries. These distributions shall be made in proportions, amounts, and intervals as the Trustee determines. Any income not distributed shall be added to principal and distributed in accordance with subsequent provisions.

B. In addition to the income distributions, the Trustee shall distribute among or pay to or for the benefit of my beneficiaries, or any of them (but not necessarily in equal shares), as much principal as the Trustee deems advisable. These principal distributions shall be to provide for the beneficiaries' health, support, education and maintenance. In making principal distributions, the Trustee shall consider the needs of the beneficiaries and the funds available to them from other sources.

In making distributions of income and principal, I direct the Trustee to consider my wife as the primary beneficiary and consider her needs above those of my children and the descendants of any deceased child. The Trustee shall see that my wife has sufficient funds to enable her to continue, if possible, her accustomed standard of living. Before making distributions of income or principal to my children and the descendants of any deceased child, the Trustee shall counsel with my wife to determine the needs of the beneficiaries.

C. Following the death of my wife, or upon my death if my wife predeceases me, the Trustee shall continue to hold, administer and distribute the funds of the trust in accordance with the foregoing provisions for the benefit of my children and the descendants of any deceased child; and as and when my youngest living child attains the age of twenty-one (21) years, the Trustee shall divide this trust into separate equal trusts, one for each of my then living children and one trust for the then living descendants, collectively, of each deceased child of mine. The Trustee shall hold, administer and distribute the funds of each trust under the following provisions:

(1) The Trustee shall thereupon distribute to each of my living children, free and clear of any trust, his or her share of the trust estate; and the share for the then living issue of a deceased child shall continue to be held in trust for the benefit of my deceased child's then living issue. The net income and principal shall be distributed among such beneficiaries as the Trustee determines in accordance with the directions and standards previously set forth in subparagraphs A and B of this Item VI. The trust estate for the then living issue of a deceased child of mine shall be distributed to such issue, in equal shares, when the youngest attains the age of twenty-one (21) years. Upon distribution of the entire trust estate to the beneficiaries, the trust shall terminate. (If my wife predeceases me and all of my surviving children are adults, my Executor shall make the distributions directly to my children under the terms hereof as though he were the Trustee.)

Notwithstanding the foregoing provisions, the Trustee shall permit the beneficiary of each trust to elect, by written direction to the Trustee, at the time all or any portion of his or her trust is to be distributed to such beneficiary, to have such property remain in trust under the terms and provisions hereof for the balance of his or her life or until such time as he or she shall request that the trust principal, income or accumulated income, or any part thereof, be distributed to such beneficiary outright. In addition, the beneficiary may voluntarily convey other property owned by him or her to his or her trust, to be held and administered as a part of such trust continued herein. In the event of the death of a child (or surviving issue of a deceased child) during the period in which the trust is so continued, the Trustee shall make immediate distribution of that beneficiary's trust assets to his or her estate.

(2) In the event of death of any of my children after division of this trust into separate trusts and prior to receipt by that child of his or her entire trust estate, the balance in that trust of my deceased child shall be retained for the benefit of my deceased child's then living issue. The net income and principal shall be distributed among such surviving issue as the Trustee determines in accordance with the directions and standards previously set forth in subparagraphs A and B of this Item VI. If at the death of a child of mine, he or she leaves no surviving issue, that deceased child's trust estate shall be distributed to the other trust or trusts created herein to be administered and disposed of in accordance with the provisions of that trust or be distributed outright to the beneficiary who had previously received a distribution of his or her entire trust estate.

D. If, at any time after my death, there should be no person in being qualified to receive my trust estate or the benefits thereof under the foregoing provisions hereof, then my trust estate, or the portion thereof with respect to which such total failure of qualified recipients has occurred, shall be distributed to such persons as would have been my heirs at law under the laws of Mississippi had I died immediately after the time at which such total failure of qualified recipients occurred.

E. In determining the meaning of the word "descendants" and "surviving issue" for the purposes of this Will, adopted children of any person shall be treated as though they were natural born children of that person.

F. This trust shall be designated and known as the "EMERSON CROSBY FAMILY TRUST".

ITEM VII.

During the minority or incapacity of any beneficiary to or for whom income or principal is authorized or directed to be

paid, my Executor or Trustee may pay, transfer or assign same in any one or more of the following ways: (a) directly to such beneficiary; (b) to the guardian of the person or of the property of such beneficiary; (c) to a relative of such beneficiary upon the agreement of such relative to expend such income or principal solely for the benefit of the beneficiary; and (d) by expending such income or principal directly for the health, education, maintenance and support of such beneficiary. My Executor or Trustee shall have the power in its uncontrolled discretion to determine whether a beneficiary is incapacitated, and its determination shall be conclusive.

To the extent permitted by law, no interest of any beneficiary in the income or principal of any trust shall be subject to pledge, assignment, sale or transfer in any manner, nor shall any beneficiary have power in any manner to anticipate, charge or encumber his or her interest, nor shall the interest of any beneficiary be liable while in the possession of my Trustee for the debts, contracts, liabilities, engagements or torts of the beneficiary.

ITEM VIII.

