

## LAST WILL AND TESTAMENT

FILED

OF

FEB 03 1995

FLORA J. RIMMER

AT 4:32 O'CLOCK P. M.  
STEVE DUNCAN, CHANCERY CLERK

# 95-067

By: Karen Tripp, D.C.

I, FLORA J. RIMMER, an adult resident citizen of Madison County, Mississippi, being of sound and disposing mind and memory, 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.

## ITEM I

EXECUTOR AND SUCCESSOR EXECUTOR

I appoint JOHN P. RIMMER and BETTY ANN WINSTEAD as Co-Executors of my Estate under this Will. If either JOHN P. RIMMER and BETTY ANN WINSTEAD is or becomes unable or unwilling to serve as Executor, then the remaining Co-Executor shall serve as sole Executor. If neither JOHN P. RIMMER or BETTY ANN WINSTEAD is or becomes unwilling or unable to serve as Executor, then Trustmark National Bank, Jackson, Mississippi shall serve as Successor Executor.

## ITEM II

HUSBAND AND CHILDREN

My husband's name is BEN H. RIMMER and he is sometimes referred to herein as "my husband." I have two children, JOHN P. RIMMER and BETTY ANN WINSTEAD, and they are referred to herein as "my children".

## ITEM III

PAYMENT OF DEBTS AND EXPENSES

I direct my Executor to pay all of my just debts and obligations which are probated, registered and allowed against my estate as soon as may be conveniently done, provided, however, that my Executor shall specifically be authorized to pay any debt of my estate which does not exceed \$1,000 without the necessity of probating said debt.

I further direct my Executor to pay all of my funeral expenses (including the cost of a suitable monument at my grave), expenses of my last illness, any unpaid charitable pledges (regardless of whether said pledges may be enforceable obligations of my estate),

JKR

and the costs of administration of my estate as soon as practicable after my death; provided, however, my Executor shall not be required to pay any obligation in advance of its maturity. My Executor, in my Executor's sole discretion, may pay from my domiciliary estate all or any portion of the costs of ancillary administration and similar proceedings in other jurisdictions. Provided, however, that all of said costs and expenses which are not deducted for federal estate tax purposes customarily charged against my residuary estate shall be charged against that portion of my estate which would otherwise pass to the "FLORA J. RIMMER FAMILY TRUST" established pursuant to Item VIII of this Will.

To the extent such portion of my estate is not adequate for such purposes, said expenses shall be paid out of that portion of my estate which would otherwise pass pursuant to Item IX of this Will.

#### ITEM IV

##### RESIDENCE

I devise and bequeath to my husband, BEN H. RIMMER, if he survives me, any interest I may own in our residence which is occupied by us as a family home, subject to any indebtedness that may be against our home at my death. If my husband shall not survive me, I devise and bequeath my interest in our home to the trustee of the "FLORA J. RIMMER FAMILY TRUST" established pursuant to Item VIII of this Will.

#### ITEM V

##### PERSONAL EFFECTS

A. If Husband Survives Me. I give and bequeath to my husband, BEN H. RIMMER if he survives me, all of my household furniture and furnishings, chinaware, silverware and linens, automobiles, clothing, jewelry, sport equipment and other tangible personal property located in my home, and policies of insurance thereon, but not including cash, bank accounts, securities or intangible property.

*FJR*

B. If Husband Does Not Survive Me. If my husband does not survive me, I give and bequeath these items of tangible personal property to my children, to divide between them as they agree.

C. Separate Memorandum. I may leave a separate memorandum containing directions for the specific disposition to be made of certain of the tangible personal property bequeathed under this Item. In such event, the provisions of that memorandum shall be given the same legal effect as if included in this Will and the assets described therein shall be distributed to the named beneficiaries.

VI

CHARITABLE BEQUEST

I give, devise and bequeath to the Grace Episcopal Church Building Fund the sum of Five Thousand Dollars (\$5,000.00).

VII

BEQUEST TO GRANDCHILDREN

I give, devise and bequeath to my Trustee, BOBBY WINSTEAD, in trust, to be held for the purposes described below, the sum of One Hundred Thousand Dollars (\$100,000.00), for the benefit of my grandchildren, ROBIN PHILLIPS RIMMER, JAMIE LAMBERT RIMMER, BENJAMIN RAY WINSTEAD and L. ALAN WINSTEAD. The Trustee shall divide the assets of this trust into equal and separate shares, one share for each of my then living grandchildren, and one share for each grandchild of mine who is then deceased but survived by children. Each share shall be held by BOBBY WINSTEAD, as Trustee, as a separate trust and shall be held, administered and distributed according to the following provisions:

A. Income Distributions. The Trustee may distribute to or for the benefit of the beneficiaries of each trust as much of the net income of the trust as the Trustee deems advisable for the education, support, maintenance and health of the beneficiaries; for the maintenance of each beneficiary's accustomed standard of living; or for any medical, hospital or other institutional care which any beneficiary may require. These distributions shall be made in such proportions, amounts and intervals as the Trustee

*7JR*

determines. Any income not distributed shall be retained and added to principal and shall be distributed according to provisions of this Item.

B. Principal Distributions. In addition to the income distributions, the Trustee may distribute to or for the benefit of the beneficiaries of each trust as much principal of the trust as the Trustee deems advisable for the education, support, maintenance and health of the beneficiaries; for the maintenance of each beneficiary's accustomed standard of living; or for any medical, hospital or other institutional care any beneficiary may require. In making distributions of principal, the Trustee shall consider the needs of each beneficiary and the funds available to each of them from other sources.

C. Distributions of Trust Assets. As to each separate trust for a grandchild of mine, as and when my grandchild attains the age of thirty (30) years, the Trustee shall distribute the entire trust estate to him or her, free and clear of any trust.

If a grandchild of mine should die prior to complete termination of his or her separate trust, the remaining trust assets shall be held in trust for such grandchild's surviving children pursuant to paragraphs A and B of this Item. As and when the youngest surviving child of a deceased grandchild of mine attains the age of twenty-one (21) years, the Trustee shall distribute the remaining trust assets in equal shares to my deceased grandchild's children, per stirpes, and such separate trust shall terminate. If my deceased grandchild should have no surviving descendants, the remaining assets in his or her separate trust shall be distributed in equal shares to my other grandchildren, per stirpes; provided, however, if a trust created hereunder for the benefit of such surviving grandchildren be then in existence, such distribution shall not be made outright, but shall pass to the trust for such grandchild's benefit.

D. Alternative Distribution. If all of the persons named and classes designated as beneficiaries of this trust die prior to the distribution of all trust assets, upon the death of the survivor of

them, the Trustee shall distribute the trust assets outright and free of trust to my heirs at law, according to the intestacy laws then in effect in the state of Mississippi.

## ITEM VIII

FAMILY TRUST

I give, devise and bequeath to my Trustee, LLOYD W. SIMPSON, in trust to be held for the purposes described below the largest amount that can pass free of federal estate tax under this Will by reason of the unified credit and state death tax credit (but only to the extent that the use of such credit does not incur or increase any state death taxes otherwise payable by my estate) allowable under the federal estate tax law and after taking into account all properties that are included in my estate and which do not qualify for the marital or charitable deduction and after giving effect to all charges against principal which are not allowed as deductions in computing my federal estate tax. I specifically empower my Executor to satisfy such bequest in cash or in kind, or partly in cash and partly in kind; and, for such purposes, any asset distributed in kind shall be valued at its value as of the date or dates of distribution. In connection with the computation required by this paragraph, in no event shall any effect be given to any renunciation or disclaimer of any interest in property which in the absence of such renunciation or disclaimer would qualify for the marital deduction allowable in determining the federal estate tax payable with respect to my estate. I acknowledge my understanding that, as a result of certain tax elections available to my Executor, the amount of the bequest provided in this paragraph may be reduced or completely eliminated.

From the assets conveyed by this Item, my Executor shall first pay any and all estate and inheritance taxes payable by my estate regardless of whether such taxes are attributable to property included in my probate estate or to property passing outside of my estate either by operation of law, by contract or otherwise. The remainder of those assets shall be held by LLOYD W. SIMPSON, as Trustee, under the terms hereafter set forth, for the benefit of my

husband, BEN H. RIMMER, and my children, JOHN P. RIMMER and BETTY ANN WINSTEAD. The Trustee shall hold, administer and distribute the funds of this trust according to the following provisions:

A. The Trustee may distribute to or for the benefit of my husband and children, as much of the net income as the Trustee deems advisable for the education, support, maintenance and health of any of the beneficiaries; for the maintenance of the beneficiaries' accustomed standard of living; or for any medical, hospital or other institutional care which any beneficiary may require. These distributions shall be made in such proportions, amounts, and intervals as the Trustee determines. Any income not distributed shall be added to principal and shall be distributed according to the provisions of this Item.

B. In addition to the income distributions, the Trustee may distribute to or for the benefit of my husband and children (but not necessarily in equal shares) as much principal as the Trustee deems advisable for the education, support, maintenance and health of any of the beneficiaries; for the maintenance of the beneficiaries' accustomed standard of living; or for any medical, hospital or other institutional care which any beneficiary may require. In making principal distributions, the Trustee shall consider the needs of the beneficiaries and the funds available to them from other sources.

C. In making distributions of income and principal, I direct the Trustee to consider my husband as the primary beneficiary of this trust and to consider his needs above those of my children. If possible, the Trustee shall see that my husband has sufficient funds to enable him to continue his accustomed standard of living. Before making distributions of income or principal to my children, the Trustee shall counsel with my husband to determine the needs of the beneficiaries.

D. The Trustee shall be impartially guided by the needs of my children as those needs are presented. Insofar as practicable, the Trustee may afford to my children necessary funds to satisfy those needs within the standard set forth herein. I give this broad

discretion to the Trustee so the Trustee may act at all times in the best interest of my children as the Trustee may, in the Trustee's discretion, deem advisable.

E. Upon the death of husband, BEN H. RIMMER, the Trustee shall divide the assets of this trust into separate and equal shares, one share for each of my then living children, and one share for each child of mine who is then deceased but survived by children. Each share for the benefit of my surviving children shall be distributed outright and free and clear of trust to such child at my husband's death. Each share created for the surviving children of a deceased child of mine shall be held as a separate trust and the Trustee shall hold, administer and distribute the funds of each trust according to the following provisions:

1. The Trustee may distribute to or for the benefit of the beneficiaries of each trust as much of the net income of the trust as the Trustee deems advisable for the education, support, maintenance and health of the beneficiaries; for the maintenance of each beneficiary's accustomed standard of living; or for any medical, hospital or other institutional care which any beneficiary may require. These distributions shall be made in such proportions, amounts and intervals as the Trustee determines. Any income not distributed shall be retained and added to principal and shall be distributed according to provisions of this Item.

2. In addition to the income distributions, the Trustee may distribute to or for the benefit of the beneficiaries of each trust as much principal of the trust as the Trustee deems advisable for the education, support, maintenance and health of the beneficiaries; for the maintenance of each beneficiary's accustomed standard of living; or for any medical, hospital or other institutional care any beneficiary may require. In making distributions of principal, the Trustee shall consider the needs of each beneficiary and the funds available to each of them from other sources.

Z. J. R.

3. As and when the youngest child of a deceased child of mine attains the age of twenty-one (21) years, the Trustee shall distribute in equal shares to the beneficiaries of each trust, per stirpes, the remainder of the trust estate, free and clear of any trust.

F. At any time any beneficiary may irrevocably disclaim or renounce any further interest in this trust by notifying the Trustee in writing of the beneficiary's disclaimer or renunciation. In such event, the trust provision shall thereafter be interpreted as though such beneficiary died on the date of such disclaimer or renunciation.

G. None of the principal or income of this trust shall be liable for the debts or obligations of any beneficiary or be subject to seizure by creditors of any beneficiary. The beneficiaries have no power to sell, assign, transfer, encumber or in any manner to anticipate or dispose of any interest in the trust funds or the income produced from the funds. This shall be a spendthrift trust.

H. If all of the persons and classes designated as beneficiaries of this trust die prior to the distribution of all trust assets, upon the death of the survivor of them, the trustee shall distribute the trust assets outright and free of trust to my heirs-at-law, according to the intestacy laws then in effect in the State of Mississippi.

I. This trust shall be designated and known as the "FLORA J. RIMMER FAMILY TRUST." After it is divided into separate shares, each trust shall be designated and known by the name of the beneficiary or beneficiaries thereof.

ITEM IX

RESIDUE

A. Residue Outright to Husband. I give, devise and bequeath to my husband, BEN H. RIMMER, if he survives me, all the rest and residue of my Estate.

B. Husband's Right to Disclaim. My husband shall have the right to disclaim all or any part of his interest in any property

F. J. R.

which I have devised or bequeathed to him, whether outright or in trust. Any such disclaimer shall be made in writing, clearly stating the portion or assets disclaimed, and shall be delivered to my Executor within the time period required for the disclaimer to qualify under Section 2518 of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any future law. If my husband disclaims in whole or in part, the property in which he disclaims his interest shall be distributed according to the provisions of Subparagraph C. below.

C. Disposition of Residue if Husband Does Not Survive Me.  
If my husband shall not survive me, I devise and bequeath the residue of my Estate to the "FLORA J. RIMMER FAMILY TRUST" created pursuant to Item VIII of this Will to be held, administered and distributed as provided for therein.

D. Distribution if Husband, Child and Grandchild Deceased.  
If all the persons and classes designated as beneficiaries of my estate die prior to distribution of all the assets of my Estate, upon the death of the survivor of them, the assets shall be distributed outright and free of trust to my heirs at law, in accordance with the intestacy laws then in effect in the State of Mississippi.

ITEM X

MISCELLANEOUS TRUST PROVISIONS

A. Private Trusts. Unless otherwise provided herein, the terms "trust" and "trusts" may be used interchangeably and shall mean all trusts created by this Will. Any trust created by this Will is a private trust.

B. Income During Administration of Estate. The income of any trust created by this Will shall accrue from the date of my death. During the administration of my estate and until the trust is established and activated, I authorize the Trustee 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 joint judgment of the Trustee and

the Executor equals the trust income which the beneficiaries would have received had the trust been established and activated. If an overpayment or underpayment results, the Trustee shall pay to or receive from the beneficiaries the appropriate amount.

C. Distributions to Minor or Incapacitated Beneficiary. In making distributions to the beneficiaries from a trust created under this Will, and especially where a beneficiary is a minor or incapable of transacting business due to incapacity or illness, the Trustee may make distributions either (a) directly to the beneficiary, (b) to the legal or natural guardian of the beneficiary, (c) to a relative or guardian of the person of the beneficiary who has custody and care of the beneficiary, or (d) by applying the payments for the benefit of the beneficiary by paying expenses directly. In any event, the Trustee shall require such reports and take such steps as the Trustee deems necessary to assure and enforce the application of such payments for the exclusive benefit of the beneficiary. However, the Trustee of any trust qualifying for the estate tax marital deduction shall have no power to accumulate the income even though the beneficiary may be incapacitated.

D. Trustee to Hold Minor's Share Until Age 21. If at any time in following the directions of this Will the Trustee is required to distribute outright to a person who is a minor all or any part of the principal of a trust created herein, the Trustee is directed to continue to hold and manage the share of the minor in trust for that minor's benefit until the minor attains age twenty-one (21), at which time the Trustee shall distribute such share to the beneficiary. Until distribution is made, the Trustee is directed to expend such part of the income and/or principal of the share belonging to that minor as the Trustee, in the Trustee's discretion, deems necessary to provide for the proper education, support, maintenance and health of the minor and for any medical, hospital or other institutional care which the minor may require.

E. Beneficiary's Interest Must Vest Within Rule Against Perpetuities Period. The interest of every beneficiary of any

trust created herein shall vest within the period prescribed by the Rule against Perpetuities. Upon vesting, any trust property held by the Trustee shall be distributed to the beneficiary or beneficiaries of the trust property (or to his or her legal guardian or other personal representative) as though such beneficiary had reached the age at which final distribution was required.

F. Subchapter S stock as Trust Asset. Notwithstanding any provision in this Will which may be to the contrary, with respect to any separate trust, if such separate trust then owns, has ever owned, or is about to acquire stock in an S corporation, as that term is defined in Section 1361 of the Code (hereinafter sometimes referred to as an "S Corporation"), or stock in a corporation which is intended to become an S corporation, the Trustee of such separate trust, other than any restricted Trustee of such separate trust, may elect to thereafter administer such S corporation stock as a separate trust subject to the following provisions, such election to be made by a written instrument signed by said Trustee and filed with the trust records, which instrument may be a copy of the election filed with the Internal Revenue Service to treat each such separate trust as a qualified subchapter S trust with respect to any S corporation shares held in the separate trust:

1. during the life of the current income beneficiary, there shall be only one current income beneficiary of the trust within the meaning of section 1361(d)(3)(A) of the Code;

2. all of the net income of such separate trust shall be distributed to the beneficiary of such separate trust in convenient installments not less frequently than annually, and any accumulated but not yet distributed net income which may be held in the trust estate of such separate trust as of the date of said beneficiary's death shall be distributed to said beneficiary's estate;

3. no beneficiary or any other person shall have any limited power of appointment over such separate trust which shall be exercisable during the lifetime of the beneficiary of

ZJR

such separate trust, although said beneficiary or any other person may have a limited power of appointment which shall be exercisable upon the death of said beneficiary; and

4. no Trustee or any other person shall have any right, power, duty or discretion to take any action if the existence or exercise of such right, power, duty or discretion would cause such separate trust to fail to constitute a permissible shareholder of stock in an S Corporation.

5. the income interest of the current income beneficiary in the trust will terminate on the earlier of the death of the current income beneficiary or the termination of the trust;

6. if the trust terminated during the life of the current income beneficiary, all remaining assets of the trust, including any accumulated and undistributed income, shall be distributed to the current income beneficiary; and

7. all the income of the trust as defined in section 643(b) of the Code and provided by local law then in effect under the laws of this State shall be distributed currently to the current income beneficiary [within the meaning of section 1361(d)(3)(B) of the Code]. In any case where there is doubt as to the proper allocation under applicable law and the terms of this instrument of S corporation distributions with respect to stock (including, without limitation, the allocation of proceeds from stock redemptions), all reasonable doubts shall be resolved in favor of the current income beneficiary.

