

LAST WILL AND TESTAMENT  
OF  
CREULA C. LIDDELL

FILED  
THIS DATE  
SEP 30 1997  
STEVE DUNCAN  
CHANCERY CLERK  
BY *Steve Duncan*

#97-311

I, CREULA C. LIDDELL, an adult resident of Madison County, Ridgeland, Mississippi, being over the age of twenty-one years, and of sound and disposing mind and memory, declare this to be my Last Will and Testament, and hereby revoke any and all wills and codicils heretofore made by me.

ARTICLE I.

I direct that all expenses of my last illness, funeral and the cost of administration of my estate be paid by my Executor as soon as practical after my death, and that such expenses, and the debts properly probated against my estate, shall be paid out of the principal of my residuary estate. In the event that any property or interest in property passing under this Will or by operation of law or otherwise by reason of my death shall be encumbered by a mortgage, whether the property so encumbered shall be owned by me jointly or individually, it is my intention that such indebtedness shall not be paid from my estate, but that the devisee or joint owner shall take such property or interest in property subject to all encumbrances existing at the time of my death.

It is my intention, however, that nothing in this Article of my Will shall 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 any statutory duty to pay claims against my estate.

FILED  
THIS DATE  
SEP 30 1997  
STEVE DUNCAN  
CHANCERY CLERK  
BY

*Creula C. Liddell*  
CREULA C. LIDDELL

ARTICLE II.

I direct my Executor to pay all federal and state estate, inheritance, succession and transfer or other death taxes which are assessed on account of life insurance proceeds or other property which shall be included in my gross estate, whether or not included in my estate for probate purposes, out of my residuary estate.

ARTICLE III.

I give and bequeath all of my cash assets to include checking and savings accounts, certificates of deposit, money market funds, stocks and bonds, with accrued interest and to include cash from the sale of my automobile to be divided as follows:

1. One-half to my sister, ENA C. TERRELL.
2. One-fourth of the remaining one-half to my niece, TOMMYE CORLEY HENDERSON.
3. One-fourth of the remaining one-half to my niece, GERALDINE CORLEY COOPER.
4. One-fourth of the remaining one-half to my nephew, DANNY CORLEY.
5. One-fourth of the remaining one-half to my nephew, ERICK CORLEY.

ARTICLE IV.

If my sister or any of my nieces or nephews shall predecease me then their share shall be equally divided among the surviving designated beneficiaries.

ARTICLE V.

I give, devise and bequeath all the rest, residue and remainder of my personal property as follows:

1. Bedroom furniture to my great-niece, SHERILYN STEPHENS SIBLEY:

One single bed with all pillows, spreads and blankets

1 night stand  
1 curio cabinet  
1 T.V. and V.C.R.  
1 T.V. table  
1 dresser  
2 lamps and 1 magazine rack

2. Strausburg silver (six place setting, 1 sugar shell and salt spoons, two tablespoons) and two crystal lamps in living room to my great-nephew, BEN STEPHENS.

3. Old Ivory China to my great-niece, SUZANNE STEPHENS CARTER.

4. Indian Tree China to my great-niece, STEPHANI STEPHENS CALHOUN.

5. Fostoria Crystal (glasses, salad plates, candy dish, relish dish) and two square vases to my great-nephew, JOE L. STEPHENS.

6. White milk glass (2 fruit bowls, 1 candy dish, crystal fruit bowl and two matching candle sticks) to my great-niece, CAROLYN STEPHENS TRUSCOTT.

7. Crystal rose bud vase from Germany to my niece, TOMMYE CORLEY HENDERSON.

8. Two brass bookends to my niece, TOMMYE CORLEY HENDERSON.

9. Apple shaped desert dishes, apple shaped coasters, and one wooden plant stand, to my niece, TOMMYE CORLEY HENDERSON.

10. Rogers stainless silver (six place settings, sugar shell, meat fork, 1 butter knife) to my great-niece, STEPHANI STEPHENS CALHOUN.

11. Dining (drop leaf) table and two dining room chairs to my niece, CAROLYN TERRELL STEPHENS.

12. One electric Kettle and tea pitcher to my friend, JO HERRING.

13. One electric toaster and one small crock pot (oval shape) to my sister, ENA CORLEY TERRELL.

14. Rocking chair in my bedroom to my nephew, TOM HENDERSON.

15. Wedding band and diamond ring to my niece, GERALDINE CORLEY COOPER.

16. Figurine with water jug on shoulder to my niece, GERALDINE CORLEY COOPER.

17. Matched pictures with gold colored sconce between-wall wreath and matching table flower arrangement to my great-niece, SUZANN STEPHENS CARTER.

18. Picture of Lee and Jackson "The Last Meeting" to my nephew, TOM HENDERSON.

19. Black velvet long coat to my cousin, ALLIE L. MYERS.

20. Cameo broach and cameo stick pin to my great-niece, SUZANNE STEPHENS CARTER.

21. Gold chain with beads to my great great-niece, KELEIGH CARTER.

22. Round Pearl pin and Pearl stick pin to my great great-niece, MARIEL CARTER.

23. Living room furniture (1 couch, 2 end tables, 1 coffee table, one blue chair and one buffet to my sister, ENA CORLEY TERRELL.

24. Clothes to Goodwill and Miscellaneous articles to ENA CORLEY TERRELL. <sup>c. 2.</sup> <sub>P.D. DA</sub>

25. Kitchen shelf with sleeping rabbit, angel, and 8 glasses to my great-niece, SHERILYN S. SIBLEY.

26. Hand painted statue of "Father Christmas," to my great-niece, CAROLYN STEPHENS TRUSCOTT.

27. Five blue flowered urns above cabinets to my niece, GERALDINE C. COOPER.

ARTICLE VI.

I give, devise and bequeath all the rest, residue and remainder of my property, real and personal, tangible and intangible, wheresoever situated and howsoever held, in which I may have any interest at the time of my death, not otherwise effectively disposed of by my will or codicil, including any

lapsed legacies or devises, referred to as my residuary estate, unto my Executor, and I direct that my Executor shall administer and dispose of my said residuary estate as follows:

1. All of my clothes not previously disposed to GOODWILL INDUSTRIES.

2. All of my household items not previously disposed to my sister, ENA C. TERRELL or should my sister, ENA C. TERRELL, predecease me, then said items shall be given to her daughter, CAROLYN TERRELL STEPHENS.

3. Any household items not wanted by my sister may be divided among my nieces and nephews.

#### ARTICLE VII.

I nominate and appoint DEPOSIT GUARANTY NATIONAL BANK as Executor of this my Last Will and Testament. My Executor shall not be required to enter into any bond to insure the faithful performance of his duties nor shall he be required to return to any Court any formal appraisal or accounting, including final accounting, of its administration of my estate.

#### ARTICLE VIII.

In the administration of my estate, I give and grant to my Executor and any successors all of the powers and directions set forth in Mississippi Code Ann. Sections 91-9-101 through 91-9-109 and any additional powers and discretion as may result from subsequent legislation. No legislation subsequent to the date of the execution of this Will shall reduce or limit these powers and discretion. The fiduciaries named herein shall be entitled to reasonable and normal fees and they are hereby fully empowered to engage the services of attorneys, accountants, or others capable of rendering services in pursuance of the administration of my estate and the trusts herein.

In addition to the powers afforded to my said personal representatives by the aforesaid sections of the Mississippi Code of 1972, which statutes are hereby adopted by

reference thereto, I specifically give and grant to my Executor the following powers by way of illustration and not of limitation:

- A. To sell real or personal property at public or private sale, and this power may be exercised without application or confirmation by any Court.
- B. To pay, settle, or compound any and all rights, debts, demands, or claims, either in favor of or against my estate, upon such terms as such representative may deem fit and for such purposes to give or receive full receipts and discharges.
- C. To litigate, compound or settle inheritance, estate, transfer or succession taxes assessed by reason of my death, and gift, income or other taxes assessed against me or my estate; and to make deposits to secure the payment of any inheritance tax, which deposits shall be conclusive upon all persons.
- D. To claim expenses as either income or estate tax deductions when an election is permitted by law and to make such adjustment of tax between income and principal as such representative shall deem property. The decision of my said Executor shall be binding and conclusive upon all persons.

#### ARTICLE IX.

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 them, or to inquire into the expediency or propriety of any transaction or the authority of such fiduciaries to enter into and consummate the same upon such terms as they may deem advisable.

IN WITNESS WHEREOF, I, CREULA C. LIDDELL, have hereunto subscribed my name in the presence of two (2) witnesses, who have attested the same in my presence, and at my request and in the presence of each other, on this the 23 day of February, 1993.