Anything in this Will to the contrary notwithstanding, no trust (other than a trust of a vested interest) created hereunder shall continue beyond 21 years after the death of the last to die of those beneficiaries who were living at the time of my death; and upon the expiration of such period all trusts shall terminate and the assets thereof shall be distributed outright to such persons as are then entitled to the income therefrom and in the same proportions; but if no person is then entitled to a specific portion of income, then to the then living income beneficiaries, per stirpes.

ITEM IX.

If, at any time, in following the directions of this Will (or under the provisions of any Codicil to it hereafter executed by me), the Trustee is required to distribute all or any part of

the principal of any trust outright to a person who is a minor, the Trustee is directed to continue to hold the share of the minor in trust for the minor's benefit until age twenty-one (21). Until distribution is made, the Trustee is directed to expend such part of the income and/or principal of the share belonging to the minor as the Trustee in the Trustee's discretion deems necessary to provide for the proper health, support, education and maintenance of the minor.

## ITEM X.

Any trust created by this Will is a private trust. My Trustee shall not be required to file in any court or with any public official any reports or accounts relating to the administration of the trusts created by this Will, except to the extent that I have no power to excuse the filing of such reports or accounts; provided, however, my Trustee shall furnish annually, or at more frequent intervals, reports and accounts thereof to the beneficiary (or the natural or legal guardian of a minor beneficiary) then entitled to the income therefrom. The receipt of the Trustee shall operate as full acquittance and discharge of my Executor for the property turned over to my Trustee.

During the administration of my estate and until the trust is established, I authorize the Trustee, in the Trustee's discretion, to request of my Executor, in which case my Executor shall comply with that request, to pay at least annually out of my estate advanced payments of income to the income beneficiaries of the trust. These payments shall be an amount which in the judgment of the Trustee and the Executor jointly equals the income which the beneficiaries would receive from the trust had it been established.

## ITEM XI.

The Trustee of any trust created in this Will may resign at any time by giving written notice to the beneficiaries specifying the effective date of resignation. The notice may be sent by

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personal delivery or by registered mail. In the event of the resignation or death of the Trustee, or in the event she is or becomes unable or unwilling to serve, I appoint my son, STEPHEN GLENN CROSBY of Starkville, Mississippi, as successor Trustee. In the event he also is or becomes unable or unwilling to serve, a successor Trustee may be appointed by unanimous consent of the adult beneficiaries (or guardians of minor beneficiaries) of the trust or trusts then living. Any resignation shall become effective upon the qualification of the successor Trustee and submission of a full accounting by the Trustee being replaced. Any successor Trustee shall be vested with all the rights, powers, duties and discretions conferred upon the original Trustee.

Notwithstanding anything hereinbefore to the contrary, no distributions shall be made under any trust created in this Will that would have the effect of discharging any person's legal obligation to support any beneficiary hereunder.

Unless otherwise provided, in referring to the Trustee, any masculine terminology also includes the feminine and neuter or vice versa and any reference in the singular shall also include the plural or vice versa.

ITEM XII.

I hereby grant to my Executor and also to the Trustee of each trust established hereunder (including any substitute or successor personal representative or trustee or ancillary trustee) the continuing, absolute, discretionary power to deal with any property, real or personal, held in my estate or in any trust, as freely as I might in the handling of my own affairs. Such power may be exercised independently without prior or subsequent approval of any judicial authority, and no person dealing with the Executor or Trustee shall be required to inquire into the propriety of any of their actions. I expressly confer upon my Executor and any Trustee hereunder the specific powers set forth in Miss. Code Ann. §91-9-101 - §91-9-109 (1972) as now

enacted or hereafter amended. Without limiting the generality of the foregoing, I hereby grant to my Executor, and to any Trustee hereunder, the following specific powers and authority in addition to and not in substitution of powers conferred by law:

A. To compromise, settle, or adjust any claim or demand by or against my estate or any trust and to agree to any rescission or modification of any contract or agreement.

B. To retain any security or other property owned by me at the time of my death, so long as such retention appears advisable, to exchange any such security or property for other securities or properties and to retain such items received in exchange. My Trustee may presume any securities owned by me at the time of my death including capital stock of my corporate trustee or its holding company to be of investment merit and worthy of retention by my Trustee. Such presumption shall not impair the power of sale or exchange or any other powers or discretion given the Trustee, but if said securities or any of them are retained by my Trustee for the duration of the trust or any shorter period of time, my Trustee shall not be responsible or liable for any loss or decrease in the value of said securities or any of them, or of the trust, by reason of such retention. My Trustee may also presume that the management of the companies whose securities are held in the trust from time to time should be supported. Such presumption shall not impair the power of voting such securities or any other powers or discretion given my Trustee, but if said securities or any of them are voted by my Trustee in favor of the management of the respective companies issuing them or in favor of any proposals supported by such management, my Trustee shall not be responsible or liable for any act of such management or for any loss or decrease in the value of said securities or any of them, or of the trust, by reason of such voting.

C. To sell, exchange, assign, transfer and convey any security or property, real or personal, held in my estate or in

any trust fund, at public or private sale, at such time and price and upon such terms and conditions (including credit) as it may deem to be advisable and for the best interest of my estate and trusts.