The foregoing provisions are intended to permit the various separate trusts created hereunder to constitute and be administered as permitted shareholders of stock in an S Corporation, and are based on the tax law requirements in that regard as in existence on the date on which this Will is executed. The provisions of this Will shall be interpreted in accordance with this intention. If the tax law is hereafter amended to change these requirements, the Trustee of any separate trust hereunder may, but need not, amend (to liberalize or make more restrictive) the provisions of such

Handwritten signature in cursive script, appearing to be 'ZJR'.

trust so that it will continue to constitute a permissible shareholder of stock in an S Corporation.

G. Trustee May Hold Trust Properties in One Fund. The Trustee shall not be required to make physical division of the properties of any trust created herein, except where necessary for purposes of distribution, but may keep the trusts in one (or more) consolidated fund. The Trustee shall maintain books of account containing accurate records of separate principal, income and expense of each trust.

H. Trustee's Discretion in Making Distributions. In making distributions of both principal and income, the Trustee may make a non pro rata distribution of property in kind. The judgment of the Trustee concerning values and purposes of such division or distribution of the property or securities held in the trust shall be binding and conclusive on all interested parties. The Trustee shall not be liable to any beneficiary for any decisions made pursuant to this paragraph. In making a division or distribution, the Trustee is specifically excused from a duty of impartiality with respect to the income tax basis of the property distributed. The Trustee may select assets to be allocated or distributed without regard to the income tax basis of the property and without regard to the types of assets distributed to individual beneficiaries. However, the Trustee may not exercise this power in any manner which would cause a trust intended to qualify for the estate tax marital deduction not to so qualify.

I. Trustee May Keep Trust in Existence. Notwithstanding the distribution of all of the assets of a trust created herein, the Trustee may keep in existence any trust created herein if the Trustee deems such action necessary or advisable for the trust to receive additional property at a later date.

J. Ownership of Home. If any trust not qualifying for the estate tax marital deduction shall become owner of my home, the Trustee is authorized and directed to use funds of the trust to maintain the home and to pay insurance premiums, taxes and other expenses of upkeep of the home as long as the home is held in

trust. As long as any child of mine desires to live in the home, the Trustee shall retain it in the trust. If all of my child permanently abandon the home, or if at the time of final distribution of the trust assets no child of mine desires to own the home, the Trustee may then sell it and reinvest the proceeds of sale as any other asset of the trust. If any child of mine desires to receive the home as part of the child's share of the trust, title shall be conveyed to that child at the time a distribution of trust principal is required to be made to that child. The home shall be valued at its fair market value on the date of distribution.

## ITEM XI

MISCELLANEOUS AND SUCCESSOR TRUSTEE PROVISIONS

A. Bond and Accountings. No Trustee shall be required to enter into any bond as Trustee, to obtain the approval of any Court for the exercise of the powers or discretions provided herein, or to file with any Court any periodic or formal accountings of the administration of any trust. The Trustee shall render annual accountings to each of the beneficiaries of any trust (or his or her guardian if a beneficiary is a minor). No persons paying money or delivering property to the Trustee shall be required to see to its application.

B. Method of Trustee's Resignation. The Trustee may resign at any time by giving each of the beneficiaries of the trust or his or her guardian written notice specifying the effective date of such resignation. The notice may be sent by personal delivery or by registered mail.

C. Successor Trustee. If BOBBY WINSTEAD resigns or becomes unable to serve as Trustee of the trust created under Item VII, then BETTY ANN WINSTEAD shall serve as Successor Trustee. If LLOYD W. SIMPSON resigns or becomes unable to serve as Trustee of any other trust created hereunder, then Trustmark National Bank, Jackson, Mississippi shall serve as Successor Trustee.

D. Effective Date of Trustee's Resignation. The resignation of the Trustee, regardless of cause, shall become effective upon

the qualification of the successor Trustee and submission of a full accounting by the resigning Trustee; however, the successor Trustee and the adult beneficiaries may agree to waive a final accounting by the Trustee being replaced.

E. Successor Trustee to Have Powers and Duties of Original Trustee. Any successor Trustee shall be vested with all the rights, powers, duties and discretions conferred upon the original Trustee.

F. Compensation of Trustee. Any bank serving as Trustee shall receive reasonable compensation based on the services it is required to perform. Such compensation shall be approved by the adult beneficiaries of the trust, or if none, by the guardians of the minor beneficiaries. Any individual serving as Trustee shall receive reasonable compensation based upon the then current hourly rates being charged in Madison County, Mississippi, for services comparable to those being rendered by the individual Trustee. Compensation shall be paid regularly and shall be shown on the Trustee's annual account.

G. Masculine References to Include Feminine and Neuter. 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

#### TRUSTEE POWERS

Unless otherwise provided, the administration of any trust herein created, the sale and conveyance of trust assets, the investment and reinvestment of trust assets, and the rights, powers, duties and liabilities of the Trustee shall be governed by the terms and provisions of the Uniform Trustees' Powers Law of Mississippi, as amended. In addition to the powers contained in that Law, and the power to make "legal investments" under Mississippi law, the Trustee shall have full power and authority:

A. May Invest in Interest Bearing Accounts or CD's. To place trust funds on time deposit in interest bearing accounts or

certificates of deposit in any federally insured financial institution, including any bank which may be serving as Trustee.

B. May Receive Additional Property. To receive additional property any person conveys to the trust either in lifetime or by Will, and to administer and distribute the property according to the terms of the trust.

C. Right to Distribute in Cash or in Kind. To distribute income and principal of the trust in cash or in kind.

D. Right to Transfer and Encumber Trust Property. To sell, transfer, convey, mortgage, lease and dispose of the trust property upon such terms and in such manner and for such prices as the Trustee deems proper; and to execute and deliver any instruments necessary to accomplish such action. Any lease or other instrument which is executed by the Trustee shall continue in full force and effect under its terms, notwithstanding the termination of the trust.

E. Right to Allocate Between Income and Principal. To determine the allocation of receipts and expenses between income and principal.

F. May Invest in Common Fund. To invest funds in a common fund established by the Trustee pursuant to the Uniform Common Trust Fund Act of Mississippi.

G. Right to Merge or Consolidate Trust. To merge and consolidate the assets of any trust created hereunder with any other trust if at the time of my death the Trustee herein named is serving as Trustee of another trust created by me or my husband, during our lifetimes or by the terms of the Will of my husband and if the beneficiaries are the same and the terms of that other trust are substantially similar to this trust. The Trustee shall administer the two trusts as one if such consolidation would result in more effective and efficient management of the two trusts.

H. May Receive, Retain and Invest in Certain Property. To receive and retain all types of property and especially to receive, invest in and retain shares of stock in closely-held corporations, partnership interests in general and limited partnerships, and non-

78R

income producing real estate or other property regardless of where it may be situated, without liability and without regard to the proportion such property or property of a similar character so held may bear to the entire amount of the trust estate and whether or not such property is of the class in which trustees generally are authorized to invest by law. This power shall not apply to any trust which qualifies for the estate tax marital deduction.

I. Right to Carry Out My Lifetime Agreements. To carry out agreements made by me during my lifetime, including the consummation of any agreements relating to the capital stock of corporations owned by me at the time of my death, and including the continuation of any partnership in which I may be a partner at the time of my death whether the terms of the partnership agreement obligate my estate or my personal representative to continue my interest therein, and to enter into agreements for the rearrangement or alteration of my interests or obligations under any such agreements in effect at the time of my death.

J. Rights as to Securities. To retain or acquire stocks, bonds or securities for investments; to exercise stock subscriptions, rights and options; to vote or grant proxies to vote all securities belonging to the trust; to pay assessments; to support, oppose or participate in any merger, reorganization, redemption or liquidation of any entity in which the trust owns an interest; to pledge any securities or other property as security for any loan made by the Trustee; and to accomplish any other purpose of any nature incidental to the administration of the trust.

K. Right to Borrow and Lend. To borrow money from any person or entity or lend money to any person or entity at such rate of interest as the Trustee determines necessary for the administration of the trust or to facilitate any purchase, sale or other acquisition or disposition of trust property; to execute such notes and loan agreements required for such loans; to secure the repayment of such loans by executing such contracts, mortgages, deeds of trust, security instruments, or other instruments required

7 - JR

for such loans; and, to assume any liabilities as consideration for the acquisition of assets or to acquire assets subject to such liabilities.

L. May Employ Agents. To employ and compensate from trust assets any agents, accountants, attorneys, custodians, brokers, investment counselors and other advisors the Trustee deems necessary for the administration of the trust.

M. Right to Seek Court Approval. To seek approval of or authority from any court of competent jurisdiction with respect to any action of the Trustee if the Trustee determines it is in the best interest of the Trustee, the trust or the beneficiaries to do so.

N. Mineral Interests. To execute and deliver oil, gas and other mineral leases containing such unitization or pooling agreements and other provisions as the Trustee deems advisable; to execute mineral and royalty conveyances; to purchase leases, royalties and any type of mineral interests; to own, hold, acquire and dispose of working interests and royalty interests in properties held in the trust and to expend funds of the trust necessary with respect to the ownership of such interests; to execute and deliver drilling contracts and other contracts, options and other instruments necessary or desirable in engaging actively in the oil, gas or other mining businesses; all of the foregoing to be done with such terms, conditions, agreements, covenants, provisions or undertakings as the Trustee deems advisable.

O. Farm Property. To manage any farm property, including the authority to plant and harvest crops; to breed, raise, and sell farm animals, aquatic produce and farm produce of all kinds; to purchase and sell equipment; to make improvements; to construct, repair or demolish any buildings; to engage agents, managers and employees and delegate powers to them; to establish reasonable reserves for depreciation out of income; to replace improvements and equipment; to fertilize and improve the soil; to engage in the growing, improvement and sale of trees and other forest crops; and

F. J. R.

to perform any other acts deemed necessary or desirable to operate the farm property.

P. May Terminate Small Trust. To terminate any trust if the Trustee, in the Trustee's sole discretion, determines the assets of the trust are of such small value that the continued existence and operation of the trust is not in the best interest of the beneficiaries. This power shall be exercisable only if the income beneficiaries and the remainder beneficiaries are the same and have the same interest in the trust, or if the beneficiaries or interests are different, only if the beneficiaries agree to a manner of termination and distribution of trust assets. No beneficiary shall have any right to require the Trustee to exercise this power. Upon termination, the Trustee shall distribute the assets of the trust to the beneficiaries in the beneficiaries' proportionate shares.

ITEM XIII

SIMULTANEOUS DEATH

If my husband and I die simultaneously, or under circumstances which make it difficult to determine which of us died first, I direct that my husband be deemed to have survived me for purposes of this Will. I direct that the provisions of this Will be construed upon that assumption, irrespective of any provisions of law establishing a contrary presumption or requiring survivorship as a condition of taking property by inheritance.

ITEM XIV

EXECUTOR POWERS

A. Successor Executor to Have Powers and Duties of Original Executor. 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. Where used throughout this Will, the terms "Executor" and "Administrator" may be used interchangeably and shall apply to whoever may be serving as personal representative of my estate, whether one or more than one.

B. Waiver of Bond, Appraisal, Inventory and Accounting. I direct that neither my Executor nor any successor Executor or

personal representative shall be required to make any bond as Executor. To the extent permissible by law, I waive the requirement that my Executor or any successor Executor be required to make a formal appraisal, provide an inventory or file an accounting for my estate with any court.

C. Discretion to Select Property to be Distributed. My Executor shall have discretion to select property to be distributed in satisfaction of any devise or bequest provided in this Will. My Executor shall exercise this discretion in a manner which is impartial to all beneficiaries under this Will. My Executor may satisfy any pecuniary bequest provided in this Will in cash or in kind or partly in cash and partly in kind; however, any asset distributed in kind shall be valued at its date of distribution value. My Executor shall not exercise this discretion in any manner which will result in a loss of or decrease in the marital deduction otherwise allowable in determining the federal estate tax due by my estate. If any income tax is generated by funding the "FLORA J. RIMMER FAMILY TRUST" which exceeds the true appreciation in the residue of my estate qualifying for the estate tax marital deduction, then such excess income tax shall be paid out of the "FLORA J. RIMMER FAMILY TRUST." If such tax does not exceed the true appreciation in the residuary then such income tax shall be paid out of the residue.

D. Third Parties Not Obligated to See to Application of Property Delivered to Executor. No person dealing with my Executor shall be obligated to see to the application of any moneys, securities, or other property paid or delivered to my Executor, or to inquire into the expediency or propriety of any transaction or the authority of my Executor to enter into and consummate the transaction upon such terms as my Executor may deem advisable.

E. Executor's Right to Disclaim. My Executor shall have the power to disclaim any part or all of my interest in any property which is or has been devised or bequeathed to me, whether outright or in trust, provided such disclaimer is made within the time period required for the disclaimer to qualify under Section 2518 of

ZJR

the Internal Revenue Code of 1986, as amended, or corresponding provisions of any future law.

F. Executor to Have All Powers Conferred by Law. My Executor shall have the power to exercise all powers conferred by law upon executors and all powers granted herein without prior authority from any Court; however, my Executor may seek Court authority if doing so is in the best interest of my Executor, my estate or my beneficiaries.

G. Executor to Determine Dates of Distribution. My Executor may pay or deliver part or all of the property bequeathed or devised herein as soon as it is convenient to do so without jeopardizing the ability of my estate to satisfy its taxes and obligations. In any event, the date or dates of distribution shall be determined in the discretion of my Executor.

H. Executor May Continue Any Business Operations. In order to avoid depreciation in value of the interests or losses to my estate or my business associates, my Executor shall have authority to continue any business operations in which I am engaged at my death for the time permitted by law. My Executor may continue to act as a partner, engage in any partnership, and take all actions with regard to any partnership my Executor deems advisable.

I. Right to Borrow. I specifically authorize my Executor to borrow in the name of my estate such funds as may be necessary to pay my debts, administration expenses, and taxes of my estate; to pledge such of my property, real or personal, as may be necessary to secure such loan; and to execute notes, security instruments or documents necessary or required to secure such loans. However, my Executor shall not pledge any property specifically devised or bequeathed herein. My Executor shall not be required to pay or otherwise satisfy any such loan prior to the closing of my estate and the discharge of my Executor, but in satisfaction of any bequest herein, my Executor may distribute such property at its date of distribution value net of such loan.

J. Power to Invest. My Executor shall have the power to invest or reinvest my assets in such bank accounts, securities, or



real or personal property or to retain any of my assets as my Executor determines.

K. Right to Sell or Lease Without Court Approval. My Executor shall not be required to reduce all or any of my personal or real property to cash during the administration of my estate, but in my Executor's discretion may sell or lease any of my property in such manner and on such terms and conditions as my Executor may deem advisable, without notice and without the necessity of Court approval or authorization. In connection with a sale or lease, my Executor may execute and deliver such deeds, leases or other instruments relating thereto.

L. Right to Comply With My Lifetime Agreements. My Executor shall take all actions necessary to comply with any agreements I have made during my lifetime, including the consummation of any agreements relating to the stock of corporations I own or interests in partnerships I own whenever the terms of any such agreement obligate my estate or my personal representatives to sell my interest therein. My Executor shall have the power to continue or permit the continuance of any business which I own or in which I have an interest at the time of my death.

M. Right to Employ Agents. My Executor may employ and compensate from estate assets any attorneys, accountants, custodians or other agents necessary to the administration of my estate.

N. Special Use Valuation. My Executor shall have the discretion and authority to make the special use valuation election allowable under Section 2032A of the Internal Revenue Code, or any corresponding provision of future law relating thereto. My Executor shall not incur any liability to any party for determining whether or not to exercise the discretion to elect or not to elect special use valuation.

O. Defer Payment of Taxes. My Executor shall have the power to elect to defer the payment of federal estate taxes as provided in Section 6166 of the Internal Revenue Code, or any corresponding provision of future law relating thereto. My Executor shall not

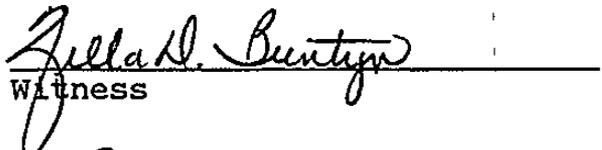
incur any liability to any party for determining whether or not to exercise the discretion to elect or not to elect to defer the payment of taxes.

P. Ancillary Administration. I further nominate and appoint my Executor herein named to petition the proper Court and to take all necessary action to effect an ancillary administration covering any property I may own in another jurisdiction. I direct that no bond or other security shall be required of my Executor named herein, nor shall my Executor be required to file an inventory or accounting with any court in any foreign jurisdiction. If the laws of any other jurisdiction in which I may own property require that a resident of that jurisdiction serve as Executor or Administrator in any ancillary proceeding by my estate, my Executor shall have the power and right to select and designate a proper party resident of the foreign jurisdiction involved to serve with the Executor of my estate as Co-Administrators. In such event, the Co-Administrators shall not be required to post any bond or other security or file any accounting or inventory with any court in the foreign jurisdiction.

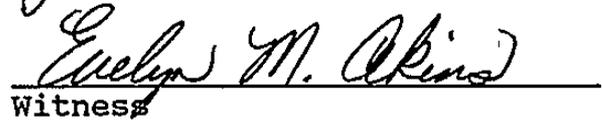
IN WITNESS WHEREOF, I have signed and declared this to be my Last Will and Testament on this the 5th day of November, 1993.

  
 FLORA J. RIMMER

This instrument was, on the day and year shown above, signed, published and declared by FLORA J. RIMMER to be her Last Will and Testament in our presence and we have subscribed our names as witnesses in his presence and in the presence of each other.

  
 Witness

of 1400 Hwy. 43 N. Brandon, Ms 39042  
 Address

  
 Witness

of 3668 N. Liberty St, GANNON, MS 39041  
 Address

PROOF OF WILL

Zella D. Buntyn and Evelyn M. Akins, being duly sworn according to law on oath state:

Each of us is a subscribing witnesses to the attached written instrument dated November 5, 1993, which purports to be the Last Will and Testament of FLORA J. RIMMER, Testator, who is personally known to each of us. On the execution date of the instrument, the Testator, in our presence, signed, published and declared the instrument to be her Last Will and Testament, and requested that we attest his execution thereof. In the presence of the Testator and each other, each of us signed our respective names as attesting witnesses. At the time of execution of the instrument the Testator appeared to be eighteen years of age or older, of sound mind, and acting without undue influence, fraud, or restraint.

DATED this 5th day of November, 1993.

Zella D. Buntyn  
(Witness)  
Evelyn M. Akins  
(Witness)

STATE OF MISSISSIPPI  
COUNTY OF Madison

Subscribed and sworn to before me, the undersigned Notary Public, on this the 5th day of November, 1993.