Creula C. Liddell  
CREULA C. LIDDELL  
TESTATRIX

We, Paul Daley and Dawn Archer, the subscribing witnesses to the above an foregoing Last Will and Testament of CREULA C. LIDDELL, certify that the said Testatrix declared to us that the above and foregoing instrument is her true Last Will and Testament and that she specially requested us to act as subscribing and attesting witnesses thereto; that said Testatrix signed said instrument in our presence on the day and year therein mentioned; that we signed said instrument as attesting witnesses on said day and year in the presence of said Testatrix, and in the presence of each other; and that to the personal knowledge of each of us the said Testatrix was at such time above the age of twenty-one (21) years and of sound and disposing mind, memory and understanding.

THIS, the 23<sup>rd</sup> day of February, 1993.

NAME Paul Daley  
ADDRESS 509 Arbor Dr  
Madison, MS 39110

NAME Dawn Archer  
ADDRESS 2906 Longwood Dr.  
Jackson, MS 39212

Page 7 of 7 Pages

Creula C. Liddell  
CREULA C. LIDDELL



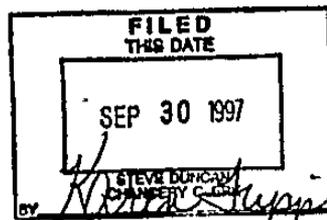
STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within Instrument was filed for record in my office this 30<sup>th</sup> day of September, 1997, at — o'clock — M., and was duly recorded on the SEP 30 1997, Book No 30, Page 202

STEVE DUNCAN, CHANCERY CLERK

BY Karen Jupp D.C.

PROOF OF WILL



STATE OF MISSISSIPPI

COUNTY OF Blinds

We

Patricia Daly

and

Dawn Archer

on oath state that we are the subscribing witnesses to the attached written instrument dated the 23 day of February, 1993, which purports to be the Last Will and Testament of CREULA C. LIDDELL, who indicated to us that she is a resident of and has a fixed place of residence in the County of Madison, State of Mississippi. On the execution date of the instrument, the Testatrix in our presence and in the presence of each of us, signed the instrument at the end thereof and declared the instrument to be her Will and requested that we attest to the execution thereof whereupon, in the presence of the Testatrix and in the presence of each other, each of us signed our respective names as attesting witnesses. At the time of the execution of the instrument, the Testatrix was over eighteen (18) years of age, and in our opinion was of sound mind, in full possession of her mental faculties, and acting without undue influence, fraud or restraint.

Dated this the 23<sup>rd</sup> day of February, 1993.

Patricia Daly

Dawn Archer

Subscribed and sworn to before me on this the 23<sup>rd</sup> day of February, 1993.

Janice P. Decker  
NOTARY PUBLIC

My Commission Expires:  
My Commission Expires November 20 1993



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 30<sup>th</sup> day of September, 1997, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and was duly recorded on the SEP 30 1997, Book No 30, Page 209.

STEVE DUNCAN, CHANCERY CLERK

BY: Karen Suppi D.C.

I, Creula C. Liddell, wish to amend my original Last Will and Testament, witnessed and attached, February 23, 1993, Article III page 2 to read:

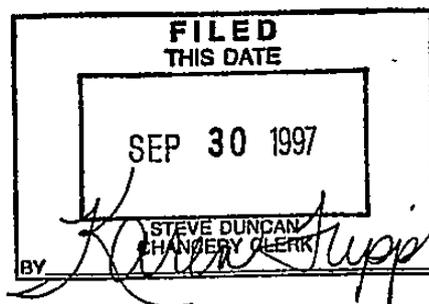
I sold my car June, 1995 for the sum of \$3,000. I deposited \$1,500 to my D&NB checking account and \$1,500 to my D&NB Trust Fund.

I also wish to amend Article III items 1-5 to read:

1. one half of my cash assets, I bequeath to my sister, Ena C. Terrell.
2. The remaining half of my assets to be divided equally to my three nieces, Carolyn Terrell Stephens, Tommye Corley Henderson, Geraldine Corley Cooper and two nephews, Erich Corley and Danny Corley.

I wish to amend Article V item 2 page 3 to read:

I gave my great-nephew, Ben Stephens, on his 21st birthday, April 17, 1995, my six place setting of Strausburg silver.



I, being of sound and disposing mind, memory and understanding, do hereby amend my Last Will and Testament dated February 23, 1993.

Witness my signature this the third day of November nineteen hundred ninety-five.  
Creola C. Liddell

Witness:  
Lynn Beall  
Dawn Archer



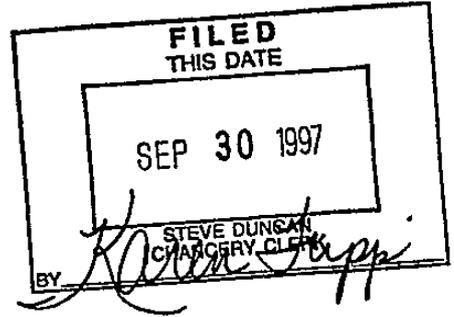
STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 30th day of September, 1997, at        o'clock        M., and was duly recorded on the SEP 30 1997, Book No. 30, Page 210.

STEVE DUNCAN, CHANCERY CLERK

BY: Karen Fupp D.C.

PROOF OF CODICIL



STATE OF MISSISSIPPI  
COUNTY OF HINDS

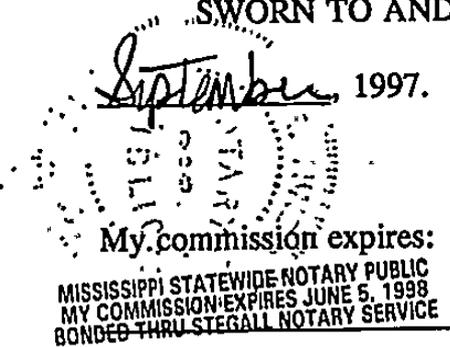
PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Dawn Archer, who by me being first duly sworn, deposes and states on oath that she is one of the subscribing witnesses to that certain instrument of writing purporting to be the Codicil to Last Will and Testament of Creula C. Liddell, and that the said Creula C. Liddell published and declared said instrument to be her Codicil to Last Will and Testament on the 3rd day of November, 1995, in the presence of this affiant and Lynn Beall, the other subscribing witnesses to said instrument; and said testatrix was then of sound and disposing mind and memory and over the age of twenty-one (21) years; that this affiant and Lynn Beall 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 testatrix, and in the presence of each other.

Dawn Archer  
DAWN ARCHER

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 2<sup>nd</sup> day of

September, 1997.

Jim Janice  
NOTARY PUBLIC



STATE OF MISSISSIPPI, COUNTY OF MADISON:

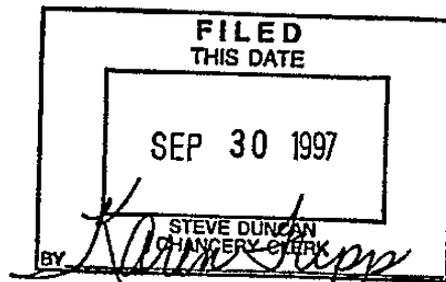
I certify that the within instrument was filed for record in my office this 30<sup>th</sup> day of September, 1997 at        o'clock        M., and was duly recorded on the SEP 30 1997, Book No. 30, Page 212.



STEVE DUNCAN, CHANCERY CLERK

BY: Karen Trapp D.C.

PROOF OF CODICIL



STATE OF MISSISSIPPI  
COUNTY OF Madison

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Lynn Beall, who by me being first duly sworn, deposes and states on oath that he ~~she~~ is one of the subscribing witnesses to that certain instrument of writing purporting to be the Codicil to Last Will and Testament of Creula C. Liddell, and that the said Creula C. Liddell published and declared said instrument to be her Codicil to Last Will and Testament on the 3rd day of November, 1995, in the presence of this affiant and Dawn Archer, the other subscribing witnesses to said instrument; and said testatrix was then of sound and disposing mind and memory and over the age of twenty-one (21) years; that this affiant and Dawn Archer 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 testatrix, and in the presence of each other.

Lynn Beall  
LYNN BEALL

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 21<sup>st</sup> day of

September, 1997.

Jim Jan Duce  
NOTARY PUBLIC

My commission expires:  
MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES JUNE 5, 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 30<sup>th</sup> day of September, 1997, at — o'clock — M., and was duly recorded on the SEP 30 1997, Book No. 30, Page 213.