D. To invest and reinvest (including accumulated income) in any property (real or personal) as it may deem advisable, including stock (whether listed or unlisted) and unsecured obligations, undivided interests, interests in investment trusts, legal and discretionary common trust funds, leases, and property which is outside of my domicile, all without diversification as to kind or amount without being restricted in any way by any statute or court decision (now or hereafter existing) regulating or limiting investments by fiduciaries.

E. To register and carry any property in its own name or in the name of its nominee or to hold it unregistered, but without thereby increasing or decreasing its liability as fiduciary.

F. To sell or exercise any "rights" issued on any securities held in my estate or in any trust fund hereunder.

G. Unless inconsistent with other provisions of this instrument, to consider and treat as principal all dividends payable in stock of the issuing corporation, all dividends in liquidation and all "rights" to subscribe to securities of the issuing corporation, and to consider and treat as income all other dividends and rights received (except those declared and payable as of a "record date" preceding my death, which shall be considered and treated as principal).

H. To charge or credit to principal any premiums and discounts on securities purchased at more or less than par.

I. To vote in person or by proxy any stock or securities held, and to grant such proxies and powers of attorney to such person or persons as it may deem proper.

J. To consent to and participate in any plan for the liquidation, reorganization, consolidation or merger of any corporation, any security of which is held.

K. To borrow money (from itself individually or from others) upon such terms and conditions as it may determine and to mortgage and pledge estate and trust assets as security for the repayment thereof.

L. To lease any real estate for such term or terms and upon such conditions and rentals and in such manner as it may deem advisable (with or without privilege of purchase), and any lease so made shall be valid and binding for the full term thereof even though same shall extend beyond the duration of the trust. To insure against fire or other risk. To make repairs, replacements and improvements, structural or otherwise, to any such real estate. To subdivide real estate, to dedicate same to public use and to grant easements as it may deem proper.

M. Whenever required or permitted to divide and distribute my estate or any trust created hereunder, to make such distribution (including the satisfaction of any pecuniary bequests) in cash or in specific property, real or personal, or an undivided interest therein or partly in cash and partly in such property, and to do so without regard to the income tax basis of specific property allocated to any beneficiary (including any trust). For such purposes, the assets of this estate or trust shall be valued on the day of distribution or division, as the case may be.

N. To employ accountants, attorneys and such agents as it may deem advisable; to pay reasonable compensation for their services and to charge same to (or apportion same between) income and principal as it may deem proper.

O. Unless inconsistent with other provisions of this instrument, to hold two or more trusts or other funds in one or more consolidated funds, in which the separate trusts or funds shall have undivided interests.

P. Wherever authorized by this instrument to accumulate or distribute income, to make such decision free from attack or question by any person, it being intended that the Trustee may

feel free to make such decisions on the basis of the facts as they exist at the time any such decision is made.

Q. Abandon, in any way, property which it determines not to be worth protecting.

R. To buy or sell any stock or security options including, but not limited to, calls, puts, straddles, spreads, strips or straps, whether over any recognized exchange or over-the-counter market and whether covered or uncovered.

S. To consolidate this trust with any other trust created by me or my wife during my lifetime or by the Will of my wife, if the Trustee, in his discretion, deems such a consolidation to be more economical or beneficial to the beneficiaries of the trust and if such trusts have the same Trustees and beneficiaries and have similar provisions regarding payments and distributions to the beneficiaries thereof.

T. To terminate the trust if its fair market value declines to the size which makes the continued retention of its principal in trust uneconomical, imprudent or unwise; if this power is exercised, all of the trust's remaining principal and accrued or undistributed income shall be distributed to the persons then entitled to receive or have the benefit of the income therefrom; however, if there are two or more beneficiaries, that principal and income shall be distributed to or among those beneficiaries with the same discretion which is granted in this trust to distribute the trust principal.

U. Certain bequests and trusts in this Will or transfers made during my lifetime may be subject to taxation under Chapter 13 (Sections 2601 et seq.) of the Internal Revenue Code (or similar statutes in force and effect from time to time). In consideration of the special duties and responsibilities imposed upon the Executor and Trustee by reason thereof, the following provisions shall be applicable to any such bequest or trust:

(1) Upon a generation-skipping transfer which is taxable under Chapter 13, the Executor or Trustee shall be

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fully protected by its decision in good faith (a) to withhold distribution of all or any part of the estate or trust, pending final determination of the Generation-Skipping Transfer Tax (GST); (b) to hold the assets on hand which are subject to an alternate valuation election during the full holding period of such election, or to distribute or otherwise effect disposition of any such assets during such period; and (c) to the extent that the Executor or Trustee shall have a choice of dates as of which to value property for GST, or a choice to treat or use an item either as an income tax deduction or a GST deduction, the Executor or Trustee may make such choices as it, in its sole discretion, shall deem advisable, regardless of the resulting effect on any other provisions of the trust or on any person interested therein, and any person adversely affected by such a choice shall not be entitled to any reimbursement or adjustment by reason thereof.

(2) My Executor or Trustee is authorized to allocate any portion of my GST exemption available under Section 2631(a) of the Internal Revenue Code, as amended, or under any corresponding state statute, if any, to any property as to which I am the transferor, including any property transferred by me during life as to which I did not make an allocation prior to my death.