Debra S. Washington  
Notary Public

My Commission Expires:  
My Commission Expires December 14, 1996



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 3 day of February, 1995, at 4:32 o'clock P.M., and was duly recorded on the 3rd day of February, 1995, Book No. 27, Page 591

STEVE DUNCAN, CHANCERY CLERK

BY: Karen Gupp D.C.

95-089

BOOK 27 PAGE 615

MADISON COUNTY, MS  
**FILED**

LAST WILL AND TESTAMENT

FEB 16 1995

OF

AT 1:30 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK

JOSEPH EDMUND JOHNSTON, SR.

By: *[Signature]*

I, JOSEPH EDMUND JOHNSTON, SR., of Jackson, Mississippi, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils heretofore made by me.

I

I appoint the DEPOSIT GUARANTY NATIONAL BANK to be the Executor of this my Last Will and I hereby waive any security required on any bond required by law and any accountings, inventory, or appraisal to any court, and to have all the powers set forth in Mississippi Code Annotated Sections 91-9-101 to 91-9-109, (1972), and any others that may be granted by law, all to be exercised without court order.

II

I bequeath to my wife, MARGARET CRAIG JOHNSTON, if she shall survive me, all my personal effects, and all tangible personal property including 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, MARGARET CRAIG JOHNSTON, shall predecease me, I bequeath so much of the above described property to my children or their descendants, per stirpes, to be divided among them with such equality and appropriateness as my Executor, in its sole discretion, shall determine

III

All the residue of the property which I may own at the time of my death, real or personal, tangible and intangible, of whatsoever nature and wheresoever situated all property which I may acquire or become entitled to after the execution of this Will, including all lapsed legacies and devises, or other gifts made by this Will which fail for any reason (but excluding any property over or

BOOK 27 PAGE 6

concerning which I may have any power of appointment), I bequeath and devise to the DEPOSIT GUARANTY NATIONAL BANK, as an addition to the property held by it as Trustee under the terms of a certain Trust Agreement heretofore entered into between me and the bank dated December 28, 1983, including any amendments thereto, to be a part of the trust and to be managed in accordance with the terms and provisions of the Trust Agreement. The transfer and delivery of my residuary estate to such Trustee and its receipt therefor shall constitute a full acquittance of my Executor and shall terminate all probate proceedings in relation to my residuary estate

If said Trust Agreement is revoked or if the gift to the Trustee is ineffective for any reason, then to the extent so ineffective, I devise and bequeath my residuary estate as provided in said Trust Agreement.

IN WITNESS WHEREOF, I have set my hand and seal to this my Last Will and Testament, in the presence of the undersigned witnesses, on this the 23<sup>rd</sup> day of August, 1988.

*Joseph Edmund Johnston, Sr.*  
JOSEPH EDMUND JOHNSTON, SR.

ATTESTATION

We, the undersigned, as subscribing witnesses, do hereby acknowledge and affirm that the foregoing written instrument was exhibited to us by JOSEPH EDMUND JOHNSTON, SR. as his Last Will and Testament, that he signed the same in our presence, and in the presence of each of us, and that we, at his request, and in his presence and in the presence of each other, hereto affixed our signatures as subscribing witnesses thereto, this the 23<sup>rd</sup> day of August, 1988.

*Edwin Powell*  
ADDRESS: 4555 Highway 124  
Jackson, Ms 39206

*Mary N. Lee*  
ADDRESS: 1935 Castle Hill Rd.  
Jackson, Ms. 39204



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 16<sup>th</sup> day of February, 1995, at 1:30 o'clock P. M., and was duly recorded on the February 16, 1995, Book No 27, Page 615

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

FILED

FEB 16 1995

AT 1:30 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK

By K. C. [Signature]

FIRST CODICIL TO  
LAST WILL AND TESTAMENT  
OF

JOSEPH EDMUND JOHNSTON, SR.

I, JOSEPH EDMUND JOHNSTON, SR., of Madison, Mississippi, do hereby make, publish and declare this to be my First Codicil to my Last Will and Testament dated August 23, 1988.

I hereby amend Article III of said Will to read as follows:

I hereby give, devise and bequeath the sum of TEN THOUSAND DOLLARS (\$10,000.00) each to my grandchildren, who are ROBERT M. CROSLAND, III, EMMET CRAIG CROSLAND, EMILY C. DIXON, MARGARET ANNE FORESTER, REBECCA J. WALL, and JOSEPH EDMUND JOHNSTON, III.

All the residue of the property which I may own at the time of my death, real or personal, tangible and intangible, of whatsoever nature and wheresoever situated all property which I may acquire or become entitled to after the execution of this Will, including 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 have any power of appointment), I bequeath and devise to the DEPOSIT GUARANTY NATIONAL BANK, as an addition to the property held by it as Trustee under the terms of a certain Trust Agreement heretofore entered into between me and the bank dated December 28, 1983, including any amendments thereto, to be a part of the trust and to be managed in accordance with the terms and provisions of the Trust Agreement. The transfer and delivery of my residuary estate to such Trustee and its receipt therefor shall constitute a full acquittance of my Executor and

[Signature]

shall terminate all probate proceedings in relation to my residuary estate.

If said Trust Agreement is revoked or if the gift to the Trustee is ineffective for any reason, then to the extent so ineffective, I devise and bequeath my residuary estate as provided in said Trust Agreement.

In all other respects, my said Last will and Testament dated August 23, 1988, shall remain in full force and effect.

IN WITNESS WHEREOF, I have set my hand and seal to this my First Codicil to my Last Will and Testament, in the presence of the undersigned witnesses, on this the 9<sup>th</sup> day of September, 1992.

*Joseph Edmund Johnston Sr.*  
JOSEPH EDMUND JOHNSTON SR.

We, the undersigned, as subscribing witnesses, do hereby acknowledge and affirm that the foregoing written instrument was exhibited to us by JOSEPH EDMUND JOHNSTON, SR. as his First Codicil to his Last Will and Testament, that he signed the same in our presence, and in the presence of each of us, and that we, at his request, and in his presence and in the presence of each other, hereto affixed our signatures as subscribing witnesses thereto, this the 9<sup>th</sup> day of September, 1992.

*John D. Hummel*  
ADDRESS: 300 Dominican Dr. #2  
Madison MS 39110

*Marion E. Hummel*  
ADDRESS: 300 Dominican Dr.  
Madison MS 39110



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 16<sup>th</sup> day of February, 1995, at 1:30 o'clock P.M., and was duly recorded on the February 16, 1995, Book No. 27, Page 617

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

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI SEP 16 1995

AT 1:30 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK

IN THE MATTER OF THE ESTATE OF  
JOSEPH EDMUND JOHNSTON, SR., DECEASED

By: K. Gregory DC

CAUSE NO. 95 089

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

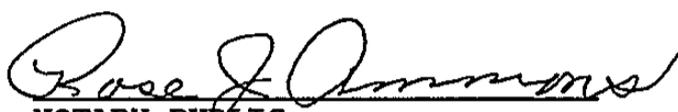
COUNTY OF HINDS

Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named SYLVIA POWELL, whose address is 4555 Holly Drive (#K-4), Jackson, Mississippi 39206, one of the subscribing witnesses to a certain instrument of writing, a copy of which is attached hereto, purporting to be the Last Will and Testament of JOSEPH EDMUND JOHNSTON, SR., deceased, late of Madison County, Mississippi, who, having been by me first duly sworn according to law, states on oath that the said Joseph Edmund Johnston, Sr. signed, made, published and declared said instrument as his Last Will and Testament on the 23rd day of August, 1988, the day and date of said instrument, in the presence of this affiant and Mary N. Lee, the other subscribing witness to said instrument; that said Testator signed said instrument and expressed the desire to this affiant to sign and subscribe said instrument as the Last Will and Testament of Joseph Edmund Johnston, Sr. after having read same in my presence; that the Testator, Joseph Edmund Johnston, Sr., was at that time over the age of eighteen (18) years and of

sound and disposing mind and memory, and that this affiant subscribed and attested said instrument as a witness to the signature and publication thereof at the special instance and request of the Testator, and in the presence of said Testator, and in the presence of the other subscribing witness.

  
SYLVIA POWELL

SWORN TO AND SUBSCRIBED BEFORE ME, this the 8<sup>th</sup> day of February, 1995.

  
NOTARY PUBLIC

My Commission Expires:  
My Commission Expires Aug. 3, 1996  
(SEAL)



MDPP\POWELL ASW

LAST WILL AND TESTAMENT  
OF  
JOSEPH EDMUND JOHNSTON, SR.

I, JOSEPH EDMUND JOHNSTON, SR., of Jackson, Mississippi, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils heretofore made by me

I

I appoint the DEPOSIT GUARANTY NATIONAL BANK to be the Executor of this my Last Will and I hereby waive any security required on any bond required by law and any accountings, inventory, or appraisal to any court, and to have all the powers set forth in Mississippi Code Annotated Sections 91-9-101 to 91-9-109, (1972), and any others that may be granted by law, all to be exercised without court order

II

I bequeath to my wife, MARGARET CRAIG JOHNSTON, if she shall survive me, all my personal effects, and all tangible personal property including 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, MARGARET CRAIG JOHNSTON, shall predecease me, I bequeath so much of the above described property to my children or their descendants, per stirpes, to be divided among them with such equality and appropriateness as my Executor, in its sole discretion, shall determine

III

All the residue of the property which I may own at the time of my death, real or personal, tangible and intangible, of whatsoever nature and wheresoever situated all property which I may acquire or become entitled to after the execution of this Will, including 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), I bequeath and devise to the DEPOSIT GUARANTY NATIONAL BANK, as an addition to the property held by it as Trustee under the terms of a certain Trust Agreement heretofore entered into between me and the bank dated December 28, 1983, including any amendments thereto, to be a part of the trust and to be managed in accordance with the terms and provisions of the Trust Agreement. The transfer and delivery of my residuary estate to such Trustee and its receipt therefor shall constitute a full acquittance of my Executor and shall terminate all probate proceedings in relation to my residuary estate.

If said Trust Agreement is revoked or if the gift to the Trustee is ineffective for any reason, then to the extent so ineffective, I devise and bequeath my residuary estate as provided in said Trust Agreement.

IN WITNESS WHEREOF, I have set my hand and seal to this my Last Will and Testament, in the presence of the undersigned witnesses, on this the 23<sup>rd</sup> day of August, 1988.

Joseph Edmund Johnston, Sr.  
JOSEPH EDMUND JOHNSTON, SR.

ATTESTATION

We, the undersigned, as subscribing witnesses, do hereby acknowledge and affirm that the foregoing written instrument was exhibited to us by JOSEPH EDMUND JOHNSTON, SR as his Last Will and Testament, that he signed the same in our presence, and in the presence of each of us, and that we, at his request, and in his presence and in the presence of each other, hereto affixed our signatures as subscribing witnesses thereto, this the 23<sup>rd</sup> day of August, 1988.

Robin Powell  
ADDRESS: 4555 Highway 124  
Jackson, MS 39206

Mary N. Lee  
ADDRESS: 1935 Castle Hill Rd.  
Jackson, Ms. 39204

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 16th day of February, 1995, at 1:30 o'clock P.M., and was duly recorded on the February 16, 1995, Book No. 27, Page 619.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.



FEB 16 1995

BOOK 27 PAGE 625

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

1:30 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK

IN THE MATTER OF THE ESTATE OF  
JOSEPH EDMUND JOHNSTON, SR., DECEASED

By: *K. Gregory*

CAUSE NO. 95089

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF Madison

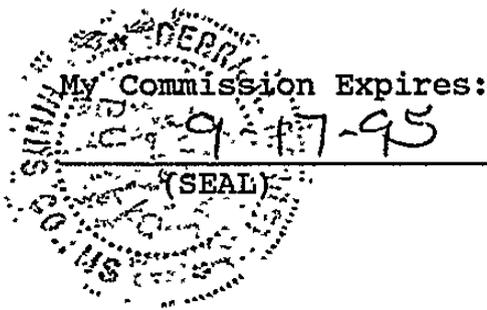
Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named MARION E. HUMMEL, whose address is 200 Dominican Drive, Madison, Mississippi 39110, one of the subscribing witnesses to a certain instrument of writing, a copy of which is attached hereto, purporting to be the First Codicil to Last Will and Testament of JOSEPH EDMUND JOHNSTON, SR., deceased, late of Madison County, Mississippi, who, having been by me first duly sworn according to law, states on oath that the said Joseph Edmund Johnston, Sr. signed, made, published and declared said instrument as his First Codicil to Last Will and Testament on the 9th day of September, 1992, the day and date of said instrument, in the presence of this affiant and John D. Hummel, the other subscribing witness to said instrument; that said Testator signed said instrument and expressed the desire to this affiant to sign and subscribe said instrument as the First Codicil to Last Will and Testament of Joseph Edmund Johnston, Sr. after having read same in my presence; that the Testator, Joseph Edmund Johnston, Sr., was at

that time over the age of eighteen (18) years and of sound and disposing mind and memory, and that this affiant subscribed and attested said instrument as a witness to the signature and publication thereof at the special instance and request of the Testator, and in the presence of said Testator, and in the presence of the other subscribing witness.

Marion E. Hummel  
MARION E. HUMMEL

SWORN TO AND SUBSCRIBED BEFORE ME, this the 10<sup>th</sup> day of February, 1995.

Albert H. Barlett  
NOTARY PUBLIC



FIRST CODICIL TO  
LAST WILL AND TESTAMENT  
OF  
JOSEPH EDMUND JOHNSTON, SR.

I, JOSEPH EDMUND JOHNSTON, SR., of Madison, Mississippi, do hereby make, publish and declare this to be my First Codicil to my Last Will and Testament dated August 23, 1988.

I hereby amend Article III of said Will to read as follows:

I hereby give, devise and bequeath the sum of TEN THOUSAND DOLLARS (\$10,000.00) each to my grandchildren, who are ROBERT M. CROSLAND, III, EMMET CRAIG CROSLAND, EMILY C. DIXON, MARGARET ANNE FORESTER, REBECCA J. WALL, and JOSEPH EDMUND JOHNSTON, III.

All the residue of the property which I may own at the time of my death, real or personal, tangible and intangible, of whatsoever nature and wheresoever situated all property which I may acquire or become entitled to after the execution of this Will, including 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 have any power of appointment), I bequeath and devise to the DEPOSIT GUARANTY NATIONAL BANK, as an addition to the property held by it as Trustee under the terms of a certain Trust Agreement heretofore entered into between me and the bank dated December 28, 1983, including any amendments thereto, to be a part of the trust and to be managed in accordance with the terms and provisions of the Trust Agreement. The transfer and delivery of my residuary estate to such Trustee and its receipt therefor shall constitute a full acquittance of my Executor and

*J.E.J.*

shall terminate all probate proceedings in relation to my residuary estate.

If said Trust Agreement is revoked or if the gift to the Trustee is ineffective for any reason, then to the extent so ineffective, I devise and bequeath my residuary estate as provided in said Trust Agreement.

In all other respects, my said Last will and Testament dated August 23, 1988, shall remain in full force and effect.

IN WITNESS WHEREOF, I have set my hand and seal to this my First Codicil to my Last Will and Testament, in the presence of the undersigned witnesses, on this the 9<sup>th</sup> day of September, 1992.

*Joseph Edmund Johnston Sr.*  
JOSEPH EDMUND JOHNSTON, SR.

We, the undersigned, as subscribing witnesses, do hereby acknowledge and affirm that the foregoing written instrument was exhibited to us by JOSEPH EDMUND JOHNSTON, SR. as his First Codicil to his Last Will and Testament, that he signed the same in our presence, and in the presence of each of us, and that we, at his request, and in his presence and in the presence of each other, hereto affixed our signatures as subscribing witnesses thereto, this the 9<sup>th</sup> day of September, 1992.

*John D. Hummel*  
ADDRESS: 300 Dominican Ave #22  
Madison, MS 39110

*Marion E. Hummel*  
ADDRESS: 900 Dominican Ave  
Madison, MS 39110



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 16<sup>th</sup> day of February, 1995, at 1:30 o'clock P M, and was duly recorded on the February 16, 1995, Book No. 27, Page 623.

STEVE DUNCAN, CHANCERY CLERK

BY: *Stacey Hill* D.C.

FILED

FEB 17 1995

AT 2:45 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK

By: *K Gregory*

95-094

OF  
WILLIAM BILLY BRISTER

STATE OF MISSISSIPPI  
COUNTY OF MADISON

I, WILLIAM BILLIE BRISTER, a resident citizen of Madison County, Mississippi, being of sound and disposing mind, memory and understanding, and being over the age of twenty-one (21) years, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all other Wills, Testaments and Codicils thereto heretofore made by me.

ITEM I

I direct my Executrix to pay all of my just debts and obligations which may be probated, registered and allowed against my estate, including expenses of my funeral and a suitable marker for my grave; that the administration of my estate be completed and closed as soon after my death as may be reasonably possible.

ITEM II

All the rest, residue and remainder of my property, real, personal and mixed, of whatsoever kind and nature and wheresoever situated, including lapsed legacies and bequests, of which I shall die seized and possessed or to which I shall have any power of appointment, I do hereby give, devise and bequeath to my wife, NELLIE INEZ H. BRISTER, and the same shall be hers absolutely.

ITEM III

In the event that my wife, NELLIE INEZ H. BRISTER, should predecease me, then I do hereby give, devise and bequeath my real property be distributed as follows:

1. I give, devise and bequeath the westernmost sixteen and one-half (16½) acres of that certain seventy-three (73) acre parcel of real property owned by me and which is located in the East one-half (E½) of the Southwest Quarter (SW¼) of Section 24, Township 8 North, Range 2 East, Madison County, Mississippi, unto my son, BILLIE HORACE BRISTER. In the event that my son, BILLIE HORACE

*William Billie Brister*  
WILLIAM BILLIE BRISTER

*WJB*

BRISTER, should predecease me, then I give devise and bequeath this property to GEILDA LOVELL BRISTER for her lifetime and upon her death, I direct that the property be sold and the proceeds thereof distributed to her grandchildren, share and share alike, per stirpes.

2. I give, devise and bequeath unto my grandson, WILLIAM COLEY RICHARDSON, twenty (20) acres immediately east of that sixteen and one-half ( $16\frac{1}{2}$ ) acre tract conveyed to Billy Horace Brister in paragraph number 1 hereinabove together with all improvements and personal property located thereon, other than that which is otherwise specifically conveyed herein, all of which is located in Section 24, Township 8 North, Range 2 East. It is my wish that my son, BILLIE HORACE BRISTER, have the nonexclusive use of the shop building located thereon and its contents, other than those otherwise specifically devised herein, for his lifetime.