STEVE DUNCAN, CHANCERY CLERK

BY: Karen Jupp D.C.

97-714

FILED

THIS DATE

OCT 06 1997

STEVE DUNCAN  
CHANCERY CLERK

*W. Conway*

BOOK 30 PAGE 214

# Last Will and Testament

OF

MYNELL R. CHITI

I, MYNELL R. CHITI, an adult resident citizen of the City of Madison, Madison County, State of Mississippi, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all previous Wills and Codicils heretofore made by me.

### ITEM I

I hereby nominate and appoint my husband, RALPH D. CHITI, as Executor of this my Last Will and Testament, and direct that he be permitted to serve in said capacity without giving bond, and in the event my husband is unable to serve as Executor, then in that event I hereby nominate and appoint SIMMIE ROBERTS to serve as Alternate Executrix without giving bond.

### ITEM II

I will, devise and bequeath unto my husband, RALPH D. CHITI, all my property, both real and personal.

### ITEM III

In the event my husband, RALPH D. CHITI, predeceases me or we die together in a common disaster, I hereby will, devise and bequeath unto my sisters, SIMMIE ROBERTS, HELEN STUBBS, KATHRYN GREER, SALLY KEMP, and JOYCE BRADSHAW, and my brother, REGGIE ROBERTS, all my property, both real and personal, to share and share alike, per stirpes.

### IV

It is my desire that my attorney, CHARLES O. MOORE, of 1225 North West Street, Jackson, Mississippi, 39202, being familiar with my personal affairs and with my wishes relative to the disposition of my estate, be the Attorney for my Estate.

Page One of Two:

*Mynell R. Chiti*  
MYNELL R. CHITI

*com*  
*pl*

IN WITNESS WHEREOF, I have signed, published and declared the foregoing instrument as and for my Last Will and Testament on this the 27 day of January, 1989.

Mynell R. Chiti  
MYNELL R. CHITI

This instrument was, on the day and year shown above, signed, published and declared by MYNELL R. CHITI, 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.

Charles O. Moore  
Charles O. Moore  
1225 North West Street  
Jackson, MS 39202

Glenda Latham  
Glenda Latham  
937 Lakeshore Drive  
Jackson, MS 39212

Page Two of Two:



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 6 day of Oct, 1997, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and was duly recorded on the OCT 6 1997, Book No. 30, Page 214.

STEVE DUNCAN, CHANCERY CLERK

BY: Stanley K. [Signature] D.C.

AFFIDAVIT OF WITNESSES TO  
LAST WILL AND TESTAMENT OF  
RALPH D. CHITI

FILED  
THIS DATE  
OCT 06 1997  
STEVE DUNCAN  
CHANCERY CLERK  
BY *Steve Duncan*

STATE OF MISSISSIPPI

COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, CHARLES O. MOORE and GLENDA LATHAM, subscribing witnesses to the Last Will and Testament of RALPH D. CHITI, who, having been by me first duly sworn, on their oaths state:

That they are the subscribing witnesses to the Last Will and Testament of RALPH D. CHITI which was executed by him on the 27th day of January, 1989, and that they subscribed their names to said Will and Testament at the special instance and request of said RALPH D. CHITI.

That at the time of the execution of said Will and Testament by RALPH D. CHITI, he was over the age of eighteen (18) years, was of sound and disposing mind and memory, and competent to make a Will.

AND, FURTHER AFFIANTS SAITH NOT.

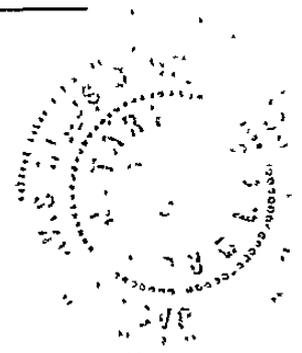
*Charles O. Moore*  
CHARLES O. MOORE  
*Glenda Latham*  
GLENDA LATHAM

SWORN TO AND SUBSCRIBED BEFORE ME this the 27th day of January, 1989.

*Jackie R. Lewis*  
NOTARY PUBLIC

My Commission Expires:

8-10-91



STATE OF MISSISSIPPI, COUNTY OF MADISON:

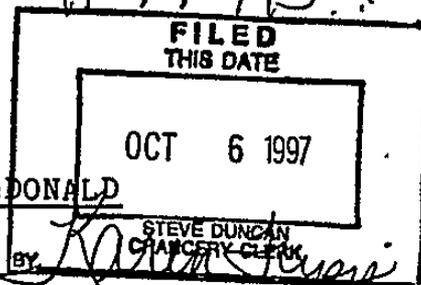
I certify that the within instrument was filed for record in my office this 6 day of Oct 19 97 at      o'clock      M., and was duly recorded on the      , Book No. 30 , Page 216 .



STEVE DUNCAN, CHANCERY CLERK

BY: *Jacoby Hill* D.C.

#97-713

LAST WILL AND TESTAMENT OF LOUISE F. McDONALD

I, Louise F. McDonald, an adult resident citizen of the City of Canton, Madison County, Mississippi, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, and I hereby specifically revoke any and all former wills and codicils heretofore executed by me.

ARTICLE I.

I give, devise and bequeath all of my property, both real and personal, of whatsoever kind or character and wheresoever situated, unto my husband, Robert W. McDonald.

ARTICLE II.

In the event that my husband, Robert W. McDonald, predeceases me, I give, devise and bequeath all of my property both real and personal, of whatsoever kind or character, and wheresoever situated, to my children, Nancy Whitener, Marsha Mabry and Judy Weems, in equal share, share and share alike per stirpes.

ARTICLE III.

I hereby nominate, appoint and constitute my husband, Robert W. McDonald, as Executor of my Last Will and Testament. My Executor shall have full and plenary power and authority to do and perform any act deemed by him to be to the best interest of my estate, without any limitation whatsoever and to serve 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 therefrom, and to employ and to pay any attorneys, agents and accountants that he may deem necessary for the best interest of my estate. In addition, my Executor shall have full authority to sell any real or personal property of

*Louise F. McDonald*

Louise F. McDonald

my estate either at a public or private sale, in his sole discretion, for cash or for such other conditions that he may deem appropriate, with said sales being made without the necessity of my Executor first securing a Court Order for the said sale.

ARTICLE IV.

In the event that my husband, Robert W. McDonald shall predecease me, become disqualified or otherwise fail to qualify as Executor of my Will and Estate, then I nominate and appoint my son-in-law, Charles Weems, to serve as Executor of my Last Will and Testament and I direct that he shall not be required to enter any bond as such Executor and I direct that he shall have the same authority and powers as is set forth in my Executor in the above and foregoing Article.

IN WITNESS WHEREOF, I have hereunto subscribed my name and published and declared this to be my Last Will and Testament on this the 16th day of June, 1986.

Louise F. McDonald  
Louise F. McDonald

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

Kathryn B. Juring  
WITNESS  
315 N. Madison  
ADDRESS  
Canton, MS 39046  
ADDRESS

Laura Jurner  
WITNESS  
401 Charity Ch. Rd #55  
ADDRESS  
Jackson 39211  
ADDRESS

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 6 day of Oct, 1997, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and was duly recorded on the OCT 6 1997, Book No. 30, Page 217.



STEVE DUNCAN, CHANCERY CLERK

BY: Stacy Hill D.C.

FILED  
THIS DATE  
OCT 21 1997  
STEVE DUNCAN  
CHANCERY CLERK  
BY *[Signature]*

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
LOUISE F. McDONALD, DECEASED

CIVIL ACTION FILE NO. 97-713

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, KATHRYN G. IRVING, one of the subscribing witnesses to a certain instrument in writing purporting to be the Last Will and Testament of Louise F. McDonald, deceased, late of the County of Madison, Mississippi, who having been duly sworn makes oath that the said Louise F. McDonald signed, published and declared said instrument as her Last Will and Testament on the 16th day of June, 1986, the day and date of said instrument, in the presence of this affiant and Laura Turner, 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, Kathryn G. Irving, the Affiant, and Laura Turner, subscribed and attested said instrument as witnesses to the signature of the testator and the publication thereof at the special instance and request and in the presence of said testator and in the presence of each other.

*Kathryn G. Irving*  
Kathryn G. Irving

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 15<sup>th</sup> day  
of Sept, 1997.

Lee Westbrook cc by Kay  
NOTARY PUBLIC George De

MY COMMISSION EXPIRES:  
1-1-2000

(SEAL)



wrcplstate\mcdonald\l\affiduv.101  
8582-1/39,990

-2-

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 6 day  
of Oct, 19 97, at        o'clock    M., and was duly recorded  
on the OCT 6 1997, Book No. 30, Page 219.