(3) My Executor or Trustee is authorized to divide property in the estate or trust with an inclusion ratio as defined in Section 2642(a)(1) of the Internal Revenue Code, as amended, of neither one nor zero into separate trusts representing two fractional shares of the property being divided, one to have an inclusion ratio of one and the other to have an inclusion ratio of zero.

(4) If any trust created under this Will provides that a child of mine shall be the income beneficiary thereof and that upon said child's death, the trust shall be

distributable to or continue for the benefit of my grandchildren or more remote issue, and be subject upon the death of the income beneficiary to GST, I hereby grant to such income beneficiary a general power to appoint such portion of the principal of the trust upon his or her death as the Trustee shall determine will result in an overall savings of estate taxes and GST as between the estate of the income beneficiary and the trust or trusts hereunder which would otherwise be subject to the GST at the income beneficiary's death as to such portion of principal. The determination of the Trustee as to such amount will be conclusive and binding upon all persons interested in the trust, and I exonerate the Trustee with respect to its good faith determination of the amount. Such power shall be exercisable to and among such person or persons, including his or her estate and the creditors of his or her estate, and in such proportions as the income beneficiary may designate or appoint by Will admitted to probate in any jurisdiction. The power shall be exercisable by the beneficiary only by specific references thereto in the beneficiary's Will, and upon his or her failure to appoint, or to the extent the exercise of such power is ineffective, the then remaining principal and income shall be distributed or continue to be held in trust pursuant to the provisions of this Item.

(5) No adjustment shall be made between any interested parties by reason of the operation of said Chapter 13 or elections made by the Executor or Trustee thereunder.

(6) The GST shall be paid (a) in the case of a direct skip, out of my residuary estate, unless such direct skip is in trust, in which case, the tax shall be paid by the Trustee out of the principal of the trust; (b) in the case of a taxable termination, by the Trustee out of the principal of the trust; and (c) in the case of a taxable

distribution, out of the amount or property being distributed.

ITEM XIII.

The Trustee may, and is hereby authorized to, pay himself fair and just compensation out of the trust estate for his services hereunder. The Trustee shall be reimbursed out of the trust estate for any advances made by him and for all reasonable expenses incurred in the management and protection of the trust estate, and for the employment of any agents, attorneys, accountants, and investment analysts and the like engaged by him for the protection and administration of the trust estate.

The Trustee shall not be liable for any loss to the trust estate occasioned by his acts in good faith, and in any event shall be liable only for his own willful negligence or default, and not for honest errors in judgment or for interest on uninvested funds. Any individual serving as Trustee, in his discretion, may purchase an errors and omissions insurance policy covering him as Trustee, in such amount as such Trustee may in his sole judgment deem advisable. Premium payments for such policy may be made by the Trustee from trust funds and charged as an expense against the income of the trust.

ITEM XIV.

The Trustee of the trusts created herein shall not be required to make physical division of the trust property, except when necessary for the purposes of distribution, but may, in his discretion, keep the trusts in one or more consolidated funds, and as to each consolidated fund the division into the various shares comprising such fund need be made only on the Trustee's books of account, in which each trust shall be allotted its proportional part of the principal and income of the fund and charged with its proportionate part of expenses thereof.

ITEM XV.

If my wife, PEGGY HARRELL CROSBY, and I shall die under such circumstances that there is not sufficient evidence to determine

the order of our deaths, then it shall be presumed that she survived me; and my estate shall be administered and distributed, in all respects, in accordance with such presumption.

## ITEM XVI.

Except to the extent fundamentally inconsistent with the provisions of this my Will and my estate plan, I hereby authorize my Executor to renounce and/or disclaim, in whole or in part, any devise or legacy or any interest in any trust provided for my benefit under the Will of any person or under any trust instrument at any time within nine months after the date of the transfer which created an interest in me.

In addition to any renunciation and/or disclaimer rights conferred by law, I hereby authorize any person at any time within nine months after the date of my death to renounce and/or disclaim in whole or in part any interest, benefit, right, privilege or power granted to such person by this my Will. Any such renunciation and/or disclaimer shall be made by duly acknowledged written instrument executed by such person or his or her conservator, guardian, committee, executor or administrator, delivered to my Executor and filed in the court having jurisdiction over this my Will.

## ITEM XVII.

I appoint my wife, PEGGY HARRELL CROSBY, to serve as Executrix under this Will. In the event she is or becomes unable or unwilling to serve as Executrix, I appoint my daughter, CHERYL CROSBY ROBERTS, as successor Executrix. When used throughout this Will, unless otherwise stated, the terms "Executor", "Co-Executors" and "Executrix" may be used interchangeably and shall apply to whomever may be serving as personal representative of my estate. Unless otherwise provided, in referring to the Executor, any masculine terminology also includes the feminine and neuter or vice versa, and any reference in the singular shall include the plural or vice versa. All rights, powers, duties and discretions granted to or imposed upon my Executor shall be

exercisable by and imposed upon any successor Executor or Administrator. I direct that neither my Executor nor any successor Executor or Administrator shall be required to make any bond as Executor or Administrator. To the extent permissible by law, I waive the requirement that my Executor, or any successor Executor or Administrator, be required to make a formal appraisal, provide an inventory, or file an accounting for my estate with any court.