3. I give, devise and bequeath the easternmost twenty (20) acres of that certain seventy-three (73) acre parcel of real property owned by me and which is located in the East one-half ( $E\frac{1}{2}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of Section 24, Township 8 North, Range 2 East, Madison County, Mississippi, unto my granddaughter, KIMBERLY KATHRYN RICHARDSON.

4. All the remaining real property of which I die seized and possessed, which is located in Section 24, Township 8 North, Range 2 East, Madison County, Mississippi, I give devise and bequeath unto my daughter, JUDY BRISTER RICHARDSON.

5. I give, devise and bequeath ten (10) acres to my daughter, JUDY BRISTER RICHARDSON, which is described as the North one-half ( $N\frac{1}{2}$ ) of the West one-half ( $W\frac{1}{2}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of Section 23, Township 8 North, Range 2 East, Madison County, Mississippi.

6. I give, devise and bequeath ten (10) acres to my son, BILLIE HORACE BRISTER, which is described as the South one-half ( $S\frac{1}{2}$ ) of the West one-half ( $W\frac{1}{2}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of

William Billie Brister  
WILLIAM BILLIE BRISTER

*W.B.*

PAGE THREE OF SIX PAGES

the Northwest Quarter (NW $\frac{1}{4}$ ) of Section 23, Township 8 North, Range 2 East, Madison County, Mississippi, and if my son, BILLIE HORACE BRISTER, should predecease me, then I give, devise and bequeath this property to GEILDA LOVELL BRISTER for her lifetime and upon her death, I direct that said property be sold and the proceeds thereof distributed to her grandchildren, share and share alike, per stirpes.

## ITEM IV

In the event that my wife, NELLIE INEZ H. BRISTER, should predecease me, then I do hereby give devise and bequeath all of my personal property as follows:

1. I give devise and bequeath all household furnishings, ornamental decorations, silver, china, pictures, linens, glassware, clothing, books, jewelry, sports equipment and other personal effects, other than that which is specifically conveyed below, to my grandchildren, KIMBERLY KATHRYN RICHARDSON and WILLIAM COLEY RICHARDSON, share and share alike, per stirpes. It is my wish that they divide this property in an amicable manner, but in the event of a dispute, my Executrix shall have the sole and exclusive power to effect a substantially even distribution of the disputed item(s).

2. I give, devise and bequeath one (1) of my two (2) Troy tillers to my son, BILLIE HORACE BRISTER, and the other Troy tiller to my daughter, JUDY BRISTER RICHARDSON.

3. I give, devise and bequeath unto my son, BILLIE HORACE BRISTER, his choice of either my Massey-Ferguson tractor or my Ford lawn tractor. I give devise and bequeath unto my daughter, JUDY BRISTER RICHARDSON, whichever of said Massey-Ferguson tractor or Ford lawn tractor is not selected by BILLIE HORACE BRISTER.

4. I give, devise and bequeath my 1976 Chevrolet pickup truck to my grandson, WILLIAM COLEY RICHARDSON.

*William Billie Brister*  
 WILLIAM BILLIE BRISTER

*PRP*

PAGE FOUR OF SIX PAGES

5. I give, devise and bequeath my 1985 Oldsmobile automobile to my daughter, JUDY BRISTER RICHARDSON.

6. I give, devise and bequeath my 1989 Chevrolet pickup truck to my son, BILLIE HORACE BRISTER.

7. I give, devise and bequeath all bank saving account deposits owned by me at the time of my death to my grandson, WILLIAM COLEY RICHARDSON and my granddaughter, KIMBERLY KATHRYN RICHARDSON, share and share alike, per stirpes.

8. I give, devise and bequeath all bank checking account deposits owned by me at the time of my death to my daughter, JUDY BRISTER RICHARDSON and my son, BILLIE HORACE BRISTER, share and share alike, per stirpes.

9. I give, devise and bequeath all life insurance benefits payable on my life to my son, BILLIE HORACE BRISTER and my daughter, JUDY BRISTER RICHARDSON, share and share alike, per stirpes.

10. All the rest, residue and remainder of my property, real, personal and mixed, of whatsoever kind and nature, and wheresoever situated, including lapsed legacies and bequests, of which I shall die seized and possessed or to which I shall have any powers of appointment, I give, devise and bequeath unto my grandchildren, WILLIAM COLEY RICHARDSON and KIMBERLY KATHRYN RICHARDSON, share and share alike, per stirpes.

## ITEM V

If my wife and I die simultaneously, or under circumstances which make it difficult to determine which died first, I direct that my wife be deemed to have survived me for the purposes of this Will. I direct that the provisions of this Will be construed upon that assumption, irrespective of any provisions of law establishing a contrary presumption or requiring survivorship as a condition of taking property by inheritance.

William Billie Brister  
WILLIAM BILLIE BRISTER

*WJB*

PAGE FIVE OF SIX PAGES

## ITEM VI

I hereby appoint, nominate and constitute my wife, NELLIE INEZ H. BRISTER, as Executrix of this my Last Will and Testament. In the event that she shall be deceased at the time of my death, or unable or unwilling to serve as Executrix, then, and in that event only, I appoint my daughter, JUDY BRISTER RICHARDSON, as Executrix of this my Last Will and Testament and hereby grant to her the same powers as set forth for my Executrix. My Executrix shall have full and plenary power and authority to do and perform any act deemed by her to be for the best interest of my estate, without any limitations whatsoever, and without surety bond, and said authority shall include, but shall not be limited to the right to take possession, hold, manage, invest and re-invest the same, and to collect the income, dividends, rents, interests and profits therefrom, and to employ and to pay any attorneys, agents or accountants that she may deem necessary and for the best interest of my estate, and to pay unto herself a just and reasonable compensation as Executrix.

The foregoing Last Will and Testament consists of six (6) pages, at the bottom of each of which I have signed my name.

IN WITNESS WHEREOF, I have hereunto set my hand to this my Last Will and Testament on this the 8 day of December, 1994.

William Billie Brister  
WILLIAM BILLIE BRISTER  
*WBB*

STATE OF MISSISSIPPI

COUNTY OF MADISON

We, each of the subscribing witnesses to the Last Will and Testament of WILLIAM BILLIE BRISTER, do hereby certify that said

William Billie Brister  
WILLIAM BILLIE BRISTER  
*WBB*

instrument was signed by the said WILLIAM BILLIE BRISTER, in our presence and in the presence of each of us, and that the said WILLIAM BILLIE BRISTER, declared the same to be his Last Will and Testament in the presence of each of us and that we each signed as subscribing witnesses to his Will at the request of WILLIAM BILLIE BRISTER, in his presence and in the presence of each other.

Phyllis Y. DeLaughter  
ADDRESS: 214 Oak Bend  
Madison, MS 39110

Jean Berner  
ADDRESS: 1022 Hwy 17  
Canton, Ms. 39046



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 17th day of February, 19 95, at 2:45 o'clock P.M., and was duly recorded on the February 17, 1995, Book No. 27, Page 627.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

William Billie Brister  
WILLIAM BILLIE BRISTER

*Handwritten initials and signature*

FILED

FEB 17 1995

BOOK 27 PAGE 635

PROOF OF WILL

AT 2:45 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK

By Rebecca P. Small

COMES NOW JOAN BURNS, one of the subscribing witnesses to the instrument filed herein for probate and purporting to be the Last Will and Testament of WILLIAM BILLIE BRISTER, and enters her appearance herein as provided by §91-7-9, Miss. Code Ann. (1972), as amended, and makes oath before the undersigned authority that WILLIAM BILLIE BRISTER, the above named decedent, signed, published and declared said instrument to be his Last Will and Testament on the 8th day of December, 1994, the day of the date of said instrument, in the presence of this deponent and PHYLLIS Y. DELAUGHTER, the other subscribing witness, and that said testator was then of sound and disposing mind and memory, more than twenty-one years of age, and having his usual place of abode in Madison County, Mississippi, and that she and PHYLLIS Y. DELAUGHTER, 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.

Joan Burns

STATE OF MISSISSIPPI  
COUNTY OF MADISON

SWORN TO AND SUBSCRIBED BEFORE ME on this the 8th day of December, 1994.

Rebecca P. Small  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

6/3/95



EXHIBIT "B"

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 17th day of February, 1995, at 2:45 o'clock P M., and was duly recorded on the February 17, 1995, Book No. 27, Page 633.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.



FILED

FEB 17 1995

AT 2:45 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK

PROOF OF WILL

COMES NOW PHYLLIS Y. DELAUGHTER, one of the subscribing witnesses to the instrument filed herein for probate and purporting to be the Last Will and Testament of WILLIAM BILLIE BRISTER, and enters her appearance herein as provided by §91-7-9, Miss. Code Ann. (1972), as amended, and makes oath before the undersigned authority that WILLIAM BILLIE BRISTER, the above named decedent, signed, published and declared said instrument to be his Last Will and Testament on the 8<sup>th</sup> day of December, 1994, the day of the date of said instrument, in the presence of this deponent and JOAN BURNS, the other subscribing witness, and that said testator was then of sound and disposing mind and memory, more than twenty-one years of age, and having his usual place of abode in Madison County, Mississippi, and that she and JOAN BURNS, 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.

*Phyllis Y. DeLaughter*

STATE OF MISSISSIPPI  
COUNTY OF MADISON

SWORN TO AND SUBSCRIBED BEFORE ME on this the 8<sup>th</sup> day of December, 1994.

*Rebecca R. Small*  
NOTARY PUBLIC

MY COMMISSION EXPIRES:  
6/3/95



EXHIBIT "C"



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 17<sup>th</sup> day of February, 1995, at 2:45 o'clock P M., and was duly recorded on the February 17, 1995, Book No. 27, Page 634.

STEVE DUNCAN, CHANCERY CLERK

BY: *Stacey Hill* D.C.

# Last Will and Testament

MADISON COUNTY, MS

FEB 27 1995

OF

AT 10:00 O'CLOCK A.M.  
STEVE DUNCAN, CHANCERY CLERK

ETHEL JOHNSON

By: Karen Tippy, D.C.

I, ETHEL JOHNSON, being over the age of eighteen (18) 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 and all wills and codicils heretofore made by me as follows:

I.

I do hereby name, nominate and appoint LEANDREW JOHNSON to serve as Executor of this my Last Will and Testament hereby waiving the requirement of bond, appraisal or accounting.

II.

I give, devise and bequeath all of my property, whether it be real, personal or mixed, wheresoever situated or howsoever described unto my children being, ISRAEL JOHNSON, JR., ROSA MAE STARR, SARAH LEE BROWN, CHARLES C. JOHNSON, WALTER JOHNSON, WILLIE DEAN BATES, ALMETA JOHNSON, AND LEANDREW JOHNSON, in equal shares to share and share alike.

IN WITNESS WHEREOF, I, ETHEL JOHNSON, have hereunto set my signature on and publish and declare this to be my Last Will and Testament on this the \_\_\_\_ day of \_\_\_\_\_, 1984, in the presence of two witnesses who have each signed as witnesses at my request and in my presence and in the presence of each of us.

Ethel Johnson  
ETHEL JOHNSON

WITNESSES:

Sandra M. Edwards  
Jessie L. Eaton

ATTESTATION CLAUSE

We, each of the subscribing witnesses to the Last Will and Testament of ETHEL JOHNSON, do hereby certify that said instrument was signed in the presence of each of us, and that said ETHEL JOHNSON declared the same to be her Last Will and Testament in the presence of each of us, and that we signed as subscribing witnesses to the said Will at the request of ETHEL JOHNSON in her presence and in the presence of each other.

WITNESS OUR SIGNATURES on this the 5<sup>th</sup> day of December, 1984.

Lordia M. Edwards  
Susan S. Antox  
WITNESSES

Ethel Johnson  
4767/433/235



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 27<sup>th</sup> day of February, 1995, at 10:00 o'clock A M., and was duly recorded on the February 27, 1995, Book No. 27, Page 635.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

FILED  
THIS DATE

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI  
FEB 17 1995

IN THE MATTER OF THE ESTATE OF  
ETHEL JOHNSON, DECEASED

STEVE DUNCAN  
CHANCERY CLERK  
*[Signature]*

CIVIL ACTION FILE NO. 95 090

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF MADISON

THIS DAY PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction above mentioned, SUSAN S. ANTON, one of the subscribing witnesses to a certain instrument in writing purporting to be the Last Will and Testament of Ethel Johnson, deceased, late of the County of Madison, Mississippi, who having been duly sworn makes oath that the said Ethel Johnson, signed, published and declared said instrument as her Last Will and Testament on the 5th day of December, 1984, the day and date of said instrument, in the presence of this affiant and SANDRA M. EDWARDS, the other subscribing witness to said instrument; that the testator was then of sound and disposing mind and memory and twenty-one (21) years and upward of age and that I, SUSAN S. ANTON, the Affiant and SANDRA M. EDWARDS, subscribed and attested said instrument as witnesses to the signature of the testator and the publication thereof at the special instance and request

EXHIBIT B

and in the presence of said testator and in the presence of each other.

Susan S. Anton  
SUSAN S. ANTON

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 8<sup>th</sup> day of February, 1995.

Amanda Lynn Nichols  
NOTARY PUBLIC

MY COMMISSION EXPIRES:  
August 25, 1997  
(SEAL)

estatejchnecheaffidant.104  
476736870



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 17<sup>th</sup> day of February, 1995, at — o'clock — M., and was duly recorded on the February 17, 1995, Book No. 27, Page 637.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

FEB 17 1995

STEVE DUNCAN  
CHANCERY CLERK

*[Handwritten Signature]*

IN THE MATTER OF THE ESTATE OF  
ETHEL JOHNSON, DECEASED

CIVIL ACTION FILE NO. 95 090

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF MADISON

THIS DAY PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction above mentioned, SANDRA M. EDWARDS, one of the subscribing witnesses to a certain instrument in writing purporting to be the Last Will and Testament of Ethel Johnson, deceased, late of the County of Madison, Mississippi, who having been duly sworn makes oath that the said Ethel Johnson, signed, published and declared said instrument as her Last Will and Testament on the 5th day of December, 1984, the day and date of said instrument, in the presence of this affiant and SUSAN S. ANTON, the other subscribing witness to said instrument; that the testator was then of sound and disposing mind and memory and twenty-one (21) years and upward of age and that I, SANDRA M. EDWARDS, the Affiant and SUSAN S. ANTON, subscribed and attested said instrument as witnesses to the signature of the testator and the publication thereof at the special instance and request

EXHIBIT B

and in the presence of said testator and in the presence of each other.

Sandra M. Edwards  
SANDRA M. EDWARDS

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 13<sup>th</sup> day of February, 1995.

Amanda Lynne Roberts  
NOTARY PUBLIC

MY COMMISSION EXPIRES:  
August 25, 1997  
(SEAL)

estate\johnethel\affidedw 104  
4767/36870

STATE OF MISSISSIPPI, COUNTY OF MADISON:



I certify that the within instrument was filed for record in my office this 17<sup>th</sup> day of February, 1995, at — o'clock — M., and was duly recorded on the February 17, 1995, Book No. 27, Page 639.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

MADISON COUNTY, MS

FILED

FEB 27 1995

Date: 9-21-91

AT 10:00 O'CLOCK A.M.  
STEVE DUNCAN, CHANCERY CLERK

By: Karen Supp, D.C.

THIS IS MY LAST WILL AND TESTIMONIAL:

I DO HEREBY LEAVE TO MY GRANDSON, DENSON JOHNSON, MY LOT AND TRAILER LOCATED JUST OFF RATLIFF FERRY ROAD.

SWORN BEFORE ME: THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_  
19\_\_\_\_.

*his*

SIGNED: *Jessie B Johnson*  
JESSIE JOHNSON

WITNESS: *Eddie B Perry* WITNESS: \_\_\_\_\_

WITNESS: *Beatrice Johnson* WITNESS: *Margitt Map*

SIGNED: \_\_\_\_\_  
NOTARY \_\_\_\_\_

DATE: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

P

#95104 No. 3327

FOR AND IN CONSIDERATION of the sum of Ten (\$10.00) Dollars cash in hand paid the undersigned and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, FRANK ALLEN, JR. and MARY HELEN ALLEN, do hereby convey and forever warrant unto JESSIE JOHNSON, the following described real property lying and being situated in Madison County, Mississippi, to-wit:

A lot or parcel of land containing 0.5 acre, more or less all lying and being situated in the SW 1/4 SW 1/4, Section 9, Township 9 North, Range 4 East, Madison County, Mississippi and more particularly described as follows, to-wit:

Beginning at the center line of a black top road, at the approximate northwest corner of section 16 and going east along said north line of Section 16, for a distance of 6.07 chains to the point of beginning, thence run north 2.25 chains, thence run east 2.25 chains, thence run south 2.25 chains, thence run west 2.25 chains to the point of beginning, all being in the SW 1/4 of SW 1/4 of Section 9, Township 9 North, Range 4 East, and containing 0.5 acre more or less.

The above land is no part of the homestead of grantors .

1973 taxes to be paid by grantors

WITNESS OUR SIGNATURES, this the 24th day of July, 1973.

Frank Allen, Jr.  
FRANK ALLEN, JR.

Mary Helen Allen  
MARY HELEN ALLEN

STATE OF MISSISSIPPI  
MADISON COUNTY

PERSONALLY appeared before me, the undersigned authority in and for said county and state, MARY HELEN ALLEN, who acknowledged that she signed and delivered the foregoing instrument on the date above mentioned for the purposes therein stated.

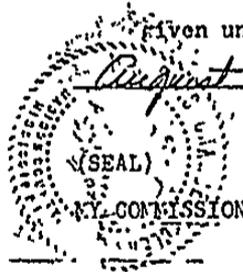


GIVEN UNDER MY HAND and official seal on this the 31 day of July, 1973.

W. G. Sims, Ch. Clerk  
NOTARY PUBLIC  
By Ruby J. Sims, D.C.

STATE OF MISSISSIPPI  
MADISON COUNTY

PERSONALLY appeared before me, the undersigned authority in and for said county and state FRANK ALLEN, JR. who acknowledged that he signed and delivered the foregoing instrument on the date above mentioned for the purposes therein stated.



GIVEN under my hand and official seal on this the 3 day of August, 1973.