STEVE DUNCAN, CHANCERY CLERK

BY: Stacey K. OQ D.C.

97-724

AT 3:50 O'CLOCK P.M.  
STEVE DUNCAN, CHANCERY CLERK

# Last Will and Testament

JOINT WILL OF WALLACE D. LAY AND TOMMYE L. LAY

We, Wallace D. Lay and Tommye L. Lay, husband and wife, both of Canton, Madison County, Mississippi and both being of sound and disposing mind and memory and more than twenty-one years of age, do make this our Last Will and Testament, especially revoking all prior testamentary documents.

(1) We hereby nominate and appoint the survivor of us as executor or executrix as the case may be, and excuse said survivor for entering into bond.

(2) We will, devise and bequeath all of our property, real, personal and mixed of whatever kind and wherever situated to the survivor.

(3) We waive an inventory and an appraisalment of our estate as required by statute, and relieve said executor or executrix as the case may be of all duty to account of the courts for his or her acts and doings as such, and hereby waive all court proceedings whatever in the administration of our estate, save the probate of this Our Last Will and Testament.

SIGNED, PUBLISHED and declared as our LAST WILL AND TESTAMENT this 28 day of May, 1973.

Wallace D. Lay  
WALLACE D. LAY

Tommye L. Lay  
TOMMYE L. LAY

Mrs. L. H. Green Sr. (WITNESS)

Leon H. Green Sr. (WITNESS)

We, the undersigned witnesses to the Last Will and Testament of Wallace D. Lay and Tommye L. Lay, do hereby certify that the Wallace D. Lay and Tommye L. Lay on the day they executed the foregoing will were over the age of twenty-one years and both of sound and disposing mind; that they signed and subscribed said will and published it as their Last Will and Testament in our presence and in the presence of each of us and that we at their expressed instance and request signed and subscribed said will as witnesses thereto in their presence and in the presence of each other as an attestation thereof.

WITNESS OUR SIGNATURES, this 28 day of May, 1973.

Mrs. L. H. Green Sr. (WITNESS)

Leon H. Green Sr. (WITNESS)



STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 6 day of Oct, 1997, at 3:50 o'clock P.M., and was duly recorded on the OCT 6 1997, Book No 30, Page 221.

STEVE DUNCAN, CHANCERY CLERK

BY: Steve Hill D.C.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE  
OF TOMMYE L. LAY, DECEASED

PROOF OF HANDWRITING OF TESTATRIX

STATE OF MISSISSIPPI  
COUNTY OF MADISON

MADISON COUNTY, Ms

**FILED**

OCT 06 1997

AT 3:50 O'CLOCK P. M.  
STEVE DUNCAN, CHANCERY CLERK

By: *Stacey Hill*

PERSONALLY APPEARED before me, the undersigned authority in and for said county and state, William Jay, who is an adult resident citizen of Madison County, Mississippi, and who, being duly sworn, deposed and said that he/she knew and was personally acquainted with TOMMYE L. LAY for several years, and is well acquainted with the handwriting and signature of the said TOMMYE L. LAY; and that the instrument dated May 28, 1973, purporting to be the Last Will and Testament of TOMMYE L. LAY, has her signature subscribed thereto; that on the date of the said TOMMYE L. LAY's Last Will and Testament, the said TOMMYE L. LAY was over the age of 21 years, and at the time said Will was made and executed, TOMMYE L. LAY, as far as is known to this affiant, was of sound mind and had testamentary capacity.

WITNESS my hand this 28<sup>th</sup> day of November, 1996.

*William Jay*

SWORN TO AND SUBSCRIBED before me this 28<sup>th</sup> day of November, 1996.

[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 6 day of Oct, 1997, at 3:50 o'clock P.M., and was duly recorded on the OCT 6 1997, Book No. 30, Page 222.

STEVE DUNCAN, CHANCERY CLERK

BY: [Signature] D.C.

LAST WILL AND TESTAMENT  
OF  
A. E. CRAWFORD

<p>FILED THIS DATE</p> <p>OCT 7 1997</p> <p>BY <i>Steve Duncan</i> STEVE DUNCAN CHANCERY CLERK</p>
--

#97-712

I, A. E. CRAWFORD, of Flora, Madison County, Mississippi, being of the age of eighteen years and over and of sound and disposing mind and memory, do make, declare and publish this to be my Last Will and Testament, revoking all previous wills and codicils.

## I.

I name, constitute and appoint Bernice W. Crawford, my wife, as Executrix of this my Last Will and Testament and direct that she be not required to give bond or make any formal appraisal, inventory or accounting to any Court other than the probate of this my Last Will and Testament. Should my said wife, Bernice W. Crawford, predecease me or refuse or be unable to serve as Executrix hereunder, I name, constitute and appoint my daughter, Bonnie C. Hollingsworth, as Executrix, also without bond, and also waiving the necessity of appraisal, inventory or accounting.

## II.

I direct that all of my just legal debts, expenses of my last illness and funeral expenses be paid as promptly after my death as practical.

## III.

I will, devise and bequeath all of my estate, real, personal or mixed, of whatsoever nature and kind and wheresoever located, unto my wife, Bernice W. Crawford, if she shall survive me.

## IV.

In the event that my said wife, Bernice W. Crawford, should predecease me, then in such event I will, devise and bequeath all of my estate as follows, to-wit:

- (a) Unto Almus Eugene Crawford, Jr., my son, the 12 gauge Remington shotgun which belonged to his grandfather, E. S. Crawford;
- (b) Unto Walt Shepherd, my grandson, my 12 gauge automatic shotgun;

Last Will and Testament of A. E. Crawford - Page 2.

- (c) Unto Clarence Spencer Crawford, my son, my pistol;
- (d) Unto Clarence Spencer Crawford and Almus Eugene Crawford, Jr., all of my right, title and interest in the Crawford Home Place, along with my one-third (1/3rd) interest in the shop and an undivided one-fourth (1/4th) interest in the McCray Place;
- (e) Unto Bonnie C. Hollingsworth and Melanie C. Nance the Ordinance Plant Place and an undivided one-fourth (1/4th) interest in the McCray Place;
- (f) Unto Wanda C. Shepherd an undivided one-half (1/2) interest in the McCray Place; and
- (g) All of the rest, residue and remainder of my estate, real, personal and mixed of whatsoever nature and wheresoever located, I will, devise and bequeath unto my children, Bonnie C. Hollingsworth, Wanda C. Shepherd, Almus Eugene Crawford, Jr., Clarence Spencer Crawford and Melanie C. Nance, in equal shares, share and share alike.

V.

In the event that either of my aforesaid devisees should determine to sell or dispose of all or any part of the real estate devised herein to them, it is my desire and my request that such real estate shall not be sold by either devisee to a third party without first offering it to the other devisees on the same terms and conditions of any bona fide offer of sale to such third party. This request shall not extend beyond the death of the survivor of my said devisees, and shall be personal to each of them. It is not my intention, by this provision, to place any restriction or limit of any nature whatsoever upon the ownership of any real estate by any of my devisees named herein; it simply being my preference that such real estate remain in the family, and I take this means of advising my devisees of my wishes in this matter.

IN WITNESS WHEREOF, I have executed this Last Will and Testament on this the 23<sup>RD</sup> day of APRIL, 1992, in the presence of the undersigned attesting and credible witnesses who, at my request and in my presence, and in the presence of each other,

Last Will and Testament of A. E. Crawford - Page 3.

have witnessed my signature hereto.

A. E. Crawford  
A. E. Crawford

Signed, published and declared by the Testator, A. E. CRAWFORD, on the date shown above, as and for his Last Will and Testament in the presence of us, who, at his request and in his presence and in the presence of each other, subscribe our names hereto as attesting witnesses.

Joe R. Fancher, Sr.

Pessie R. Fancher

WITNESSES

STATE OF MISSISSIPPI, COUNTY OF MADISON:

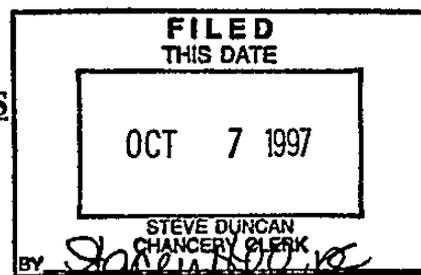
I certify that the within instrument was filed for record in my office this 7 day of Oct, 1997, at        o'clock        M., and was duly recorded on the OCT 7 1997, Book No. 30, Page 224.



STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C

AFFIDAVIT OF SUBSCRIBING WITNESS



STATE OF MISSISSIPPI

COUNTY OF Windsor

This day personally appeared before me, the undersigned authority in and for said county and state, Elsie R. Fancher, one of the subscribing witnesses to a certain instrument of writing purported to be the Last Will and Testament of A. E. Crawford, of the County of Madison, State of Mississippi, who having been by me first duly sworn, makes oath that the said A. E. Crawford signed, published and declared said instrument as his Last Will and Testament on April 23, 1992, in the presence of this affiant and in the presence of Joe R. Fancher, Jr., the other subscribing witness, that said Testator was then of sound and disposing mind and memory and above the age of eighteen years, and this affiant makes oath that she and the said Joe R. Fancher, Jr. 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 Testator and in the presence of each other.

Elsie R. Fancher  
ELSIE R. FANCHER

Sworn to and subscribed before me this, the 4<sup>th</sup> day of September, 1997.

Ruby Avara Lowe  
NOTARY PUBLIC

My Commission Expires:  
Notary Public State of Mississippi At Large  
My Commission Expires February 2 2001

(Affix Official Seal)



215329 1/08831 01337

STATE OF MISSISSIPPI, COUNTY OF MADISON:

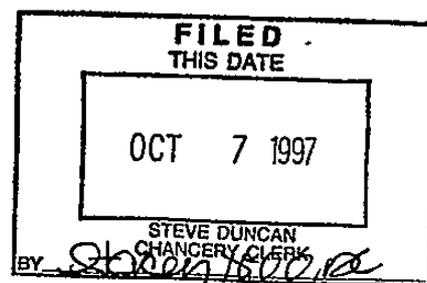
I certify that the within instrument was filed for record in my office this 7 day of Oct, 1997, at — o'clock — M., and was duly recorded on the OCT 7 1997, Book No. 30, Page 227.



STEVE DUNCAN, CHANCERY CLERK

BY: Stanley Hill D.C.

FIRST CODICIL  
TO  
LAST WILL AND TESTAMENT  
OF  
A. E. CRAWFORD



KNOW ALL MEN BY THESE PRESENTS, that I, A. E. CRAWFORD, a resident of Flora, Madison County, Mississippi, being above the age of eighteen (18) years, and of sound and disposing mind and memory, do hereby make, publish and declare this to be the first Codicil to my Last Will and Testament heretofore executed by me and bearing as date the 23rd day of April, 1992.

ITEM I

I hereby delete from my aforesaid Last Will and Testament Paragraph I thereof, and substitute in lieu thereof the following:

"I.

"I name, constitute and appoint Bernice W. Crawford, my wife, as Executrix of this my Last Will and Testament and direct that she be not required to give bond or make any formal appraisal, inventory or accounting to any Court other than the probate of this my Last Will and Testament, Should my said wife predecease me or refuse or be unable to serve as Executrix hereunder, I name, constitute and appoint my daughter, Bonnie C. Hollingsworth, and my son, Clarence Spencer Crawford, as Co-Executors, also without bond, and also waiving the necessity of appraisal, inventory and/or accounting. Should either my said daughter or son predecease me or refuse or be unable to serve as Co-Executor hereunder, I name, constitute and appoint the survivor of them as Executrix or Executor, as the case may be, also without bond, and also waiving the necessity of appraisal, inventory and/or accounting."

ITEM II

I do hereby ratify and confirm all and singular the provisions of my said Last Will and Testament dated April 23, 1992, in every respect, except as changed and modified by this my Codicil thereto.

WITNESS MY SIGNATURE in the presence of the undersigned credible and attesting witnesses, who have each signed as such at my special instance and request, in my presence and in the presence

First Codicil To Last Will and Testament of A. E. Crawford  
Page 2

of each other, all upon this the 12 day of ~~June~~ <sup>July</sup>, 1995.

A. E. Crawford  
A. E. Crawford

Signed, published and declared by the Testator, A. E. CRAWFORD, on the date shown above, as and for the first Codicil to his Last Will and Testament in the presence of us, who, at his request and in his presence and in the presence of each other, subscribe our names hereto as attesting witnesses.

Sarah R. Simpson

Dale D. Martin

WITNESSES



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 7 day of Oct, 1997, at        o'clock        M., and was duly recorded on the OCT 7 1997, Book No. 30, Page 228.

STEVE DUNCAN, CHANCERY CLERK

BY: Stoney Hill D.C.

AFFIDAVIT OF SUBSCRIBING WITNESS

FILED  
THIS DATE  
OCT 7 1997  
STEVE DUNCAN  
CHANCERY CLERK  
BY: *Stacey K. [Signature]*

STATE OF MISSISSIPPI  
COUNTY OF Madison

This day personally appeared before me, the undersigned authority in and for said county and state, Sarah L. Simpson, one of the subscribing witnesses to a certain instrument of writing purported to be the First Codicil to the Last Will and Testament of A. E. Crawford, of the County of Madison, State of Mississippi, who having been by me first duly sworn, makes oath that the said A. E. Crawford signed, published and declared said instrument as his First Codicil to his Last Will and Testament on July 12, 1995, in the presence of this affiant and in the presence of Dale D. Martin, the other subscribing witness, that said Testator was then of sound and disposing mind and memory and above the age of eighteen years, and this affiant makes oath that she and the said Dale D. Martin 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 Testator and in the presence of each other.

*Sarah L. Simpson*  
\_\_\_\_\_  
SARAH L. SIMPSON

Sworn to and subscribed before me this, the 2nd day of September, 1997.

*Suzanne Halley*  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:  
March 7, 1998  
(Affix Official Seal)

215329 1/08831 01337

STATE OF MISSISSIPPI, COUNTY OF MADISON:

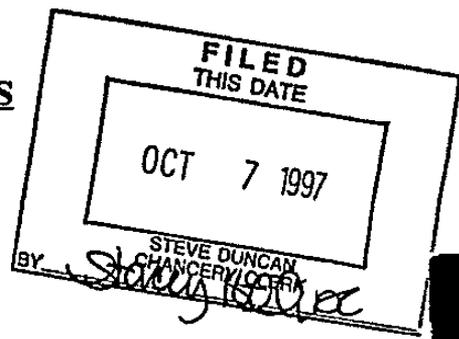
I certify that the within instrument was filed for record in my office this 7 day of Oct, 1997, at \_\_\_\_\_ o'clock — M., and was duly recorded on the OCT 7 1997, Book No. 30, Page 230.



STEVE DUNCAN, CHANCERY CLERK

BY: *Stacey K. [Signature]* D.C.

AFFIDAVIT OF SUBSCRIBING WITNESS



STATE OF MISSISSIPPI

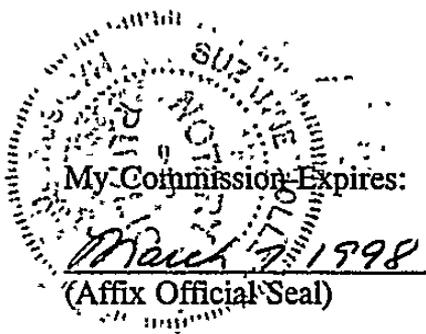
COUNTY OF Madison

This day personally appeared before me, the undersigned authority in and for said county and state, Dale D. Martin, one of the subscribing witnesses to a certain instrument of writing purported to be the First Codicil to the Last Will and Testament of A. E. Crawford, of the County of Madison, State of Mississippi, who having been by me first duly sworn, makes oath that the said A. E. Crawford signed, published and declared said instrument as his First Codicil to his Last Will and Testament on July 12, 1995, in the presence of this affiant and in the presence of Sarah L. Simpson, the other subscribing witness, that said Testator was then of sound and disposing mind and memory and above the age of eighteen years, and this affiant makes oath that he and the said Sarah L. Simpson 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 Testator and in the presence of each other.

Dale D Martin  
DALE D. MARTIN

Sworn to and subscribed before me this, the 2nd day of September, 1997.

Suzanne Helley  
NOTARY PUBLIC



215329 1/08831 01337

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 7 day of Oct, 1997, at        o'clock        M., and was duly recorded on the        OCT 7 1997, Book No. 30, Page 231.

STEVE DUNCAN, CHANCERY CLERK

BY: Stoney Hill D.C.