IN WITNESS WHEREOF, I sign, seal, publish and declare this instrument to be my Last Will this 5<sup>th</sup> day of May, 1993.

Emerson Crosby  
EMERSON CROSBY

The foregoing instrument, consisting of this and nineteen (19) preceding typewritten pages, was signed, sealed, published and declared by EMERSON CROSBY, the Testator, to be his Last Will, in our presence, and we, at his request and in his presence and in the presence of each other, have hereunto subscribed our names as witnesses, this 5<sup>th</sup> day of May, 1993.

Kanda Arrogins residing at RT1 Box 265 Gay City, MS 39194

Jennifer L. Meador residing at 511 Heatherwood Jackson, MS 39212

SELF PROVING AFFIDAVIT

STATE OF MISSISSIPPI

COUNTY OF Hinds

We, EMERSON CROSBY, WANDA SCROGGINS and JENNIFER L MEADOR, the Testator and the witnesses,

respectively, whose names are signed to the attached and foregoing instrument, being first duly sworn, do hereby declare to the undersigned authority that the Testator signed and executed the instrument as his Last Will and Testament and that he executed it as his free and voluntary act for the purposes therein expressed, and that each of the witnesses, in the presence and hearing of the Testator and at his request, and in the presence of each other, signed the Will as witnesses, and that to the best of the knowledge of each witness, the Testator was at the time eighteen (18) years of age or older, of sound mind and under no restraint or undue influence.

DATED: 5/5/93

Emerson Crosby  
EMERSON CROSBY

Wanda Scroggins

Rt Box 205  
(address)

Jennifer L. Meador

Clay City, MS 39194

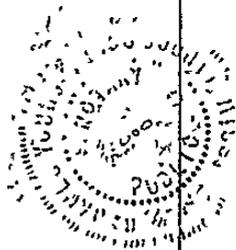
511 Heathwood  
(address)

Oaklawn, MS 39212

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by EMERSON CROSBY, the Testator, and subscribed and sworn to before me by Wanda Scroggins and Jennifer L Meador, the witnesses, on the 5<sup>th</sup> day of May, 1993.

[Signature]  
NOTARY PUBLIC

My Commission Expires:  
8/18/96



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 24<sup>th</sup> day of January, 1995, at 9:30 o'clock A. M., and was duly recorded on the 24<sup>th</sup> day of January, 1995, Book No 27, Page 557

STEVE DUNCAN, CHANCERY CLERK BY Karen Frepp D.C

CODICIL NUMBER ONE TO

# Last Will and Testament

MADISON COUNTY, MS

**FILED**

JAN 26 1995

STATE OF GEORGIA )  
COUNTY OF FULTON )

#95-021

AT 10:00 O'CLOCK A.M.  
STEVE DUNCAN CHANCERY CLERK  
By: Stacy Hill, D.C.

I, PERCY L. BARDIN, of Fulton County, State of Georgia, do hereby make, publish and declare this to be Codicil Number One to my Last Will and Testament bearing the date of the 13th day of April, 1965, that is to say:

By striking ITEM IV of my said Last Will and Testament; by striking subparagraph B (2) of ITEM VII on Page Four of my said Last Will and Testament; by striking the following words from Page Four: "Upon the death or remarriage of BARBARA M. BARDIN, her share of the income shall be divided equally among my then living grandchildren"; and by striking the following words from Page Five, paragraph C: "and of my daughter-in-law, BARBARA M. BARDIN,".

I hereby modify and amend my said Last Will and Testament in accordance with the provisions of this Codicil Number One and except as herein modified and amended, I hereby confirm, ratify and redeclare and republish my said Last Will and Testament.

IN WITNESS WHEREOF, I have this 28<sup>th</sup> day of October, 1966, signed, sealed, published and declared the foregoing instrument as and for Codicil Number One to my Last Will and Testament bearing the date of the 13th day of April, 1965.

Percy L. Bardin (SEAL)  
(Percy L. Bardin)

The foregoing instrument was signed, sealed, declared and published by PERCY L. BARDIN as and for Codicil Number One to his Last Will and Testament, in the presence of us and each of us, and we, at the same time at his special request, in his presence and in the presence of each other, have hereunto subscribed our names as attesting witnesses, the day and year above set forth.

Martha Robertson residing at Williamson, Georgia  
Sandra J. Finner residing at \_\_\_\_\_  
Bibi Hedger residing at \_\_\_\_\_

W.C. 545  
BOOK 63 PAGE 173

FOOTER: STATE OF MISSISSIPPI  
ATLANTA, GEORGIA

1995  
JAN 26 1995



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 26 day of January, 1995, at 10:00 o'clock A. M., and was duly recorded on the January 26, 1995, Book No. 27, Page 578.

STEVE DUNCAN, CHANCERY CLERK BY: Stacey Hill D.C.

JAN 27 1995

AT 9:35 O'CLOCK A M  
STEVE DUNCAN, CHANCERY CLERK

By: K. [Signature] DC.

BOOK 27 PAGE 586

LAST WILL AND TESTAMENT

I, LULA MAE LYON RAGSDALE, an adult resident citizen of Canton, Madison County, Mississippi, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all other wills and codicils heretofore made by me.