W. G. Sims, Ch. Clerk  
NOTARY PUBLIC  
By Ruby J. Sims, D.C.

STATE OF MISSISSIPPI, County of Madison:

I, W. A. Sims, Clerk of the Chancery Court of said County, certify that the within Instrument was filed for record in my office this 17 day of August, 1973 at 2:30 o'clock P.M., and was duly recorded on the 21 day of August, 1973 Book No. 132 on Page 326 in my office.

Witness my hand and seal of office, this the 21 of August, 1973

By W. A. Sims, Clerk D. C.



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 27th day of February, 1995, at 10:00 o'clock A.M., and was duly recorded on the February 27, 1995, Book No. 27, Page 641

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

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

ESTATE OF JESSIE B. JOHNSON, DECEASED

NO. 95 104

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI  
COUNTY OF Madison

This date personally appeared before me, the undersigned authority at law in and for the jurisdiction aforesaid, the within named MARGETT MAP, who being by me first duly sworn according to law, say on oath:

1. That this Affiant is one of the subscribing witnesses to an instrument of writing purporting to be the last Will and Testament of Jessie B. Johnson, Deceased, who was personally know to the Affiant, and whose signature is affixed to the Last Will and Testament, dated the 21st day of September, 1991.

2. That on the 21st day of September, 1991, the said Jessie B. Johnson signed, published and declared in the presence of this Affiant an in the presence of Beatrice Johnson and Eddie B. Perry the other subscribing witnesses to the instrument.

EXHIBIT "B"

**FILED**  
THIS DATE  
FEB 27 1995  
STEVE DUNCAN  
CHANCERY CLERK  
BY [Signature]

3. That Jessie B. Johnson was then and there of sound and disposing mind and memory, and well above the age of twenty-one (21) years.

4. That this Affiant together with Beatrice Johnson and Eddie B. Perry subscribed and attested said instrument as witness to the signature and publication thereof, at the special insistence and request and in the presence of said Jessie B. Johnson, and in the presence of each other.

Margett Map  
Margett Map  
231 Jones Street  
Apt. #42  
Forest, MS 39074

SWORN TO AND SUBSCRIBED BEFORE ME on this the 18<sup>th</sup> day of February, 1995.

[Signature]  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

July 27, 1997



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 27 day of Feb, 1995, at — o'clock — M., and was duly recorded on the February 07, 1995, Book No. 27, Page 643.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

ESTATE OF JESSIE B. JOHNSON, DECEASED

No. 95 104

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

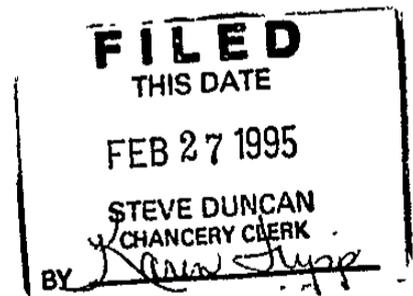
COUNTY OF Madison

This date personally appeared before me, the undersigned authority at law in and for the jurisdiction aforesaid, the within named BEATRICE JOHNSON, who being by me first duly sworn according to law, say on oath:

1. That this Affiant is one of the subscribing witnesses to an instrument of writing purporting to be the last Will and Testament of Jessie B. Johnson, Deceased, who was personally know to the Affiant, and whose signature is affixed to the Last Will and Testament, dated the 21st day of September, 1991.

2. That on the 21st day of September, 1991, the said Jessie B. Johnson signed, published and declared in the presence of this Affiant an in the presence of Margett Map and Eddie B. Perry the other subscribing witnesses to the instrument.

EXHIBIT "C"



3. That Jessie B. Johnson was then and there of sound and disposing mind and memory, and well above the age of twenty-one (21) years.

4. That this Affiant together with Margett Map and Eddie B. Perry subscribed and attested said instrument as witness to the signature and publication thereof, at the special insistence and request and in the presence of said Jessie B. Johnson, and in the presence of each other.

Beatrice Johnson  
Beatrice Johnson  
P. O. Box 58  
Sharon, MS 39163

SWORN TO AND SUBSCRIBED BEFORE ME on this the 18<sup>th</sup> day of February, 1995.

[Signature]  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

July 27, 1997



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 27 day of Feb, 1995, at — o'clock — M., and was duly recorded on the February 27, 1995, Book No. 27, Page 645.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

ESTATE OF JESSIE B. JOHNSON, DECEASED

NO. 95 104

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF MADISON

This date personally appeared before me, the undersigned authority at law in and for the jurisdiction aforesaid, the within named EDDIE B. PERRY, who being by me first duly sworn according to law, say on oath:

1. That this Affiant is one of the subscribing witnesses to an instrument of writing purporting to be the last Will and Testament of Jessie B. Johnson, Deceased, who was personally know to the Affiant, and whose signature is affixed to the Last Will and Testament, dated the 21st day of September, 1991.

2. That on the 21st day of September, 1991, the said Jessie B. Johnson signed, published and declared in the presence of this Affiant an in the presence of Beatrice Johnson and Margett Map the other subscribing witnesses to the instrument.

EXHIBIT "D"

**FILED**  
THIS DATE  
FEB 27 1995  
STEVE DUNCAN  
CHANCERY CLERK  
BY \_\_\_\_\_

3. That Jessie B. Johnson was then and there of sound and disposing mind and memory, and well above the age of twenty-one (21) years.

4. That this Affiant together with Beatrice Johnson and Margett Map subscribed and attested said instrument as witness to the signature and publication thereof, at the special insistence and request and in the presence of said Jessie B. Johnson, and in the presence of each other.

*Eddie B Perry*

Eddie B. Perry  
2148 Pleasant Gift Road  
Canton, MS 39046

SWORN TO AND SUBSCRIBED BEFORE ME on this the 18<sup>th</sup> day of February, 1995.

*[Signature]*  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

July 27, 1997



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 27 day of Feb, 1995, at      o'clock      M., and was duly recorded on the February 27, 1995, Book No. 27, Page 647

STEVE DUNCAN, CHANCERY CLERK

BY: Tracey Hill D.C.

**FILED**

FEB 27 1995

BOOK 27 PAGE 649

AT 4:00 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK**Last Will and Testament** By: *Karen Jipp, Esq.*

OF

WILLIAM N. SMITH

#95-108

I, William N. Smith, an adult resident citizen of the City of Ridgeland, Madison County, Mississippi, do hereby make, publish, and declare this to be my Last Will and Testament, hereby revoking all former Wills and Codicils which I have heretofore made.

ITEM I.

I hereby nominate and appoint my wife, Anne Thomas Smith, as Executrix of this my Last Will and Testament. I direct that my Executrix shall not be required to post any bond and waive the necessity of having a formal appraisal made of my estate.

ITEM II.

I hereby direct my Executrix to pay my funeral expenses and all obligations which may be probated against my estate as soon as may conveniently be done.

ITEM III.

In the event that my wife, Anne Thomas Smith is unable or unwilling to serve as my Executor, I hereby nominate and appoint my stepson, Wayne A. Thomas, as Alternate Executor of my estate under the conditions established in Item I. above.

ITEM IV.

To my family, my physician, my lawyer, my clergyman, to any medical facility in whose care I happen to be, or to any individual who may become responsible for my health, welfare, or affairs:

Death is as much a reality as birth, growth, maturity, and old age - it is the one certainty of life. If the time comes when I can no longer take part in decisions for my own future, let this statement stand as an expression of my

wishes, while I am still of sound mind.

If the situation should arise in which there is no reasonable expectation of my recovery from physical or mental disability, I request that I be allowed to die and not be kept alive by artificial means or "heroic measures." I do not fear death itself as much as the indignities of deterioration, dependence and hopeless pain. I, therefore, ask that medication be mercifully administered to me to alleviate suffering even though this may hasten the moment of death.

This request is made after careful consideration. I hope you who care for me will feel morally bound to follow its mandate. I recognize that this appears to place a heavy responsibility upon you, but it is with the intention of relieving you of such responsibilities and of placing it upon myself in accordance with my strong convictions, that this statement is made.

ITEM V.

I hereby give, devise and bequeath all my household furnishings and goods, as well as my jewelry, to my wife, Anne Thomas Smith, or if she predeceases me, to my stepson, Wayne A. Thomas, per stirpes.

ITEM VI.

I hereby give and bequeath any interest I may have in my personal residence at the time of my death to my wife, Anne Thomas Smith, if she survives me, or, if she has predeceased me, to my stepson, Wayne A. Thomas, per stirpes.

ITEM VII.

I hereby give, devise and bequeath the rest, residue, and remainder of my property, whether real, personal, or mixed, to my wife, Anne Thomas Smith, if she survives me, or, if she has predeceased me, to my stepson, Wayne A. Thomas, per stirpes.

ITEM VIII.

In the event that my wife, Anne Thomas Smith, does not survive me, or in the event that she and I should die in or as a result of injuries sustained in a common accident, it shall be presumed conclusively that she predeceased me.

IN WITNESS WHEREOF, I hereby sign, publish, and declare this to be my Last Will and Testament on this the 8th day of February, 1993.

William N. Smith  
William N. Smith

This instrument was, on the day and year shown above, signed, published, and declared by William N. Smith to be his Last Will and Testament in our presence, and we, at his request, have on said date subscribed our names hereto as witnesses in his presence and in the presence of each other.

WITNESS:

Katherine L. Boyd  
Joel W. Hall, III

ADDRESS:

5237 Bienville Pl.  
Jackson, MS 39206  
4515 Pavilion Drive  
Jackson, Mississippi

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

I certify that the within instrument was filed for record in my office this 27 day of February, 1995, at        o'clock        M., and was duly recorded on the February 27, 1995, Book No. 27, Page 649.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.



EXHIBIT "B"

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

ESTATE OF WILLIAM N. SMITH  
DECEASED

P-95108

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF HINDS

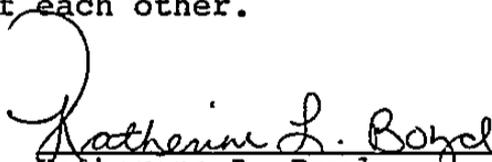
This date personally appeared before me, the undersigned authority at law in and for the jurisdiction aforesaid, the within named Katherine L. Boyd, who being by me first duly sworn according to law, says on oath:

(1) That this affiant is one of the subscribing witnesses to an instrument of writing purporting to be the Last Will and Testament of William N. Smith, deceased, who was personally known to the affiant, and whose signature is affixed to said Last Will and Testament, which Last Will and Testament is dated the 8th day of February, 1993.

(2) That on the 8th day of February 1993, the said William N. Smith signed, published and declared said instrument of writing as his Last Will and Testament, in the presence of this affiant and in the presence of Joel W. Howell, III, the other subscribing witness to said instrument.

(3) That the said William N. Smith was then and there of sound and disposing mind and memory, and well above the age of twenty-one (21) years.

(4) That this affiant, together with Joel W. Howell, III subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of said William N. Smith, and in the presence of each other.

  
Katherine L. Boyd

MADISON COUNTY, MS

**FILED**

FEB 27 1995

AT 400 O'CLOCK P. M  
STEVE DUNCAN, CHANCERY CLERK

By: Karen Trapp, DC

SWORN TO AND SUBSCRIBED before me, this the 22nd day of February, 1995.

[Signature]  
Notary Public in and for the State of Mississippi



My Commission Expires:

2/6/98

STATE OF MISSISSIPPI, COUNTY OF MADISON:



I certify that the within instrument was filed for record in my office this 27 day of February 19 95, at      o'clock      M., and was duly recorded on the February 27, 1995, Book No. 27, Page 652.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

EXHIBIT "B"

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

ESTATE OF WILLIAM N. SMITH  
DECEASED

P-95108

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF HINDS

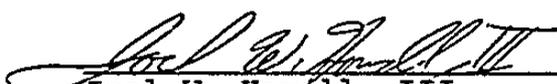
This date personally appeared before me, the undersigned authority at law in and for the jurisdiction aforesaid, the within named Joel W. Howell, III, who being by me first duly sworn according to law, says on oath:

(1) That this affiant is one of the subscribing witnesses to an instrument of writing purporting to be the Last Will and Testament of William N. Smith, deceased, who was personally known to the affiant, and whose signature is affixed to said Last Will and Testament, which Last Will and Testament is dated the 8th day of February, 1993.

(2) That on the 8th day of February 1993, the said William N. Smith signed, published and declared said instrument of writing as his Last Will and Testament, in the presence of this affiant and in the presence of Katherine L. Boyd, the other subscribing witness to said instrument.

(3) That the said William N. Smith was then and there of sound and disposing mind and memory, and well above the age of twenty-one (21) years.

(4) That this affiant, together with Katherine L. Boyd subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of said William N. Smith, and in the presence of each other.

  
Joel W. Howell, III

MADISON COUNTY, MS

**FILED**

FEB 27 1995

AT 4:00 O'CLOCK P. M.  
STEVE DUNCAN, CHANCERY CLERK

By Karen Supp, D.C.

SWORN TO AND SUBSCRIBED before me, this the 27 day of February, 1995.

Ratherine L. Boyce  
Notary Public in and for the  
State of Mississippi

My Commission Expires:

1-15-99



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

I certify that the within instrument was filed for record in my office this 27 day of February, 1995, at      o'clock      M., and was duly recorded on the February 27, 1995, Book No. 27, Page 654.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

FEB 28 1995

BOOK 27 PAGE 650

AT 2:35 O'CLOCK P. M.

STEVE DUNCAN, CHANCERY CLERK

By: Stacy Hill, D.C.

# Last Will and Testament

OF

SAM T. SCOTT

I, Sam T. Scott, being of sound mind and memory, and over 21 years of age, do hereby make, declare, and establish this my Last Will and Testament, hereby revoking all prior Wills, Codicils or testamentary depositions heretofore made by me.

## ITEM 1

I desire that all claims probated against my estate and expenses of my last illness, funeral and burial be paid as soon as practical after my death.

## ITEM 2

I hereby bequeath unto my wife, Elizabeth E. Scott, all cash, checking or savings accounts and certificates of deposit, and securities that I may possess at the time of my death, provided she survives me. If my said wife does not survive me, then I bequeath unto each of my four grandchildren the lesser of \$10,000 or 10% of all cash, checking or savings accounts and certificates of deposits, that I may have at my death and the balance thereof I bequeath to my son, Samuel E. Scott.

## ITEM 3

In the event my said wife does not survive me, I hereby bequeath unto my son, Samuel E. Scott, all stock and securities that I may have, but in the event my said son does not survive me, then I give and bequeath said securities and stocks unto my four grandchildren, share and share alike.

## ITEM 4

I hereby give, devise and bequeath unto my wife, Elizabeth E. Scott, provided she survives me, all real estate that I may own at the time of my death including my farm in Quitman County, Mississippi to be hers for her natural life with the remainder interest to my said son, provided he survives me. My said wife is to receive all rents from said property and also to pay all taxes thereon. In the event either or both my said wife and said son be not living at the time of my death, their interest in said property I devise to my grandchildren, share and share alike. For purposes of identification, my grandchildren are Meredith Scott Curro, Leigh Scott McGregor, Samuel T. Scott, II and John Christopher Scott.

## ITEM 5

All other property and assets of any kind that I may possess at the time of my death, I hereby give, devise and bequeath unto my wife Elizabeth E. Scott, provided she survives me.

## ITEM 6

In the event my said wife does not survive me, then I give all my property not disposed of above, to my son, Samuel E. Scott. But in the event my said wife and my said son both predecease me, then I give, devise and bequeath unto my grandchildren all my property, both real and personal, share and share alike. Should any of my grandchildren not survive me, any devise or bequest to them in this Last Will and Testament shall go to their children, per stirpes, or if they leave no children, then to my other grandchildren, share and share alike.

ITEM 7

I hereby appoint my son, Samuel E. Scott, to be the Executor of this my Last Will and Testament and direct that he serve as such without bond and without being required to file any inventory or accounting.

WITNESS MY HAND this the 10th day of January, 1994.

Samuel T. Scott  
SAMUEL T. SCOTT

We, the undersigned, witnessed the signature of the foregoing instrument which was, on the day and year set forth therein, signed, published and declared by Sam T. Scott 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.

Chris D. Donnell  
WITNESS

Barbara M. Dura  
WITNESS

232 N Main  
Mendenhall, MS 39114  
ADDRESS

312 Grace Harbor Dr.  
Madison Ms. 39110  
ADDRESS

STATE OF MISSISSIPPI, COUNTY OF MADISON:



I certify that the within instrument was filed for record in my office this 28 day of February, 1995, at 2:35 o'clock P. M., and was duly recorded on the February 28, 1995, Book No. 27, Page 656.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF  
THE ESTATE OF SAMUEL T. SCOTT  
DECEASED

CAUSE NO. 95 109

SAMUEL E. SCOTT, PETITIONER

MADISON COUNTY, MS

**FILED**

FEB 28 1995

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF MADISON

AT 2:35 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK  
By: Stacey Hill, D.E.

This date personally appeared before me, the undersigned authority at law in and for the jurisdiction aforesaid, the within named China G. Donnell, who being by me first duly sworn according to law, says on oath:

1. That this affiant is one of the subscribing witnesses to an instrument of writing purporting to be the Last Will and Testament of Samuel T. Scott, deceased, who was personally known to the affiant and whose signature is affixed to said Last Will and Testament, dated the 10th day of January, 1994.
2. That on the 10th day of January, 1994, said Sam T. Scott signed, published and declared said instrument of writing as his Last Will and Testament, in the presence of this affiant and in the presence of Barbara M. Dunn, the other subscribing witness thereto.
3. That Samuel T. Scott was then and there of sound and disposing mind and memory, and well above the age of twenty-one (21) years.
4. That this affiant, together with Barbara M. Dunn, subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special

instance and request, and in the presence of said Samuel T. Scott, and in the presence of each other.

*China G. Donnell*  
CHINA G. DONNELL

SWORN TO AND SUBSCRIBED before me, this the 28th day of February, 1995.

*Faith Queen Cokerice*  
NOTARY PUBLIC

My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES MARCH 3, 1998  
~~BONDED THRU STEGALL NOTARY SERVICE~~

STATE OF MISSISSIPPI, COUNTY OF MADISON:



I certify that the within instrument was filed for record in my office this 28 day of February, 1995, at 2:35 o'clock P.M., and was duly recorded on the February 28, 1995, Book No. 27, Page 659.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

MADISON COUNTY, MS

Last Will and Testament of

GILMAN JOSEPH GONSOULIN

FILED

MAR 01 1995

STATE OF LOUISIANA  
PARISH OF ST. BERNARD

#95-107

AT 2:25 O'CLOCK P.M.  
STEVE DUNCAN, CHANCERY CLERK

By: Karen Jupp, etc

May 24<sup>th</sup>, 1978

I, GILMAN JOSEPH GONSOULIN, being of sound mind and knowing that life is precarious, do make this my last will and testament, revoking all others.