BOOK 30 PAGE 232

MADISON COUNTY, MS

FILED

OCT 08 1997

LAST WILL AND TESTAMENT  
OF  
ROY S. STOVALL

AT 1:30 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK  
By: Stanley Hill, Jr

I, ROY S. STOVALL, an adult resident citizen of Madison County, Mississippi, City of Madison, State of Mississippi, being 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/or Codicils heretofore made by me.

ITEM I

I hereby appoint, nominate and constitute Peter S. Stovall, my brother, now residing in Madison County, Madison, Mississippi, to be the Executor of this my Last Will and Testament and I hereby waive all bond, inventory, appraisal and accounting insofar as I am legally entitled to waive same. I hereby give and grant unto my said Executor full and complete right, power and discretion to sell and dispose of any assets in my Estate and to convert same to cash, in his sole discretion, and without any bond, appraisal or accounting therefor to any court or any part whatsoever in any form. If my said brother Peter S. Stovall, be unable or unwilling to serve as Executor of this my Will, then I appoint his wife, Harriet Stovall, as Executrix, with all the same rights, powers and priviledges set out herein for my Executor.

ITEM II

I hereby direct my Executor to pay my funeral expenses and all of my just debts which may be probated, registered and allowed against my estate as soon as may be conveniently done. I direct my Executor to pay all taxes which might be assessed against my estate, or any property thereof.

ITEM III

I give and bequeath to my brother, Peter S. Stovall, if he shall survive me, all of the rest, residue and remainder of my property after payment of said debts and taxes; and if he shall not survive me, then all to his wife, Harriet Stovall, per stirpes.

WITNESS MY SIGNATURE to this my Last Will and Testament on this the 13th day of January, 1997.

Roy S. Stovall  
ROY S. STOVALL

This instrument was, on the day and year shown above, signed, published and declared by ROY S. STOVALL 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. .

Charles A. Carter  
Francis W. Lyle  
WITNESSES



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 8 day of Oct, 1997, at 1:30 o'clock P.M., and was duly recorded on the OCT 8 1997, Book No. 30, Page 32.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

BOOK 30 PAGE 234

MADISON COUNTY, MS

FILED

OCT 08 1997

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

IN THE CHANCERY COURT OF  
OF MADISON COUNTY, MISSISSIPPI

By: *Stacey Hill*

IN THE MATTER OF THE WILL AND  
ESTATE OF ROY S. STOVALL

NO. 97-731

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 CHARLES A. CARTER, 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 ROY S. STOVALL, who was personally known to the affiant, and whose signature is affixed to said Last Will and Testament.

(2) That on the 13th day of January, 1997, the said ROY S. STOVALL, 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 FRANCIS W. LYLE, the other subscribing witness to said instrument.

(3) That the said ROY S. STOVALL 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 FRANCIS W. LYLE subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of the said ROY S. STOVALL, and in the presence of each other.

*Charles A. Carter*  
CHARLES A. CARTER

SWORN TO AND SUBSCRIBED BEFORE ME, this the 13 day of January, 1997.

*Debbie Coleman*  
Notary Public

My Commission Expires: October 21, 2000  
At Large  
BONDED THRU HEIDEN-MARCHETTI, INC.

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 8 day of Oct, 1997, at 1:30 o'clock P.M., and was duly recorded on the OCT 8 1997, Book No. 30, Page 234.

STEVE DUNCAN, CHANCERY CLERK

BY: *Stacey Hill* D.C.



FILED

OCT 08 1997

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI AT 1:30 O'CLOCK P.M. STEVE DUNCAN, CHANCERY CLERK

IN THE MATTER OF THE WILL AND ESTATE OF ROY S. STOVALL

NO. 97-731

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 FRANCIS W. LYLE, 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 ROY S. STOVALL, who was personally known to the affiant, and whose signature is affixed to said Last Will and Testament.

(2) That on the 13th day of January, 1997, the said ROY S. STOVALL, 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 CHARLES A. CARTER, the other subscribing witness to said instrument.

(3) That the said ROY S. STOVALL 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 CHARLES A. CARTER, subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of the said ROY S. STOVALL, and in the presence of each other.

Francis W. Lyle FRANCIS W. LYLE

SWORN TO AND SUBSCRIBED BEFORE ME, this the 13 day of January, 1997.

Notary Public

My Commission Expires: Notary Public State of Mississippi At Large My Commission Expires October 21, 2000 BONDED THRU HEIDEN-MARCHETTI, INC.

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 8 day of Oct, 1997, at 1:30 o'clock P.M., and was duly recorded on the OCT 8 1997, Book No. 30, Page 235



STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

MADISON COUNTY, MS

FILED

OCT 14 1997

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

## LAST WILL AND TESTAMENT

OF

#97-743

EARNEST MCCOY SEALS

By: Karen Supp, PC

I, EARNEST MCCOY SEALS, an adult resident citizen of Madison County, Mississippi, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, and I hereby specifically revoke any and all former Wills and Codicils heretofore executed by me.

## ARTICLE I

I give, devise and bequeath unto my wife, LOIS SEALS, my residence and 4.2 acres, more or less, located at 2683 Highway 16 East, Canton, Mississippi, to have and to hold for and during the term of her natural life. Upon the death of my wife, Lois Seals, I give and devise said property to my children, VALISA KITCHENS, ERIKA SEALS, NINA SEALS and DAWN SEALS, in equal shares, share and share alike, per stirpes.

## ARTICLE II

I give and devise all other real property which I may own at the time of my death unto my wife, LOIS SEALS.

## ARTICLE III

All of the rest, residue and remainder of my estate of whatsoever kind and character and wheresoever situated, I give, devise and bequeath unto my wife, LOIS SEALS, with all personal property and personal effects to be disposed of by my wife in accordance with our agreement.

## ARTICLE IV

In the event that my wife, LOIS SEALS, shall predecease me, I give, devise and bequeath all of my property, both real and personal, of whatsoever kind and character and wheresoever situated, to my children, VALISA KITCHENS, ERIKA SEALS, NINA SEALS, and DAWN SEALS, in equal shares, share and share alike, per stirpes.

## ARTICLE V

I hereby nominate, appoint and constitute my wife, LOIS SEALS, as Executrix of my Last Will and Testament. My Executrix shall have full and plenary power and authority to perform any act deemed by her to be to the best interest of my Estate, without any limitation whatsoever, and to serve 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 therefrom, and to employ and to pay any attorneys, agents and accountants that she may deem necessary for the best interest of my Estate. In addition, my Executrix shall have full authority to sell any real or personal property of my Estate either at public or private sale, in her sole discretion, for cash or upon such other conditions that she may deem appropriate, with said sale being made without the necessity of my Executrix first securing a court order for said sale.

ARTICLE VI

In the event that my wife, LOIS SEALS, shall predecease me, becomes disqualified or otherwise fails to qualify as Executrix of my Will and Estate, then I nominate and appoint my brother, WILLIE MCARTHUR SEALS, to serve as Executor of my Last Will and Estate and direct that he not be required to enter any bond as such Executor and I direct that he have the same authority and powers as is set forth for my Executrix in the above and foregoing Article

IN WITNESS WHEREOF, I have here unto subscribed my name and published and declared this to be my Last Will and Testament on this the 12 day July, 1996.

Earnest M. Seals  
EARNEST MCCOY SEALS

ATTESTATION

This instrument was, on the date shown above, signed, published and declared by EARNEST MCCOY SEALS 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.

John W. Christopher  
NAME

6700 Old Cantor Rd.  
P.O. Box 982  
ADDRESS

Madison, MS 39158

Donnie H. Bridges  
NAME

6700 Old Cantor Rd  
P.O. Box 982  
ADDRESS

Bridgeland MS 39158



STATE OF MISSISSIPPI, COUNTY OF MADISON.

I certify that the within instrument was filed for record in my office this 14th day of October, 1997, at 10:00 o'clock A:M, and was duly recorded on the OCT 14 1997, Book No 30, Page 236.

STEVE DUNCAN, CHANCERY CLERK

BY: Karen Jupp D.C.

**FILED**

OCT 14 1997

BOOK 30 PAGE 238

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

By: *Karen Supp, PC*

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
EARNEST McCOY SEALS

CIVIL ACTION FILE NO. 97743

PROOF OF WILL

STATE OF MISSISSIPPI

COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the aforesaid jurisdiction, JOHN W. CHRISTOPHER, subscribing witness to a certain instrument of writing purporting to the Last Will and Testament of EARNEST McCOY SEALS, who, being duly sworn, deposed and said Earnest McCoy Seals published and declared said instrument as his Last Will and Testament on the 12th day of July, 1996, the day of the date of said instrument, in the presence of this deponent and in the presence of Angie H. Bridges and that the Testator was of sound and disposing mind and memory, and more than twenty-one years of age, and this Deponent and Angie H. Bridges subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special request of said Testator and in the presence of Testator and in the presence of each other, on the day and year of the date of said instrument.