CLAUSE I

I hereby direct my Executor to pay all of my just debts which may be probated, registered and allowed against my estate as soon as may be conveniently done. I direct my Executor to pay all Federal and State estate, inheritance, succession, transfer, or other death taxes which are assessed against my estate or against any beneficiary, including estate and inheritance taxes assessed on account of life insurance proceeds or any other property which shall be included in my gross estate for the purpose of such taxes, whether or not included in my estate for probate purposes, out of my residuary estate.

CLAUSE II

I give and bequeath unto my husband, M. E. Ragsdale, if he survives me all of my clothing, books, jewelry, rugs, pictures, silverware, chinaware, and household furnishings and ornaments and other items of personal use and adornment; but should he predecease me then I give and bequeath said property to my daughter, Janet Rae Ragsdale Barnett.

CLAUSE III

I give, bequeath, and devise all the balance, remainder, and residue of my property of every nature and kind and wheresoever situated, including any over which I may have a power of appointment, after payment of all taxes and lawful debts and costs of administration of my estate, unto the FIRST NATIONAL BANK OF JACKSON, Jackson, Mississippi, as Trustee, in trust, and which

Last Will and Testament of Lula Mae Lyon Ragsdale - Page 2

trust shall be known as the LULA MAE RAGSDALE TRUST and said trust is created for the use and benefit of the beneficiaries hereinafter designated and for the following purposes:

1. The Trustee shall pay to my daughter, Janet Rae Ragsdale Barnett, out of income or corpus, in monthly or quarterly payments such sums as it may determine to be proper for the needs, comfort, care, and welfare of my said daughter for and during her lifetime so far as said income and corpus will permit. It is my desire that the Trustee in the exercise of its discretion in administering said trust shall be generous in an effort to satisfy all reasonable wishes and desires of my said daughter rather than to conserve said trust estate for the remaindermen to the detriment of my said daughter.

2. This trust shall continue until the death of my said daughter, and upon the death of my said daughter then this trust shall terminate and the balance remaining shall pass and go to the lawful issue of my said daughter then living; provided, however, that if such issue has not at that time reached his or her majority then the share of each such minor issue shall be held and administered in trust by said trustee for the use and benefit of each such minor, if any, until such minor shall have attained his or her legal majority. If upon the death of my said daughter, my said daughter shall not leave issue surviving her, then in such event the balance remaining in said trust estate shall pass and go to her lawful heirs.

CLAUSE IV

The trust herein above created is a private trust, and the trustee shall not be required to obtain the order or approval of any Court for the exercise of any power or discretion herein given. The Trustee shall not be required to enter into any bond

Last Will and Testament of Lula Mae Lyon Ragsdale - Page 3

as trustee, nor shall it be required to return to any Court any periodic formal accounting of its administration of any of said trusts, but said Trustee shall render annual accounts to the various beneficiaries of said trust. No person paying money or delivering property to the Trustee shall be required to see to its application. The Trustee in the trust herein created may resign at any time by giving written notice to the beneficiaries entitled to participate in the trust at the time of said resignation. Should the trustee herein named resign, fail, decline, or refuse to act, then a banking corporation as successor trustee may be appointed by a Court of competent jurisdiction, and the successor trustee shall have the same title, powers, and discretion herein given the original trustee.

In addition to all inherent and statutory powers and to the powers, privileges, titles, and obligations heretofore vested in the trustee for the trusts herein created, said trustee shall be vested with the following powers, privileges, titles, and obligations, to-wit:

1. To continue in operation any business or businesses in which I may be engaged at the time of my death, without court approval and without limitation of any kind whatsoever;

2. To lease for such periods of time or to rent at such rental and for such consideration and upon such conditions as the trustee may see fit, any real and/or personal property or any minerals belonging to said trust estate;

3. To employ auditors, attorneys, tax men, real estate agents, security brokers, and any other person it may find advisable to use for the proper administration of the trust, and any reasonable compensation incurred for such services shall be included in and paid as expenses hereunder;

4. In the event such circumstances arise and the trustee

Last Will and Testament of Lula Mae Lyon Ragsdale - Page 4

feels that a reasonable, prudent businessman would borrow money, then the trustee is hereby authorized and empowered to borrow such sums as may be necessary, and to pledge, mortgage, or create a lien against any of the assets of the trust to secure such loan or loans;

5. To retain any property of the trust estate or any interest therein, regardless of any lack of diversification, risk, or non productivity.