I have been married but twice; first to Aline Breaux, from whom I divorced in 1944 and second to Barbara Ruth McNeill with whom I am now living and residing.

I had two (2), and only two (2) children, both born of my marriage to Aline Breaux, namely (1) Barbara Ann Gonsoulin, wife of H. J. Ray, and (2) Gene Gonsoulin, deceased. Of my second marriage, no children were born. I have never adopted anyone, nor have I ever been adopted by anyone.

I desire that all of my just debts be paid.

My estate consists of both separate and community property.

I leave the property, both personal and real, of which I die possessed, including the home at 2216 Jacob Drive, Chalmette, Louisiana; the lot designated as Unit #2, Lot 9, Block 11, of Pine Point Shores in Harrison County, Mississippi; my interest in the oil producing properties located in the Fausse Point Area of Iberia Parish, Louisiana; my interest in the oil producing properties located in St. Mary Parish, Louisiana; the household furnishings; the family automobiles; my interest in any estate or succession; and all other property, rights and effects, in the following manner:

1. I leave the entire disposable portion of my estate (two-thirds) to my loving wife Barbara Ruth McNeill Gonsoulin, and I confirm the usufruct allowed to her by law on any forced portion of my estate. I leave the forced portion of my estate (one-third) to my only living child Barbara Ann Gonsoulin Ray, subject to the usufruct of my wife.

2. If my daughter Barbara and all her descendants predecease me, then I leave all my estate, real and personal, to my loving wife Barbara Ruth McNeill Gonsoulin.

3. I name and appoint my wife Barbara Ruth McNeill Gonsoulin executrix of my estate with seizin and without bond. In the event she predecease me or is unable to fulfill this duty, I name as successor executrix Barbara Ann Gonsoulin Ray with seizin and without bond.

4. I name and appoint the Law Offices of Sidney D. Torres, III, attorney for the executrix and my estate.

Joseph  
Gilman J. Gonsoulin

GILMAN JOSEPH GONSOULIN, TESTATOR

Page one of two pages, Chalmette, Louisiana, this 24 day of May, 1978.

In witness whereof, I have written this my last will and testament by typewriter and I have signed this my last will and testament in the presence of the undersigned Notary Public, who is duly qualified, commissioned and sworn in the Parish of St. Bernard, State of Louisiana, and in the presence of the two competent undersigned witnesses.

Gilman Joseph Gonsoulin  
GILMAN JOSEPH GONSOULIN, TESTATOR

Thus done and signed on two pages and declared by Gilman Joseph Gonsoulin, testator above named, in our presence to be his last will and testament, and in the presence of the testator and each other we have hereunto subscribed our names on this 24 day of May, 1978, Chalmette, Louisiana, Parish of St. Bernard, State of Louisiana.

Gilman Joseph Gonsoulin  
GILMAN JOSEPH GONSOULIN, TESTATOR

WITNESSES:

Judy Bell

Sandra Ford



Stacy Hill  
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 March, 1995, at 2:25 o'clock P.M., and was duly recorded on the March 1, 1995, Book No. 27, Page 661.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

BOOK 27 PAGE 663

MADISON COUNTY, MS

FILED

MAR 01 1995

AT 2:25 O'CLOCK P. M.  
STEVE DUNCAN, CHANCERY CLERK

By: Karen Tripp, De

PROOF OF WILL

COMES NOW JUDY BELL, one of the subscribing witnesses to the instrument filed herein for probate and purporting to be the Last Will and Testament of GILMAN JOSEPH GONSOULIN, and enters her appearance herein as provided by §91-7-9, Miss. Code Ann. (1972), as amended, and makes oath before the undersigned authority that GILMAN JOSEPH GONSOULIN, the above named decedent, signed, published and declared said instrument to be his Last Will and Testament on the 24 day of May, 1978, the day of the date of said instrument, in the presence of this deponent and SANDRA FORD, the other subscribing witness, and that said testator was then of sound and disposing mind and memory, more than twenty-one years of age, and having his usual place of abode in St. Bernard Parish, Louisiana, and that she and SANDRA FORD, 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.

Judy Bell Rome

STATE OF Louisiana  
PARISH OF St. Bernard

SWORN TO AND SUBSCRIBED BEFORE ME on this the 13<sup>th</sup> day of January, 1995.

Steve Duncan  
NOTARY PUBLIC

MY COMMISSION EXPIRES:  
at death

(SEAL)

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 1st day of March, 1995, at 2:25 o'clock P M., and was duly recorded on the March 1, 1995, Book No. 27, Page 663.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.



**FILED**

BOOK 27 PAGE 664

MAR 02 1995

AT 3:05 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK

By *Karen Trapp, D.C.*

#95-115

LAST WILL AND TESTAMENT OF BESSIE DORIS WILKERSON

I, Bessie Doris Wilkerson, a resident of Flora, Madison County, Mississippi, being over the age of twenty-one and of sound and disposing mind and memory, do hereby make, ordain, 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 I: I hereby leave a life estate in house and property to my sons, Billy Wilkerson of Madison, Mississippi and Charles Wilkerson of Pearl, Mississippi. This property cannot be sold. I want someone to live in my house and my sons are to collect the rent, maintain the upkeep on the house and pay the taxes on the property. At their demise, this property will be equally divided between my grandchildren.

Item II. I hereby request that my 1975 Bonneville Pontiac automobile and Pickup and all my yard and garden tools and tractor become part of my estate and are to be left on my property at all times.

Item III. I hereby request that \$4,000.00 be taken from my bank account, Account Number: 341 635 1 at BankPlus in Flora, Mississippi to be used to pay my funeral expenses. The remainder of my account is to be used to set up Trust accounts for my three grandsons.

Item IV. I hereby appoint, my friend, Minnie L. Abernathy, executrix of my estate, without bond, waiving all requirement whatever of bond from her as such executrix. I hereby waive an inventory and appraisalment 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, PUBLISHED AND DECLARED as this MY LAST WILL AND TESTAMENT, this the 7th day of January, 1994.

*Bessie D. Wilkerson*  
Bessie Doris Wilkerson

*Sammy J. [Signature]* Witness

*[Signature]* Witness

ATTESTATION CLAUSE

We, the undersigned witnesses to the Will of Bessie Doris Wilkerson, do hereby certify that the said Bessie Doris Wilkerson on the day she executed the foregoing will, was over the age of twenty-one years and of sound and disposing mind; 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 said 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 7th. day of January, 1994.

Jeremy J. Roe Witness  
Allen Hillis Witness



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

I certify that the within instrument was filed for record in my office this 2nd day of March, 1995, at 3:05 o'clock P.M., and was duly recorded on the March 2, 1995, Book No. 27, Page 664

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE  
OF BESSIE DORIS WILKERSON, DECEASED

CIVIL ACTION NO. 95115

PROOF OF WILL

MADISON COUNTY, MS

**FILED**

MAR 02 1995

AT 3.05 O'CLOCK P. M  
STEVE DUNCAN, CHANCERY CLERK

*By: Karen Trapp, P.C.*

STATE OF Mississippi  
COUNTY OF Madison

PERSONALLY APPEARED before me, the undersigned authority in and for said county and state, Rosemary J. Rose, one of the subscribing witnesses to a certain instrument of writing, a copy of which is attached hereto, purporting to be the Last Will and Testament of Bessie Doris Wilkerson, who, being duly sworn, deposed and said that the said Bessie Doris Wilkerson signed, published and declared said Will on the 7th day of January, 1994, the day of the date of said instrument, in the presence of this deponent, and in the presence of Kenneth Purvis, the other subscribing witness, and that said Testator was then of sound and disposing mind and memory, and more than twenty-one years of age and having her usual place of abode in Madison County, Mississippi, and this deponent and Kenneth Purvis 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 the said Testator and in the presence of

each other, on the day and year of the date of said instrument.

Rosemary J. Rose  
Rosemary J. Rose

SWORN TO AND SUBSCRIBED before me this 22nd day of February, 1995.

Sara W. Johnson  
Notary Public

~~My Commission Expires:~~  
MY COMMISSION EXPIRES: March 24, 1996.  
~~BONDED THRU NOTARY PUBLIC UNDERWRITERS.~~

STATE OF MISSISSIPPI, COUNTY OF MADISON:



I certify that the within instrument was filed for record in my office this 2nd day of March, 1995, at 3:05 o'clock P M., and was duly recorded on the March 2, 1995, Book No. 27, Page 666.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE  
OF BESSIE DORIS WILKERSON, DECEASED

CIVIL ACTION NO. 95115  
MADISON COUNTY, MS

PROOF OF WILL

**FILED**

MAR 02 1995

STATE OF Mississippi  
COUNTY OF Madison

AT 3:05 O'CLOCK P. M  
STEVE DUNCAN, CHANCERY CLERK  
*By: Karen Hipp, Sec*

PERSONALLY APPEARED before me, the undersigned authority in and for said county and state, Kenneth Purvis, one of the subscribing witnesses to a certain instrument of writing, a copy of which is attached hereto, purporting to be the Last Will and Testament of Bessie D. Wilkerson, who, being duly sworn, deposed and said that the said Bessie D. Wilkerson signed, published and declared said instrument as her Last Will and Testament on the 7th day of January, 1994, the day of the date of said instrument, in the presence of this deponent, and in the presence of Rosemary J. Rose, the other subscribing witness, and that said Testator was then of sound and disposing mind and memory, and more than twenty-one years of age, and having her usual place of abode in Madison County, Mississippi, and this deponent and Rosemary J. Rose 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 the said Testator and in

the presence of each other, on the day and year of the date of said instrument.

  
Kenneth Purvis

SWORN TO AND SUBSCRIBED before me this 22nd day of February, 1995.

  
Notary Public

My Commission Expires:  
NOTARY PUBLIC STATE OF MISSISSIPPI AT-LARGE  
MY COMMISSION EXPIRES: March 24, 1996.  
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

STATE OF MISSISSIPPI, COUNTY OF MADISON:



I certify that the within instrument was filed for record in my office this 2nd day of March, 1995, at 3:05 o'clock P M., and was duly recorded on the March 2, 1995, Book No 27, Page 668.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

**FILED**

MAR 07 1995

AT 1:30 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK  
By: Stacey Hill, D.C.

LAST WILL AND TESTAMENT

OF

EDWARD F. KING

I, EDWARD F. KING, a resident of Madison County, Mississippi, being of sound and disposing mind and memory and over the age of eighteen (18) years, do make, declare and publish this instrument to be my Last Will and Testament, hereby revoking all other wills and testaments heretofore made by me, intending hereby to dispose of all of my worldly estate of which I may be seized and possessed at the time of my death.

ITEM I

I do hereby appoint my daughter, Joyce Gaston, as Executrix of my last will and testament. Should my said daughter predecease me, or should she for any reason fail or refuse to act as executrix, then and in that event, I do hereby appoint my granddaughter, Melanie Joy Jeffries, as Executrix. Neither of said persons above named shall be required to post any bond or render any appraisal of my estate.

ITEM II

If at the time of my death I owe any debts, I direct that the same be paid by my Executrix after the same have been filed, registered, probated and allowed according to law. I also direct that my Executrix shall pay all expenses of my last illness and burial and all costs of the administration of my estate.

ITEM III

I do hereby give, devise and bequeath unto my said daughter, Joyce Gaston, all of the property of which I may die seized and possessed, real, personal and mixed, and whether acquired before or after the execution of this will.

ITEM IV

In the event my said daughter shall predecease me, then and in that event I give, devise and bequeath unto my two granddaughters, Melanie Joy Jeffries and Amy Camille Gaston, equally to share and share alike all property of which I may die seized and possessed, real, personal and mixed, including all monies which I may have on deposit at the time of my death in any savings accounts or checking accounts in any bank or savings and loan association.

IN WITNESS WHEREOF, I have hereunto executed this my Last Will and Testament on this the 26 day of April, 1988.

*Edward F. King*  
EDWARD F. KING

WE, each of the subscribing witnesses to the Last Will and Testament of EDWARD F. KING, do hereby certify that said instrument was signed by said Edward F. King in our presence and in the presence of each of us, and that the said Edward F. King declared the same to be his Last Will and Testament in the presence of each of us, and that we signed as subscribing witnesses to said Last Will and Testament at the request of Edward F. King, in his presence and in the presence of each other.

WITNESS OUR SIGNATURES this the 26 day of April, 1988.

*Mrs George W. Rogers* Residing at 225 Nolan's Ridge Road, MS 39151

*Don Alford* Residing at 20 Brookside Place  
Madison, Ms. 39110

5-16-1991

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 7th day of March, 1995, at 1:30 o'clock P M., and was duly recorded on the March 7, 1995, Book No. 27, Page 670



STEVE DUNCAN, CHANCERY CLERK

BY: *Stacey Hill* D.C.

AFFIDAVIT OF SUBSCRIBING WITNESS

MADISON COUNTY, MISS.

**FILED**

MAR 07 1995

STATE OF MISSISSIPPI

COUNTY OF HINDS

AT 1:30 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK  
By: Stacey Hill, D.C.

PERSONALLY appeared before me, this date, the undersigned authority, in and for the aforesaid jurisdiction, the within named: Don Alford, who, after being by me duly sworn, on his Oath, states that he is one of the two subscribing witnesses to the Last Will and Testament of Edward F. King, and that he hereby certifies that said instrument was declared by the said Edward F. King, to be his Last Will and Testament and same was so declared in his immediate presence and that of the other witness therein, and that they signed their names hereon as subscribing witnesses, at the request of Don Alford, Testator, in his immediate presence and in the immediate presence of each other; And, further, he states that he is an adult resident citizen of the State of Mississippi, and that he is competent to testify as to the matters contained herein. That he was acquainted with Edward F. King, on a personal basis, and knew, from his own personal knowledge that said Testator is a resident citizen of Madison County, Mississippi, over the age of eighteen (18) years, and of sound and disposing mind and memory and fully capable of

appreciating his acts and the consequences thereof on the date of signatures thereon and for some time heretofore.

WITNESS MY SIGNATURE this the 21 day of November, 1994.

Don Alford  
WITNESS

SWORN TO AND SUBSCRIBED before me, this the 1st day of November, 1994.

Ruby W. Mays  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

My Commission Expires March 24, 1998

STATE OF MISSISSIPPI, COUNTY OF MADISON:



I certify that the within instrument was filed for record in my office this 7th day of March, 1995, at 1:30 o'clock P.M., and was duly recorded on the March 7, 1995, Book No. 27, Page 672

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

**FILED**

MAR 21 1995

AT 3:35 O'CLOCK P. M.  
STEVE DUNCAN, CHANCERY CLERK.

By: *Karen Trupp, D.C.*

LAST WILL AND TESTAMENT

OF

BILLIE SUE LOW

I, BILLIE SUE LOW, a resident citizen of Canton, Madison County, Mississippi, do hereby declare this to be my Last Will and Testament.

I.

I hereby revoke all previous wills and codicils made by me.

II.

I further state that I am married and my husband's name is MOON SEE LOW, and all references in this will made to my husband, MOON SEE LOW, are made to him.

III.

I do hereby name CYNTHIA CAROL LOW as Executrix of this my Last Will and Testament and would provide that she serve without bond and without the necessity of accounting or inventory of this Estate and further direct her to pay all of the debts of my last illness and funeral. If my daughter, CYNTHIA CAROL LOW, should predecease me or for any reason fail to qualify or decline to act as Executrix, then I nominate and appoint my sons, RUSSELL MING LOW and DANNY MOON LOW to serve as Co-Executors of this Will without bond and without the necessity of inventory or accounting on this Estate.

IV.

Upon my death, I instruct my Executrix to establish the BILLIE SUE LOW TRUST in accordance with the laws and regulations of the State of Mississippi and further instruct that my Executrix be the Trustee for the BILLIE SUE LOW TRUST and would ask that the following items be placed within the BILLIE SUE LOW TRUST: the assets of all my holdings in stocks and bonds and mutual funds and all cash, accounts and monies in banks or certificates of deposit and all monies which are in my name only and not the name of my husband, MOON SEE LOW. In addition, I place my house in Picayune, Mississippi, and house in Houston Texas in this trust and direct that the Trustee or Executrix sell as soon as possible those houses and place the proceeds from the sale of those properties in the BILLIE SUE LOW TRUST. It is further my desire that the assets and income of the trust be used to provide for the needs of MOON SEE LOW, my husband, during his lifetime. Upon the death of my husband, MOON SEE LOW, I direct that my children, CYNTHIA CAROL LOW, RUSSELL MING LOW AND DANNY MOON LOW, receive the income from the trust and that at each one of their elections, they may be paid on a yearly basis their pro rata share of the yearly income of the trust assets. Upon the death of my children, I direct that the trust be for the benefit of my grandchildren, CALLIE KATHERINE LOW, KIMBER HAYNES LOW, AND ADRIAN LOW, and that the trust be distributed to them on a yearly basis in the same manner as it was distributed to my children until such time as the youngest grandchild, CALLIE KATHERINE LOW, becomes thirty (30) years old and at that time the corpus of the trust should be divided equally among my three (3) grandchildren.

V.

It is also my intention that Tyler Daniel specifically not receive anything under this will. This child was established through a paternity suit to be a child of my son, RUSSELL MING LOW, but subsequent to the court order the mother of the child repudiated the court order and has indicated that this child is not my son's child, and I particularly do not want this child to receive any assets of my estate and do hereby so state unto my Executrix and any and all others that Tyler Daniel is to be specifically and absolutely excluded from taking any assets under this will.

VI.

With the exception of the above mentioned assets, I leave the rest and residue of my Estate to my husband, MOON SEE LOW, and if MOON SEE LOW predeceases me, then I leave the residue of my Estate to my children, CYNTHIA CAROL LOW, RUSSELL MING LOW, and DANNY MOON LOW, to share and share alike.

VII.

Excepted from the above general bequest is the following specific bequest that I leave unto my daughter, CYNTHIA CAROL LOW, all of my jewelry, all of my iron skillets, iron cookware and other cooking utensils and paraphernalia, and my jewel tea dishes.

VIII.