WITNESS MY SIGNATURE on the 13 day of October, 1997.

*John W. Christopher*  
JOHN W. CHRISTOPHER

SWORN TO AND SUBSCRIBED BEFORE ME on this 13 day of October, 1997.

Steve Duncan Chancery Clerk  
NOTARY PUBLIC  
By: KGregory DC

( S E A L )

My Commission Expires:

1-1-2000



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 14th day of October, 1997, at 10:00 o'clock A. M., and was duly recorded on the OCT 14 1997, Book No. 30, Page 238.

STEVE DUNCAN, CHANCERY CLERK

BY: Karen Hipp D.C.

**FILED**  
THIS DATE

OCT 20 1997

STEVE DUNCAN  
CHANCERY CLERK

BY *[Signature]*

LAST WILL AND TESTAMENT

BOOK

30 PAGE 240

OF

CHARLOTTE B. TURNER

I, CHARLOTTE B. TURNER, a resident citizen domiciled in Hinds County, Mississippi, being of sound and disposing mind and memory and over the age of twenty-one (21) years, do hereby make, publish, and declare this instrument to be my LAST WILL AND TESTAMENT, hereby revoking any and all other wills and codicils heretofore made by me.

FIRST:

I hereby nominate, constitute, and appoint my husband, Thomas A. Turner, and my daughter, Elizabeth Turner Murley, co-executors of this my Last Will and Testament, and I direct that they will serve without bond or be required to file any accounting, appraisal, inventory, or report to any court.

SECOND:

I hereby direct my co-executors to pay all my just debts, funeral expenses, expenses of the administration of my estate, and all federal and state estate taxes as soon as they may be conveniently paid.

THIRD:

I make the following special bequests:

1. I bequeath to my daughter-in-law, Frances Turner, my one-carat diamond solitaire ring.
2. I hereby bequeath all the remainder of my jewelry, with the exception of the above-mentioned diamond solitaire ring, all of my sideboard silver, including the sterling silver coffee service, bowl, and flatware, to my daughter, Elizabeth Turner Murley.

3. In the event my husband, Thomas A. Turner, shall predecease me, I bequeath all of my remaining silver to my son, Thomas A. Turner, Jr.

FOURTH:

All the rest, residue, and remainder of my estate of whatsoever kind and nature and wheresoever situated, of which I may die seized and possessed or to which I may be entitled at the time of my death, including any property over which I may have the power of disposition by appointment or otherwise, all such estate I give, devise, and bequeath in equal shares to my husband, Thomas A. Turner, my daughter, Elizabeth Turner Murley, and my son, Thomas A. Turner, Jr., share and share alike, or if any of my children should predecease me, to the issue of such child or children, per stirpes.

FIFTH:

In the event my husband, Thomas A. Turner, predeceases me, I will, devise, and bequeath all of my estate of whatsoever kind and nature and wheresoever situated, of which I may die seized and possessed or to which I may be entitled at the time of my death, including any property over which I may have the power of disposition by appointment or otherwise, remaining after taking care of the provisions of paragraph "Third" herein, then all such estate I give, devise, and bequeath to my two children, Elizabeth Turner Murley and Thomas A. Turner, Jr., share and share alike, or if any of my children should predecease me, to the issue of such child or children, per stirpes.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this my Last Will and Testament, consisting of three typewritten pages, this page included, and for the purpose

of identification have placed my initials at the foot of each preceding page on the 1 day of April, 1984.

Charlotte B. Turner  
CHARLOTTE B. TURNER

Susan B. Milam  
Witness

782 Belhaven, Jackson Ms 39202  
Address

Janett E. Milam  
Witness

782 Belhaven, Jackson Ms 39202  
Address

ATTESTATION CLAUSE

We, each of the subscribing witnesses to the Last Will and Testament of Charlotte B. Turner, do hereby certify that said instrument was signed by Charlotte B. Turner in our presence and in the presence of each of us, and the said Charlotte B. Turner 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 said Will at the request of Charlotte B. Turner, in her presence and in the presence of each other on the 1 day of April, 1984.

Susan B. Milam  
Janett E. Milam

PAGE THREE OF  
THREE PAGES

C. B. T.  
CHARLOTTE B. TURNER



STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 20 day of Oct, 1997, at 1:40 o'clock P.M., and was duly recorded on the OCT 20 1997, Book No 30, Page 240

STEVE DUNCAN, CHANCERY CLERK

BY: Jane Hill D.C.



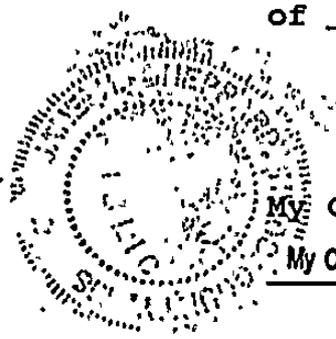
The original of said Will is attached to this affidavit and this affidavit is executed by this affiant in proof of said Will, and for the purpose of probating the same in the Chancery Court of Madison County, Mississippi.

Kenneth E. Milam  
KENNETH E. MILAM

SWORN TO AND SUBSCRIBED before me, this the 29<sup>th</sup> day of September, 1997.

James H. Sheppard  
NOTARY PUBLIC

My Commission Expires:  
My Commission Expires July 5, 1998



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 20 day of Oct, 1997, at 1:40 o'clock P.M., and was duly recorded on the OCT 20 1997, Book No. 30, Page 243.



STEVE DUNCAN, CHANCERY CLERK

BY: Jacey D.C.

**FILED**  
THIS DATE  
OCT 20 1997  
STEVE DUNCAN  
CHANCERY CLERK  
BY *Sally Hoyle*

**CODICIL TO THE  
LAST WILL AND TESTAMENT  
OF  
CHARLOTTE B. TURNER**

KNOW ALL MEN BY THESE PRESENTS, that I, CHARLOTTE B. TURNER, of the City of Jackson, County of Hinds, State of Mississippi, being above the age of eighteen (18) years and being of sound and disposing mind and memory, do hereby make, publish, and declare this to be a Codicil to my Last Will and Testament heretofore made, published, and declared by me on the 1st day of April, 1984, as follows:

I. Paragraph "First" of my said Last Will and Testament is hereby amended to read as follows:

"FIRST:

I hereby nominate, constitute, and appoint Charles Claiborne Barksdale as executor of this my Last Will and Testament, and I direct that he will serve without bond and will not be required to file any accounting, appraisal, inventory, or report to any court."

II. Paragraph "Second" of my said Last Will and Testament is hereby amended to read as follows:

"SECOND:

I hereby direct my executor to pay all my just debts, funeral expenses, expenses of the administration of my estate, and all federal and state estate taxes as soon as they may be conveniently paid."

III. Subparagraph 3 of Paragraph "Third" of my said Last Will and Testament is hereby amended to read as follows:

"3. In the event my daughter, Elizabeth Turner Murley, shall predecease me, I bequeath all of my remaining silver to my daughter's children or to the survivor or survivors of them, in equal shares, to be divided among them as they see fit. If my daughter's children shall be unable or

*Charlotte B. Turner*  
CHARLOTTE B. TURNER

unwilling, for any reason, to agree upon a division of my remaining silver, my executor shall have full power and authority to make division thereof or to prescribe the method of making division thereof, in such manner as my executor shall deem equitable in my executor's sole discretion."

I hereby modify and amend my said Last Will and Testament in accordance with the provisions of this Codicil, and as so modified and amended I do hereby confirm and republish my said Last Will and Testament.

IN WITNESS WHEREOF, I have hereunto set my hand to this Codicil on this the 27 day of March, 1990.

Charlotte B. Turner  
CHARLOTTE B. TURNER

WITNESSES:

Russell B. Burkdale  
Marian B. Burkdale

A T T E S T A T I O N

We, the undersigned, as subscribing witnesses, do hereby acknowledge and affirm that the foregoing written instrument was exhibited to us by CHARLOTTE B. TURNER as a Codicil to her Last Will and Testament, that she signed the same in our presence and in the presence of each of us, and that we, at her request, and in her presence and in the presence of each other, hereto affixed our signatures as subscribing witnesses thereto.

THIS the 27 day of March, 1990.