6. To invest and reinvest the trust estate in any property or undivided interest therein, wherever located, including bonds, notes (secured or unsecured), stocks of corporations, real estate or any interest therein, and interests in trusts, including common trust funds, without being limited by any statute or rule of law concerning investments by Trustee;

7. To sell any trust property for cash or on credit, at public or private sale; to exchange any trust property for other property; to grant options to purchase or acquire any trust property; and to determine the prices and terms of sales, exchanges and options;

8. To keep any property in the name of a nominee with or without disclosure of any fiduciary relationship;

9. To determine the manner of ascertainment of income and principal, and the apportionment between income and principal of all receipts and disbursements;

10. To receive additional property from any source and add it to and commingle it with the trust estate;

11. To enter into any transaction authorized by this instrument with trustees or legal representatives of any other trust or estate in which any beneficiary hereunder has any beneficial interest, even though any such trustee or legal representative is also trustee hereunder;

Last Will and Testament of Lula Mae Lyon Ragsdale - Page 5

12. To make any distribution or division of the trust property in cash or in kind, or both; to allot different kinds or disproportionate shares of property or undivided interests in property among the beneficiaries or portions, and to determine the value of any such property; and to continue to exercise any powers and discretion herein given for a reasonable period after the termination of the trust, but only for so long as no rule or law relating to perpetuities would be violated;

13. To exercise any or all conversion, subscription, voting and other rights, privileges, elections, and options, pertaining to any such property, and to grant proxies, discretionary or otherwise, in respect thereof; and to receive and retain any property that may be acquired by it as the result of the exercise of any such rights, privileges, elections or options;

14. To extend the time of payment of any obligation, including accrued or accruing interest, held by it hereunder;

15. To make partition, division or distribution of property in kind and, for any such purpose, to determine the value of any such property;

16. To execute oil, gas and mineral leases, royalty and mineral deeds, or other contracts and agreements pertaining to minerals and royalties, covering or pertaining to any trust property, on such terms and conditions as it may deem advisable;

17. To perform any and all such other acts, and to take any and all such other proceedings and to exercise all such other rights and privileges in respect to any property, as if it were the absolute owner thereof, and, in connection therewith, to enter into any and all agreements binding any trust hereunder.

CLAUSE V

The trustee of the trust herein created shall be entitled to compensation for services rendered in administering and distributing

Last Will and Testament of Lula Mae Lyon Ragsdale - Page 6

the trust property, and to reimbursement for expenses.

CLAUSE VI

No rights of any beneficiary hereunder shall be subject to assignment or to anticipation, or liable for any indebtedness or obligation of any beneficiary, or subject to attachment or any other order, decree or process of court on account of, or for the purpose of collecting any such indebtedness or obligation and the trustee shall not be required to make any disbursement to any assignee or creditor of any beneficiary otherwise than into the hands of the beneficiary in person.

CLAUSE VII

In the event that my husband and I should die under circumstances whereby it would be difficult or impractical to determine who survived the other, then for the purpose of construing this will my husband shall be deemed to have predeceased me.

CLAUSE VIII

I name, constitute, and appoint the FIRST NATIONAL BANK OF JACKSON, Jackson, Mississippi, as executor of this will and do hereby relieve said executor of making bond or filing an accounting or inventory to any Court, and do hereby expressly give and grant unto said executor during the administration of my estate all of the rights, powers, and discretion herein given to it as trustee of the trust estates herein created. Should said executor herein named refuse or be unable to act, then it is my desire and request that the Court having jurisdiction over the administration of my estate designate another banking association authorized to do business in the State of Mississippi as executor hereunder with all of the rights, privileges, powers, and discretion given the executor herein named.

Last Will and Testament of Lula Mae Lyon Ragsdale - Page 7

CLAUSE IX

I suggest and request that my executor and trustee hereunder retain my attorney, R. H. Powell, Jr., of the firm of Powell & Fancher, of Canton, Mississippi, as legal counsel in connection with the administration of my estate and the trusts hereunder. I make this as a suggestion and request, but the executor and trustee shall have the right to employ other or additional counsel at any time and from time to time as it may deem advisable.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this the 28<sup>th</sup> day of January, 1982.

Lula Mae Lyon Ragsdale  
Lula Mae Lyon Ragsdale

The foregoing instrument was, on the date shown above, signed, published, and declared by LULA MAE LYON RAGSDALE to be her Last Will and Testament in our presence, and we, at her request, have subscribed our names hereto as witnesses in her presence and in the presence of each other.

R. H. Powell, Jr.  
Dr. R. Fancher, Jr.

WITNESSES

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 27 day of January, 1995, at 9:35 o'clock A M., and was duly recorded on the January 27, 1995, Book No. 27, Page 580.



STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

FILED

PROOF OF WILL

JAN 27 1995

STATE OF MISSISSIPPI

AT 9:35 O'CLOCK A M  
STEVE DUNCAN, CHANCERY CLERK

COUNTY OF MADISON

By: K. Ragsdale

We, R. H. Powell, Jr. and Joe R. Fancher, Jr. on oath state that we are the subscribing witnesses to the attached written instrument dated the 28th day January, 1982; which purports to be the Last Will and Testament of Lulu Mae Lyon Ragsdale, who indicated to us that she was a resident of and had a fixed place of residence in the County of Madison, State of Mississippi. On the execution date of the instrument, the Testatrix in our presence and in the presence of each of us, signed the instrument at the end thereof and declared the instrument to be her Will and requested that we attest to the execution thereof whereupon, in the presence of the Testatrix and in the presence of each other, each of us signed our respective names as attesting witnesses. At the time of the execution of the instrument, the Testatrix was over eighteen (18) years of age, and in our opinion was of sound mind, in full possession of her mental faculties, and acting without undue influence, fraud or restraint.

DATED this the 13<sup>th</sup> day of January, 1995.

R. H. Powell, Jr.

Joe R. Fancher, Jr.