If it is determined that any part of this Will is illegal or inappropriate, then it is my desire that the rest of the Will which is determined to be legal and appropriate be carried out in accordance with my wishes and that only that part of the Will which is not determined to be appropriate should be the subject of any contest among my heirs.

I SUBSCRIBED my name to this Will on the 13<sup>th</sup> day of March, 1991.

Billie Sue Low  
BILLIE SUE LOW, Testatrix

THIS INSTRUMENT was on the date shown above signed, published and declared by Billie Sue Low to be her Last Will and Testament in our presence and we, at her request, have subscribed our names as witnesses in her presence and in the presence of each other.

Stanley J. Stater  
410-86-0739 WITNESS  
P.O. Box 358  
Canton, Ms. 39046  
ADDRESS

Edith A. Stater  
587-36-0864 WITNESS  
P.O. Box 358  
Canton, Ms. 39046  
ADDRESS



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 21 day of March, 1995, at 3:35 o'clock P. M., and was duly recorded on the 21st day of March, 1995, Book No. 27, Page 674

STEVE DUNCAN, CHANCERY CLERK

BY: Karen Shipp D.C.

FILED  
THIS DATE

MAR 21 1995

STEVE DUNCAN  
CHANCERY CLERK

BY *Karen Trapp*

IN THE CHANCERY COURT OF MADISON COUNTY  
STATE OF MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
BILLIE SUE LOW, DECEASED

CIVIL ACTION,  
FILE NO. 95-172

PROOF OF WILL

STATE OF MISSISSIPPI  
COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction above mentioned, Stanley F. Stater, III, a subscribing witness to a certain instrument of writing purported to be the Last Will and Testament of Billie Sue Low, who being duly sworn, deposed and said that the said Billie Sue Low signed, published and declared said instrument as her Last Will and Testament on the 13th day of March, 1991 the day of the date of said instrument, in the presence of this deponent and in the presence of Edith A. Stater, and that said Testator was then of sound and disposing mind and memory and more than twenty-one (21) years of age, and this deponent and Edith A. Stater, 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 and year of the date of said instrument.

WITNESS MY SIGNATURE on this the 21st day of March, 1995.

*Stanley F. Stater III*  
STANLEY F. STATER, III

SWORN TO AND SUBSCRIBED BEFORE ME on this the 21st day of March, 1995.

(SEAL)

*Elizabeth Suzanne Hains*  
NOTARY PUBLIC

My Commission Expires: August 11, 1998



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 21 day of March, 1995, at 3:35 o'clock P. M., and was duly recorded on the 21st day of March, 1995, Book No. 27, Page 676.

STEVE DUNCAN, CHANCERY CLERK BY: *Karen Trapp* D.C.

FILED

THIS DATE

MAR 21 1995

STEVE DUNCAN  
CHANCERY CLERK

BY Karen Jupp

BOOK 27 PAGE 677

IN THE CHANCERY COURT OF MADISON COUNTY  
STATE OF MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
BILLIE SUE LOW, DECEASED

CIVIL ACTION,  
FILE NO. 95-172

PROOF OF WILL

STATE OF MISSISSIPPI  
COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction above mentioned, Edith A. Stater, a subscribing witness to a certain instrument of writing purported to be the Last Will and Testament of Billie Sue Low, who being duly sworn, deposed and said that the said Billie Sue Low, signed, published and declared said instrument as her Last Will and Testament on the 13th day of March, 1991 the day of the date of said instrument, in the presence of this deponent and in the presence of Stanley F. Stater, III, and that said Testator was then of sound and disposing mind and memory and more than twenty-one (21) years of age, and this deponent and Stanley F. Stater, III 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 and year of the date of said instrument.

WITNESS MY SIGNATURE on this the 21<sup>st</sup> day of March, 1995.

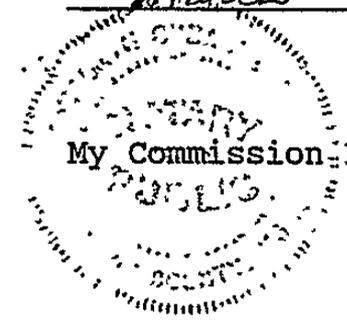
Edith A Stater  
EDITH A. STATER

SWORN TO AND SUBSCRIBED BEFORE ME on this the 25<sup>th</sup> day of March, 1994.

Elizabeth Suzanne Hanna  
NOTARY PUBLIC

My Commission Expires: August 11, 1998

(SEAL)



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 21 day of March, 1995, at 3:35 o'clock P.M., and was duly recorded on the 21st day of March, 1995, Book No. 27, Page 677.

STEVE DUNCAN, CHANCERY CLERK

BY: Karen Jupp D.C.

# Last Will and Testament

MADISON COUNTY, MS  
**FILED**

MAR 24 1995

OF

LORA M. UNDERWOOD

AT 11:55 O'CLOCK A. M.  
STEVE DUNCAN, CHANCERY CLERK

By: Stacy Hill, DC

I, LORA M. UNDERWOOD, a resident citizen of Madison County, Mississippi, being over the age of eighteen years, and being of sound and disposing mind, memory, and understanding, being mindful of the uncertainties of life and well as the certainty of death, and not being unduly influenced by any person whomsoever, do hereby make, publish, and declare this to be my Last Will and Testament, hereby revoking any and all other Wills and Codicils thereto heretofore made by me.

### ARTICLE I

It is my will that all my just debts, including the cost of my last illness, if any, and my funeral and burial expenses, which have been probated in the manner and within the time required by law, be first paid. It is my intention, however, that nothing in this Article 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.

### ARTICLE II

To the individuals and institutions listed below, I will and bequeath the following:

A. To the Hinds Community College Development Foundation of Hinds Community College, Raymond, Mississippi, the sum of Fifteen Thousand Dollars (\$15,000.00) for the establishment of an endowed scholarship at said Hinds Community College.

B. To my niece, Vashti U. Muse, the sum of Fifty Thousand Dollars (\$50,000.00), in trust for the use and purposes hereinafter set forth, and I direct that said

Lora M. Underwood  
LORA M. UNDERWOOD  
(SIGNED FOR IDENTIFICATION)

bequest so passing to said Trustee shall be administered and disposed of upon the following terms and conditions - that is to say:

Section 1.

I direct that the Trustee hold and apply the principal and accumulated income constituting this trust estate shall be paid over to my great-niece, Lora E. Underwood, or applied for her benefit in monthly or quarterly installments in such manner and at such intervals as my Trustee, in her sole discretion, shall from time to time deem requisite for the suitable four year college education of such great-niece, provided, however, that said great-niece shall show a need and aptitude for learning to the Trustee before any payments or application of my trust estate are made herein for her benefit.

Section 2.

In the event that (a) my said great-niece does not pursue a college education by the time she has attained twenty-five (25) years of age, or (b) my said great niece does not, in my Trustee's sole discretion, show a need or aptitude for higher education for payments or application of this trust by the time she reaches said age of twenty-five (25) years, or (c) my said great niece shall die prior to the termination of her trust pursuant to the foregoing provisions, or (d) my said great niece has attained a college education at the time of my death, or (e) upon the completion of my said great-

Lora M. Underwood  
LORA M. UNDERWOOD  
(SIGNED FOR IDENTIFICATION)

niece's college education, there remains any principal and accumulated income, then in such event the principal and accumulated income then constituting the trust for such great-niece shall terminate and shall be irrevocably transferred to the Salvation Army, Jackson, Mississippi.

Section 3.

The Trustee shall receive a compensation for services rendered under this agreement a reasonable investment management fee and expenses. No bond or other security shall be required of the Trustee and she shall have all powers conferred by the Uniform Trustees Powers Act (MISS CODE ANN Sections 91-9-101 - 91-9-119 (1972)) as amended.

ARTICLE III

I will, bequeath, and devise to my great-nephew, Vernon C. Muse, Jr., as Trustee, my residuary estate in trust, however to hold for the following purposes and subject to the following conditions:

1. This instrument shall be designated on the books and records of the Trustee as the Lora M. Underwood Children's Disciple Program Fund.
2. Additional contributions may be made to this Unitrust by gift, bequest or otherwise.
3. The Trustee is authorized to continue investment of the trust in the assets distributed by my estate which are the subject of this gift or may sell said assets and reinvest the trust assets in any manner consistent with Section 664 of the Internal Revenue Code and the Regulations thereunder, provided that the Trustee shall not conduct any activity and shall neither receive nor invest in any property which shall cause the trust to

*Lora M. Underwood*  
 \_\_\_\_\_  
 LORA M. UNDERWOOD  
 (SIGNED FOR IDENTIFICATION)

have any unrelated business taxable income within the meaning of Section 512 of said Code. Nothing in this trust instrument shall be construed to restrict the Trustee from reinvesting the trust assets in a manner which could result in the annual realization of a reasonable amount of income or gain from the sale or disposition of trust assets.

4. During the lifetime of my great-nephew, Vernon C. Muse, Jr., the Trustee, shall accumulate and distribute, the net income and so much of the principal thereof, as my Trustee, in his absolute discretion, shall from time to time determine, according to such one or more of the following optional methods of disposition as my Trustee shall from time to time elect:

(a) All or any portion of the said income and principal may be paid to or applied for the benefit of the Children's Disciple Program at Galloway Memorial United Methodist Church, Jackson, Mississippi, in such manner and in such intervals as my Trustee, in his absolute discretion shall from time to time determine; or

(b) Any portion of the said income and principal not needed or requested by the Children's Disciple Program at said Galloway Memorial Methodist Church may be paid to or applied for the benefit of the Children's Disciple Program at the Christ United Methodist Church, Jackson, Mississippi, and the Raymond United Methodist Church, Raymond, Mississippi, in such manner and at such intervals

Lora M. Underwood  
LORA M. UNDERWOOD  
(SIGNED FOR IDENTIFICATION)

and in such amount as my Trustee in his absolute discretion, shall from time to time determine; or

(c) Any portion of the said income and principal not needed or requested by the churches named in the foregoing subparagraphs (a) and (b) of Part 4 of this Article may be paid to or applied for the benefit of the Children's Discipal Program at any church of Christian worship, in such manner and at such intervals and in such amount as my Trustee in his absolute discretion, shall from time to time determine; or

(d) All or any portion of the said income may be accumulated and invested and held under the terms and provisions hereof, if and to the extent to which my Trustee in his absolute discretion shall from time to time so determine; provided, however, that any income so accumulated may subsequently be used in any manner authorized in any manner authorized in the foregoing subparagraphs (a), (b), and (c) of Part 4 of this Article.

It is my desire and that the income and principal be used primarily for the purchase and acquisition of Christian literature, education materials, and Bible teacher educational workshops for the enhancement of the Children's Disciple Programs of Galloway Memorial United Methodist Church, Christ United Methodist Church and Raymond Methodist Church, or any church of Christian worship, after my Trustee receives requests, from time to time, from the Education Directors, or their equivalent, from each of the said respective churches; this expression of desire is to be considered merely as a guide to the Trustee and not as a binding obligation of trust.

Lora M. Underwood  
LORA M. UNDERWOOD  
(SIGNED FOR IDENTIFICATION)

In carrying out the duties imposed upon the Trustee by the provision of this Article III, the decision of the Trustee shall be final and binding upon all persons.

5. The taxable year of this trust shall be the year ending December 31.

6. Upon the death of Vernon C. Muse, Jr., the trust assets, if any remain, shall be irrevocably transferred to Galloway Memorial United Methodist Church, Jackson, Mississippi, to be used and expended in any manner it deems appropriate.

7. In the event that the charitable remainder beneficiary is not an organization described in Sections 170(c), 2055 or 2522 of the Internal Revenue Code at the time when any principal or income of the trust is to be distributed to it, the Trustee shall distribute such principal or income to or for the use of an organization or organizations, as selected by the Trustee, which are described in the said Sections 170(c), 2055, or 2522, or retained for such use.

8. It is my intention to create a Charitable Remainder Unitrust within the meaning of Section 664 of the Internal Revenue Code and the Regulations thereunder. All the provisions hereof should be interpreted in a manner consistent with the regulations and rulings promulgated by the Internal Revenue Service with respect thereto. Otherwise, this trust shall be governed by the laws of the State of Mississippi.

9. Regardless of the laws of any state or jurisdiction or anything to the contrary notwithstanding, any federal,

Lora M. Underwood  
LORA M. UNDERWOOD  
(SIGNED FOR IDENTIFICATION)

state, or other estate, inheritance or succession taxes or duties which may be assessed against my estate or against any beneficiary hereunder shall be paid out of other assets of my estate subject to administration and not out of the assets of the trust estate. Regardless of the laws of any state or jurisdiction and anything to the contrary notwithstanding, except for payment of the required unitrust amount hereunder, the Trustee shall not have the power to invade this Unitrust for the beneficial use of the income beneficiary or any persons other than an organization described in Section 170(c) of the Code.

10. Notwithstanding any other provisions hereof, the Trustee hereunder shall make distributions for each taxable year at such time and in such manner as not to subject the trust to tax under Section 4942 of the Internal Revenue Code. The Trustee shall not engage in any acts of self-dealing (as defined in Section 4941(d) of the Code); not shall the Trustee make any taxable expenditures (as defined in Section 4945(d) of the Code). The Trustee shall not make any investments which jeopardize the charitable purpose of the Unitrust (as defined in Section 4944 of the Code) nor retain any excess business holdings (within the meaning of Section 4943 of the Code). Nothing in this trust instrument shall be construed to restrict the Trustee from investing the trust assets in a manner which could result in the annual realization of a reasonable amount of income or gain from the sale or disposition of trust assets.

  
 LORA M. UNDERWOOD  
 (SIGNED FOR IDENTIFICATION)

11. (a) Except as provided in this Paragraph, this instrument may be amended, altered or modified at any time or from time to time, in writing, by the Trustee.

(b) In the event that an amendment affects the rights or obligations of any income beneficiary hereunder, such amendments shall not become effective until the first day of the calendar month following sixty days after a copy of such amendment shall have been mailed to each such beneficiary. If such income beneficiary shall file with the Trustee a notice in writing objecting a such amendment, and if such notice is received by the Trustee at least five days prior to the effective date of the amendment, such amendment shall be void.

(c) Notwithstanding any other provision of this Paragraph, no amendment shall be made which affects the irrevocable remainder interest granted to the Trustee in all property held in the Unitrust, or which otherwise affects the qualification of the Trust as a Charitable Remainder Unitrust within the meaning of Section 664 of the Internal Revenue Code, as that term is defined from time to time in said Code, and the Trustee shall have the power to amend this instrument for the purpose of preserving such qualification without reference to the limitations set forth in subparagraph (b) of this Paragraph.

12. The Trustee shall receive a compensation for services rendered under this agreement a reasonable investment management fee and expenses. No bond or other security shall be required of the Trustee or any successor Trustee.

L. M. Underwood  
LORA M. UNDERWOOD  
(SIGNED FOR IDENTIFICATION)

13. The Trustee shall have all powers conferred by the Uniform Trustees Powers Act (MISS CODE ANN Sections 91-9-101-91-9-119 (1972)) except to the extent limited by this agreement and Section 664 of the Internal Revenue Code.

14. The interests of beneficiaries in principal or income of the Unitrust shall not in any way be voluntarily or involuntarily alienated or encumbered.

15. The Trustee may resign and designate a new Trustee or Trustees so long as it retains the power to remove the Trustee or Trustees and to designate a new Trustee or Trustees. Any successor Trustee, whether appointed hereunder or appointed by a competent court, shall be vested with all the rights, powers, privileges, duties and obligations of the original Trustee hereunder.

16. If Vernon C Muse, Jr. shall fail to survive me, then upon my death, I bequeath and devise the aforesaid property to Galloway Memorial United Methodist Church, to be used by it for its general purposes.

ARTICLE IV

In the event that any bequest made by me in this my Last Will and Testament shall be void because of the provisions of the Statute of mortmain as now enacted or hereafter amended, or if any of the institutions named in this my Last Will and Testament shall not be in existence at the time of my death, then such bequest(s) shall lapse and I will and bequeath the same in fee to my great nephew, Vernon C. Muse, Jr.

ARTICLE V

I hereby nominate and appoint my niece, Vashti U. Muse, as Executrix of my estate, and I direct that she be permitted

Lora M. Underwood  
LORA M. UNDERWOOD  
(SIGNED FOR IDENTIFICATION)

to serve in said capacity without bond; and further, I expressly relieve her of the necessity of an appraisal, accounting or inventory to any Court. I expressly confer upon my Executrix the specific powers set forth in MISS CODE ANN Sections 91-9-101 through 91-9-119 (1972) as now enacted or hereinafter amended.

ARTICLE VI

In the event my niece, Vashti U. Muse, predeceases me or for some reason she is unable to serve as Executrix, then I nominate and appoint my great-nephew, Vernon C. Muse, Jr., as the Executor of my estate and I direct that he be permitted to serve in said capacity without bond, and he shall possess and exercise all powers and authority herein conferred on the original Executrix.

IN THE TESTIMONY WHEREOF, I have signed, published, and declared the foregoing instrument, consisting of ten (10) type-written pages, as and for my Last Will and Testament, on this 17th day of April, 1992.

Lora M. Underwood  
LORA M. UNDERWOOD

The foregoing instrument was signed, published, and declared by Lora M. Underwood, as and for her Last Will and Testament, in our presence, who at her request, in her presence, and in the presence of each other have hereunto signed our names as witnesses hereto.

WITNESSES:

John D. Sims  
NAME

Beverly W. Underwood  
NAME

P.O. Drawer 49  
ADDRESS

4181 Hwy 467  
ADDRESS

Ramona, MS 39154

Rowland, MS 39066

-10-



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 24th day of March, 1995, at 11:55 o'clock A.M., and was duly recorded on the March 24, 1995, Book No 27, Page 678.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill DC

AFFIDAVIT OF SUBSCRIBING WITNESS

MADISON COUNTY, MISSISSIPPI

FILED

MAR 24 1995

AT 11:55 O'CLOCK A.M.  
STEVE DUNCAN, CHANCERY CLERK  
By Stacey Hill, DC

THE STATE OF MISSISSIPPI  
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for said County and State, Jack G. Moss, one of the subscribing witnesses to a certain instrument in writing, a copy of which is attached hereto, dated the 17th day of April, 1992, purporting to be the Last Will and Testament of Lora M. Underwood, who was an adult resident citizen of the Second Judicial District of Hinds County, Mississippi, who after being first duly sworn, on oath states that the said Lora M. Underwood published and declared said instrument in writing to be her Last Will and Testament, on the date of said instrument, in the presents of Beverly W. VanEtten, the other subscribing witness thereto. That the said Lora M. Underwood was then of sound, mind, memory, and understanding, and was above the age of 18 years. That this affiant and the said Beverly W. VanEtten each subscribed and attested said instrument dated the 17th day of April, 1992, as witnesses to the signature and publication thereof, at the time Lora M. Underwood executed same, at her special instance and request, and in the presence of the said Beverly W. VanEtten and in the presents of each other, on the date of said instrument.

WITNESS THE SIGNATURE of affiant this the 17th day of April, 1992.

Jack G. Moss  
JACK G. MOSS

SWORN TO AND SUBSCRIBED before me, this 17th day of April, 1992.

Beverly W. VanEtten  
NOTARY PUBLIC  
My commission expires: 8-1-93



STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 24th day of March, 1995, at 11:55 o'clock A M, and was duly recorded on the March 24, 1995, Book No 27, Page 688

STEVE DUNCAN, CHANCERY CLERK BY Stacey Hill DC

MADISON COUNTY, MS

LAST WILL AND TESTAMENT

FILED

MAR 30 1995

OF

AT 12:45 O'CLOCK P. M.  
STEVE DUNCAN, CHANCERY CLERK

ONEAL FORTENBERRY

By: Karen Trupp, D.C.

#95-189

I, Oneal Fortenberry, an adult resident citizen of Madison County, Mississippi, being over 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, and I do hereby revoke any and all wills and codicils heretofore made by me.

I.

I do hereby constitute and appoint my wife, Dorothy Rea Fortenberry, to be the Executrix of this, my Last Will and Testament, and I hereby direct that no bond be required of said Executrix, and I further waive the necessity of having a formal appraisal made of my estate.

II.

I hereby direct my Executrix to pay my funeral expenses and all of my debts which may be probated, registered and allowed against my estate as soon as may be conveniently done. I direct my Executrix to pay all federal and state estate, inheritance, succession, transfer, or other death taxes which are assessed against my estate.

III.

I give, devise and bequeath unto my wife, Dorothy Rea Fortenberry, all of my property comprising my estate, of whatsoever kind or character and wheresoever situated. I hereby direct that the maximum amount allowable under law pass to my said wife under the marital deduction and the uniform gift act.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this, the

23 day of August, 1994.

Oneal Fortenberry  
ONEAL FORTENBERRY

This instrument was, on the date shown above, signed, published and declared by Oneal Fortenberry 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.

Debbie L. Green  
WITNESS

110 Pine Hall Drive #175  
ADDRESS

Ridgeland, Ms. 39157

Lemman Mason  
WITNESS

5175 Glaxia Dr  
ADDRESS

Jackson Ms 39206



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 30th day of March, 1995, at 12:45 o'clock P. M., and was duly recorded on the 30th day of March, 1995, Book No. 27, Page 689.

STEVE DUNCAN, CHANCERY CLERK

BY Karen Fupp D.C.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

ESTATE OF ONEAL FORTENBERRY  
DECEASED

NO. 95189

AFFIDAVIT OF SUBSCRIBING WITNESS

MADISON COUNTY, MS

**FILED**

MAR 30 1995

STATE OF MISSISSIPPI

COUNTY OF HINDS

AT 12:45 O'CLOCK P. M.  
STEVE DUNCAN, CHANCERY CLERK

By: *Karen Trupp, DC*

This date personally appeared before me, the undersigned authority at law in and for the jurisdiction aforesaid, the within named HERMAN MASON, who being by me first duly sworn according to law, says on oath:

(1) That this Affiant is one of the subscribing witnesses to an instrument of writing purporting to be the Last Will and Testament of ONEAL FORTENBERRY, deceased, who was personally known to Affiant, and whose signature is affixed to said Last Will and Testament, which Last Will and Testament is dated the 23rd day of August, 1994.

(2) That on the 23rd day of August, 1994, the said ONEAL FORTENBERRY signed, published and declared said instrument of writing as her Last Will and Testament, in the presence of this Affiant and in the presence of DEBBIE GREEN, the other subscribing witness to said instrument.

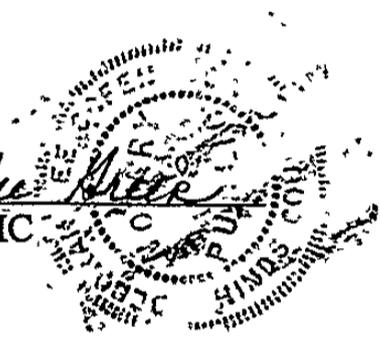
(3) That the said ONEAL FORTENBERRY was then and there of sound and disposing mind and memory, and well above the age of twenty-one (21) years.

(4) That this Affiant, together with DEBBIE GREEN, subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of said ONEAL FORTENBERRY, and in the presence of each other.

Herman Mason  
HERMAN MASON

SWORN TO AND SUBSCRIBED BEFORE ME, this, the 29th day of March, 1995.

Deborah Lee Ritter  
NOTARY PUBLIC



MY COMMISSION EXPIRES:

August 6, 1996

HERMAN M. MASON  
ATTORNEY AT LAW  
P O BOX 16425  
5175 GALAXIE DRIVE  
JACKSON, MISSISSIPPI 39206  
(601) 982-0321  
MSB #1914



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 30th day of March, 1995, at 12:45 o'clock P. M., and was duly recorded on the 30th day of March, 1995, Book No. 27, Page 691.

STEVE DUNCAN, CHANCERY CLERK

BY: Karen Fupp D.C.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

ESTATE OF ONEAL FORTENBERRY  
DECEASED

NO. 95189

AFFIDAVIT OF SUBSCRIBING WITNESS

MADISON COUNTY, MS

**FILED**

MAR 30 1995

AT 12:45 O'CLOCK P. M  
STEVE DUNCAN, CHANCERY CLERK

*By: Karen Tripp, D.C.*

STATE OF MISSISSIPPI  
COUNTY OF HINDS

This date personally appeared before me, the undersigned authority at law in and for the jurisdiction aforesaid, the within named DEBBIE GREEN, who being by me first duly sworn according to law, says on oath.

(1) That this Affiant is one of the subscribing witnesses to an instrument of writing purporting to be the Last Will and Testament of ONEAL FORTENBERRY, deceased, who was personally known to Affiant, and whose signature is affixed to said Last Will and Testament, which Last Will and Testament is dated the 23rd day of August, 1994.

(2) That on the 23rd day of August, 1994, the said ONEAL FORTENBERRY signed, published and declared said instrument of writing as her Last Will and Testament, in the presence of this Affiant and in the presence of HERMAN MASON, the other subscribing witness to said instrument.

(3) That the said ONEAL FORTENBERRY was then and there of sound and disposing mind and memory, and well above the age of twenty-one (21) years

(4) That this Affiant, together with HERMAN MASON, subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of said ONEAL FORTENBERRY, and in the presence of each other.

Debbie Green  
DEBBIE GREEN

SWORN TO AND SUBSCRIBED BEFORE ME, this, the 29 day of March, 1995.

Herman M Mason  
NOTARY PUBLIC



MY COMMISSION EXPIRES:  
8-15-97

Herman M Mason  
HERMAN M MASON  
ATTORNEY AT LAW  
P. O BOX 16425  
5175 GALAXIE DRIVE  
JACKSON, MISSISSIPPI 39206  
(601) 982-0321  
MSB #1914

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 30th day of March, 1995, at 12:45 o'clock P. M., and was duly recorded on the 30th day of March, 1995, Book No. 27, Page 693.



STEVE DUNCAN, CHANCERY CLERK

BY: Karen Supp D.C.

FILED

MAR 3 1 1995

LAST WILL AND TESTAMENT  
OF

SUE WALKER ELLIOTT

#95-196

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

By Karen Trupp, D.C.

I, the undersigned SUE WALKER ELLIOTT being over the age of twenty-one (21) years, of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all prior Wills and Codicils and every other instrument of testamentary nature heretofore made by me.

## I.

I do hereby nominate, appoint and designate to be the Co-Executors of my estate, M. G. Elliott, III and Ruth Stockett and should either predecease me, or become unwilling, unable, or unavailable to act as Co-Executors, the other may serve as a single Executor alone. I declare that if any act as Executrix/Executor of my estate, that they act without necessity of bond, inventory, appraisal or accounting.

## II.

I desire that all of my lawful debts, duly probated and found to be correct and allowed all within the time as provided by law and found further to be due, just and owing by my Executor/Executrix ought to be paid. I direct that all indebtedness in the state tax due and payable on account of my estate likewise be paid by my said Executrix/Executor.

## III.

My Executrix/Executor shall have full and plenary power and authority to do and perform any act deemed by him/her to be for the best interest of the estate without any limitation whatsoever and without bond. Said authority shall include but shall not be limited to the right to take possession, hold, manage, invest and reinvest the same and to collect the income dividends, rents, interest and profits there from, and to employ and to pay any attorney's, agents and accountants that are deemed necessary for for the best interest of my estate, and pay unto them, and my Executrix/Executor as compensation for their services a reasonable and appropriate sum as determined by the Court.

## IV.

All of the rest, residue and remainder of my property, real, personnel and mixed, of whatsoever kind and nature and wheresoever situated, including lapsed, legacies, and bequests 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 and all of my property as stated above including but not limited to the lot and dwelling house at Lake Cavalier, Madison County, Mississippi, together with all of my cash, clothing, jewelry, household furniture, household furnishings, and personal effects, I do give devise and bequeath unto two of my children M.G. Elliott, III, and Ruth Elliott Stockett to share and share alike. I request that this property be divided among the said two children as nearly as possible according to each one's preference. In case

of disagreement as to any item, then those two of my children M. G. Elliott, III, and Ruth Elliott Stockett, shall use the method of division commonly called "shooting high dice" in making allocation of that item. The results of the allocation by this method shall be conclusive.

IN WITNESS WHEREOF, I do hereby, sign, publish and declare this as my last will and testament in the presence of the persons witnessing it at my request on this 16 day of May 1993, 1993.

Sue Walker Elliott  
SUE WALKER ELLIOTT

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

Sharon B. Seale  
SIGNATURE OF WITNESS

Sharon B. Seale  
PLEASE PRINT FULL NAME HERE

107 Shady Lane  
Jackson, MS 39213  
ADDRESS OF WITNESS

Social Security Number 587 - 03 - 6459

William D Seale Jr  
SIGNATURE OF WITNESS

WILLIAM D SEALE JR  
PLEASE PRINT FULL NAME HERE

107 Shady Lane P.O.  
JACKSON MISS 39213  
ADDRESS OF WITNESS

Social Security Number 428 - 94 - 7159

STATE\ESTATES\ELLIOTT.WIL

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 31st day of March, 1995, at 11:50 o'clock A. M., and was duly recorded on the 31st day of March, 1995, Book No. 27, Page 695.

STEVE DUNCAN, CHANCERY CLERK

BY: Karen Fupp D.C.



FILED

MAR 31 1995

~~MADISON~~ IN THE CHANCERY COURT OF  
~~THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY~~  
STATE OF MISSISSIPPI

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

IN THE MATTER OF THE ESTATE OF  
SUE WALKER ELLIOTT, DECEASED

By: KA  
CIVIL ACTION,  
FILE NO. 95-196

PROOF OF WILL

STATE OF MISSISSIPPI  
COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction above mentioned, William D. Seale, Jr., a subscribing witness to a certain instrument of writing purported to be the Last Will and Testament of Sue Walker Elliott, who being duly sworn, deposed and said that the said Sue Walker Elliott signed, published and declared said instrument as her Last Will and Testament on the 16th day of May, 1993, the day of the date of said instrument, in the presence of this deponent and in the presence of Sharon B. Seale, and that said Testator was then of sound and disposing mind and memory and more than twenty-one (21) years of age, and this deponent and Sharon B. Seale 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 and year of the date of said instrument.

WITNESS MY SIGNATURE on this the 18<sup>th</sup> day of July, 1994.

William D. Seale Jr  
WILLIAM D. SEALE, JR.

SWORN TO AND SUBSCRIBED BEFORE ME on this the 18<sup>th</sup> day of July, 1994.

Jane S. McAllister  
NOTARY PUBLIC

My Commission Expires: November 12, 1994

(SEAL)

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 31<sup>st</sup> day of March, 1995, at 11:50 o'clock A. M., and was duly recorded on the 31<sup>st</sup> day of March, 1995, Book No. 27, Page 698.

STEVE DUNCAN, CHANCERY CLERK

BY: Karen Trupp D.C.



FILED

MAR 31 1995

BOOK 27 PAGE 699

MADISON IN THE CHANCERY COURT OF  
~~THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY~~  
STATE OF MISSISSIPPI

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

IN THE MATTER OF THE ESTATE OF  
SUE WALKER ELLIOTT, DECEASED

By: Karen Fupp, D.C.  
CIVIL ACTION,  
FILE NO. 95-196

PROOF OF WILL

STATE OF MISSISSIPPI  
COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction above mentioned, Sharon B. Seale, a subscribing witness to a certain instrument of writing purported to be the *Last Will and Testament of Sue Walker Elliott*, who being duly sworn, deposed and said that the said Sue Walker Elliott signed, published and declared said instrument as her *Last Will and Testament* on the 16th day of May, 1993, the day of the date of said instrument, in the presence of this deponent and in the presence of William D Seale, Jr., and that said Testator was then of sound and disposing mind and memory and more than twenty-one (21) years of age, and this deponent and William D. Seale, Jr. 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 and year of the date of said instrument.

WITNESS MY SIGNATURE on this the 18<sup>th</sup> day of July, 1994.

Sharon B. Seale  
SHARON B. SEALE

SWORN TO AND SUBSCRIBED BEFORE ME on this the 18<sup>th</sup> day of July, 1994.

Karen S. McAllister  
NOTARY PUBLIC

My Commission Expires: September 12, 1994

(SEAL)



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 31st day of March, 1995, at 11:50 o'clock A. M., and was duly recorded on the 31st day of March, 1995, Book No. 27, Page 699.

STEVE DUNCAN, CHANCERY CLERK BY: Karen Fupp D.C.

# Last Will and Testament

OF

ROY L. PERKINS

**FILED**  
THIS DATE

APR 13 1995

#95-206

STATE OF MISSISSIPPI

COUNTY OF MADISON

STEVE DUNCAN  
CHANCERY CLERK  
*Steve Duncan*

I, ROY L. PERKINS, a resident citizen of Madison County, Mississippi, being of sound and disposing mind, memory and understanding, 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 any and all wills and testaments, and codicils thereto heretofore made by me.

ITEM I

I hereby direct that all of my just and lawful debts duly probated, registered and allowed against my estate be paid, including expenses of my funeral and a suitable marker for my grave; and that the administration of my estate be completed and closed as soon after my death as may be reasonably possible.

ITEM II

All the rest, residue and remainder of my property, real, personal, and mixed, of whatsoever kind and nature and wheresoever situated, including lapsed legacies and bequests, of which I shall die seized and possessed or to which I shall be entitled at the time of my death or over which I shall have any power of appointment, I do hereby give, devise and bequeath to my beloved wife, MEEDIE PERKINS, and same shall be hers absolutely.

ITEM III

In the event our deaths should occur simultaneously, or approximately so, or in the same common accident or calamity, or under circumstances

*Roy L Perkins*  
\_\_\_\_\_  
ROY L. PERKINS

JWH  
4/15

causing doubt as to which of us survived the other, or should my wife, Meedie Perkins, predecease me or die within thirty (30) days of my death, then and in that event only, I give devise and bequeath all the rest, residue and remainder of my property, real, personal and mixed of whatsoever kind and nature and wheresoever situated unto my children: MRS. FAYE NELL REEVES, of Texas; MRS. BOBBIE LEE YARBROUROUGH, Dallas, Texas; MRS. DOROTHY ANN QUICK, Ft. Myers, Florida; ROY KENNETH PERKINS, Pearl, Mississippi; DAVID EARL PERKINS, Arlington, Texas; MRS. KATHERINE JEAN STRICKLAND, St. Angelo, Texas; MRS. MARGIE DELL TOWNSEND, Canton, Mississippi, and unto CHARLA PERKINS, daughter of Charles Edward Perkins, deceased, per stirpes, share and share alike.

## ITEM IV

I hereby nominate, appoint and constitute my beloved wife, MEEDIE PERKINS, as Executrix of this my Last Will and Testament; and in the event she shall predecease me, or be unable or unwilling to serve as Executrix, then and in that event only, I appoint ROY KENNETH PERKINS, to serve as Executor of this My Last Will and Testament, and hereby grant unto him the same powers and authority as set forth for my Executrix. My Executrix shall be allowed to serve without bond or the necessity of making formal appraisement or accounting and shall have full and plenary power and authority to do and perform any act deemed by her to be for the best interest of my estate, without any limitations whatsoever, and without bond, and said authority shall include, but shall not be limited to, the right to take possession, hold, manage, invest, and reinvest the same, and to collect the income, dividends, rents, interests and profits therefrom, and to employ and to pay any attorneys, agents and accountants that she may deem necessary and for the best interest of my estate, and to pay unto herself a just and reasonable compensation as Executrix.

*Roy L. Perkins*  
 \_\_\_\_\_  
 ROY L. PERKINS

JAH  
 F.S.

The foregoing Will consists of Three pages, at the bottom of each of which I have signed my name.

IN WITNESS WHEREOF, I have hereunto set my hand to this my Last Will and Testament, on this the 15 day of March, 1978.

Roy L Perkins  
ROY L. PERKINS

STATE OF MISSISSIPPI

COUNTY OF MADISON

WE, each of the subscribing witnesses to the Last Will and Testament of Roy L. Perkins, do hereby certify that said instrument was signed, by the said Roy L. Perkins, in our presence and in the presence of each of us, and that the said Roy L. Perkins, declared the same to be his Last Will and Testament in the presence of each of us, and we each signed as subscribing witnesses to said Will at the request of Roy L. Perkins, in his presence and in the presence of each other.

James W. [Signature]  
ADDRESS: Canton  
Mississippi

[Signature]  
ADDRESS: JACKSON  
Mississippi

Roy L Perkins  
ROY L. PERKINS



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 13th day of April, 1995, at 8:30 o'clock A M., and was duly recorded on the 3rd day of April, 1995, Book No. 27, Page 700.

STEVE DUNCAN, CHANCERY CLERK

BY: Karen Jupp D.C.