Subscribed and sworn to before me on this the 13 day of

Jan, 1995.

Betty W. Woods  
NOTARY PUBLIC

My Commission Expires:

My Commission Expires on May 17, 1996.

428/profwill.1sr

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 27 day of January, 1995, at 9:35 o'clock A.M., and was duly recorded on the January 27, 1995, Book No. 27, Page 587.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.



August 14-1974

I in sound mind have all my Possessions, Personal, and Commercial Property, all cash and Savings, and Insurance to my wife Alma Duncan Lee.

At her death I want it to be understood that it will go to Joseph Thomas Lee our oldest son to take care of our Handicapped son Robert Elliott Lee.

MADISON COUNTY, MS

**FILED**

FEB 01 1995

AT 12:20 O'CLOCK P. M.  
STEVE DUNCAN, CHANCERY CLERK  
By: Stacy Hill, D.C.

my will and Testimony  
Joseph B. Lee.

Social Security no 475-10-8964



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 1st day of February, 1995, at 12:20 o'clock P. M., and was duly recorded on the February 1, 1995, Book No. 27, Page 588.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacy Hill D.C.

AFFIDAVIT OF AUTHENTICATION

Having been first duly sworn, I hereby affirm under oath as follows, to wit:

- 1) My name is O.L Graves and I am an adult resident citizen of Madison County, Mississippi, residing at 451 Longwood Trail, Madison, Mississippi 39110.
- 2) I was an acquaintance of Joseph B. Lee who is now deceased and am familiar with his handwriting and signature.
- 3) I have studied the instrument purporting to be the Will of Joseph B. Lee by the examination of the attached copy and find it to be written in the handwriting of Joseph B. Lee and signed by him. The handwriting and signature are genuine and have been made and done by Joseph B. Lee. The instrument is his actual Will.
- 4) At the time this instrument was written and signed by Joseph B. Lee I was an acquaintance of his and knew him to be competent to make this Will and to dispose of his property as indicated.
- 5) I have no interest in the Estate of Joseph B. Lee and make these statements upon my personal knowledge.

*O.L. Graves*  
O.L. GRAVES, AFFIANT

STATE OF MISSISSIPPI

COUNTY OF Hinds

SWORN TO AND SUBSCRIBED BEFORE ME, this the 27th day of December, 1994

*Elexand D Bush*  
NOTARY PUBLIC



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 1st day of February, 1995, at 12:20 o'clock P M., and was duly recorded on the February 1, 1995, Book No. 27, Page 589.



STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

I, Margaret E. Klaas, being of sound mind, declare this to be my last will and testament. I am a single woman.

- 1.) To my nephew, Lawrence Joseph Klaas, Jr., I leave \$1,000.00.
- 2.) To my niece, Joyce Klaas Street, I leave my Wallace silverware, Waterford crystal, including a bedroom lamp, and \$1,000.00.
- 3.) To my neighbor, Betty Vaughan, I leave \$1,000.00.
- 4.) To my friend, Janie Cannon, Route #4, Box 346, Lexington, Ms., 39095, I leave my chaise lounge, all of my shoes, coats, dresses, purses, slacks, shorts and \$1,000.00.
- 5.) To my niece, Janet Roell, I leave \$100.00, and my pearls & diamond ring.
- 6.) To my adopted brother, Christopher Leo Klaas, I leave my living room, brown-edged mirror together with my pearl-handled set of 6 steak knives, sharpener, serving fork and long knife, all pearl-handled & kept in a kitchen drawer.
- 7.) To Frances Klaas, Chris's wife, I leave all of my porcelain birds.

All the rest, remainder and residue of my estate, both real and personal property, I leave in equal shares, to share and share alike, to Christopher Leo Klaas and his wife, Frances Klaas.

I hereby appoint Frank Street, Christopher Leo Klaas and Frances Klaas, to serve as executors of this will and to serve without bond.

IN WITNESS WHEREOF, I have hereunto subscribed my name in the presence of the subscribing witnesses hereto, to each of whom I have declared this to be my last will and testament, who signed the same in my presence, at my request, this the 24th day of June, 1994.

Margaret E. Klaas  
MARGARET E. KLAAS

The foregoing instrument was signed on the day and date above written by Margaret E. Klaas, in our presence, and she declared the same to be her last will and testament, and we, at her request, in her presence and in the presence of each other have signed our names hereto as attesting witnesses, on said date.

WITNESSES: Fred Manning

SUBSCRIBED AND SWORN TO BEFORE ME, IN MY PRESENCE, THIS THE 24th day of June, 1994, a notary public in and for the County of Madison, State of Mississippi.

MADISON COUNTY, MS

FILED

FEB 02 1995

AT 11:10 O'CLOCK A.M.  
STEVE DUNCAN, CHANCERY CLERK

By: Karen Trupp, D.C.

Signature, Notary Public Chudra Turner  
My Commission Expires: My Commission Expires April 23, 1995



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 2 day of February, 1995, at 11:10 o'clock A.M., and was duly recorded on the 2nd day of February, 1995, Book No. 27, Page 590.

STEVE DUNCAN, CHANCERY CLERK

By: Karen Trupp D.C.