Russell B. Burkdale  
Marian B. Burkdale

221S.T1396

PROOF OF CODICIL

STATE OF MISSISSIPPI

COUNTY OF HINDS

We, Rhese A Parksdale and Marion B. Parksdale, on oath state that we are the subscribing witnesses to the attached written instrument dated the 27th day of March, 1990, which has been represented to us to be a Codicil to the Last Will and Testament of CHARLOTTE B. TURNER, who indicated to us that she is a resident of and has a fixed place of residence in the City of Jackson, County of Hinds, State of Mississippi. On the execution date of the instrument, the Testatrix, in our presence and in the presence of each of us, signed the instrument at the end thereof and declared the instrument to be a Codicil to her Will, and requested that we attest to the execution thereof. Whereupon, in the presence of the Testatrix and in the presence of each other, each of us signed our respective names as attesting witnesses. At the time of the execution of the instrument, the Testatrix was over eighteen (18) years of age, and in our opinion was in sound mind, in full possession of her mental faculties, and acting without undue influence, fraud, or restraint.

DATED this 27th day of March, 1990.

Rhese A Parksdale  
Marion B. Parksdale

SUBSCRIBED AND SWORN TO BEFORE ME on this the 27th day of March, 1990.

Catherine E. Beddingfield  
NOTARY PUBLIC

My Commission Expires:  
August 12, 1991

Page 3



STATE OF MISSISSIPPI, COUNTY OF MADISON:  
I certify that the within instrument was filed for record in my office this 20 day of Oct, 1997, at 1:40 o'clock P.M., and was duly recorded on the OCT 20 1997, Book No. 30, Page 245.  
STEVE DUNCAN, CHANCERY CLERK BY Stacy Hill D.C

LAST WILL AND TESTAMENT

OF

LOUISE GRAY DAVIS

<p><b>FILED</b> THIS DATE OCT 24 1997 STEVE DUNCAN CHANCERY CLERK BY <i>Stacy Hoo</i></p>
---

I, LOUISE GRAY DAVIS, of Jackson, Hinds County, Mississippi, being of sound and disposing mind and memory, and more than twenty-one years of age, do hereby make, ordain and publish this, my Last Will and Testament, hereby revoking all Wills and Testaments heretofore made by me.

ITEM I.

I will and direct that all lawful claims duly probated and allowed against my estate be paid, and that the administration of my estate be completed as soon after my death as may be reasonably possible.

ITEM II.

I hereby appoint my friend, Alyce F. Palmore, Jackson, Mississippi, sole Executrix of this my Last Will and Testament, and she shall not be required to give bond for the faithful performance of her duties hereunder. In the event Alyce F. Palmore, shall predecease me, or fail, refuse or cease to act as Executrix of my estate for any reason, then I appoint her husband, William Allen Palmore, of Jackson, Mississippi, Executor of my estate. I further waive, insofar as I am authorized so to do under the law, the making of inventories,

reports and accounting to any Court. None of these persons so appointed shall be required to give bond for the faithful performance of their duties hereunder. I direct the Court that handles my Estate to allow my Executrix or Executor a reasonable fee as acting as Executrix or Executor of my Estate.

ITEM III.

There is a certificate of deposit in Trustmark National Bank of Jackson, Mississippi, in my name and the name of Q. B. Gray, my half-brother, which certificate of deposit contains a clause that it goes to Q. B. Gray upon my death. This certificate of deposit should be given to Q. B. Gray, 375 Bainbridge, Southaven, Mississippi, 38671. It is my understanding that this certificate will pass under the right of survivorship, if this should prove not to be true, I give, devise and bequeath this certificate of deposit to Q. B. Gray. If I should change this certificate of deposit by removing the name of Q. B. Gray from said certificate or cashing the same, I want this item to be considered as a lapsed Item in my Will and of no effect.

ITEM IV.

I direct that my home and all other real property and all contents of my home and all other personal property, except for cash and bonds and securities, shall be sold by my Executrix or Executor at the best price she or he can obtain, either at public auction or private sale with the authority granted to my Executrix or Executor that she or he may use professional people in carrying out this item. After the foregoing sales, I give,

devise and bequeath all of the remaining estate, now being personal property, to the following named persons, in the proportions indicated, to-wit:

- (1) One-Fourth (1/4), including one-fourth (1/4) of all cash, bonds and securities, to Charles Stevenson Gray, 375 Bainbridge, Southaven, Mississippi, 38671, my nephew. If Charles Stevenson Gray should predecease me, then I give, devisee and bequeath the interest that he would have received to his children, being the issuer of his body, share and share alike, for their college education.
- (2) One-Fourth (1/4), including one-fourth (1/4) of all cash, bonds and securities, to Debbie Gray Tackett, 8593 Woodline Drive, Southaven, Mississippi, my niece. If Debbie Gray Tackett should predecease me, then I give, devisee and bequeath the interest that she would have received to her children, being the issuer of her body, share and share alike, for their college education.
- (3) One-Fourth (1/4), including one-fourth (1/4) of all cash, bonds and securities, to Elizabeth Gray Baggett, 375 Bainbridge, Southaven, Mississippi 38671, my niece. If Elizabeth Gray Baggett should predecease me, then I give, devisee and bequeath the interest that she would have received to her children, being the issuer of her body, share and share alike, for their college education.

- (4) One-Eighth (1/8), including one-eighth (1/8) of all cash, bonds and securities, to Q. B. Gray in trust for the use, upkeep and care of Mrs. Judith Gray Johnson, my sister, who is now in a nursing home located in Memphis, Tennessee, at 306 North Bellevue, Memphis, Tennessee, 38105; to be used for the upkeep of care of my sister in the said nursing home to make my sister happy and contented and to supply her with the necessary items, regardless of the nature, that are needed to make her residency in the said nursing home pleasant, or any other nursing home or care facility she might be transferred to, comfortable and in keeping with the standard of living that she has enjoyed through the years. If she should predecease me, or any monies or sums remaining after her death, I give, devise and bequeath this said one-eighth (1/8), or the said monies or sums remaining after her death, to Gateway Rescue Mission, Inc., 328 South Gallatin, Jackson, Mississippi, 39203, and to Martha Henderson, 70 Glenmere, Little Rock, Arkansas, 72204, share and share alike.
- (5) One-Eighth (1/8), including one-eighth (1/8) of all cash, bonds and securities, to Trinity Presbyterian Church, 640 East Northside Drive, Jackson, Mississippi, 39211.

ITEM V.

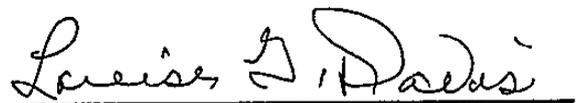
If any of the devisees under this Will or any other person or persons tries to set aside this Will or change any provision in this Will, it is my desire to eliminate such person or persons from receiving anything under this will. I wish again to state that I am of sound and disposing mind and memory and know exactly what I am doing. I also wish to state that everything in this Estate belongs to me, I do not feel any obligation to anyone and I give, devise and bequeath my Estate as my own free act and will.

ITEM VI.

If an attorney is needed in the administration of my estate, it is my will and desire that K. Hayes Callicutt of Jackson, Mississippi, or a member of his firm, act as such attorney.

IN WITNESS WHEREOF, I have hereunto subscribed and signed my name in the presence of two witnesses who have attested the same in my presence and at my request and in the presence of each other on this the 22nd day of April, A.D., 1996.

The undersigned witnesses also declare that their Affidavits attached hereto as Exhibits "A" and "B" were executed by them on this date.

  
LOUISE GRAY DAVIS

Signed, published and declared by the Testatrix, Louise

Gray Davis, as being her Last Will and Testament, in our presence, who, at her request and in her presence, and in the presence of each other, have hereunto signed and subscribed as witnesses on this the 22nd day of April, A.D., 1996.

WITNESSES:

ADDRESSES:

Edie Hedgepeth  
EDIE HEDGEPEETH

1616 West Parks Road  
Raymond, MS 39154

Paula Lambert  
PAULA LAMBERT

1930 Edwin Avenue  
Pearl, MS 39208

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 24 day of Oct, 1997, at 1:45 o'clock P.M., and was duly recorded on the OCT 24 1997, Book No. 30, Page 248.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacy Hill D.C.



AFFIDAVIT

STATE OF MISSISSIPPI  
COUNTY OF HINDS

THIS DAY PERSONALLY APPEARED BEFORE ME, the undersigned authority at law, in and for the County and State aforesaid, EDIE HEDGEPEETH, who, first being duly sworn by me according to law, says on oath:

1. This affiant is one of the subscribing witnesses to an instrument of writing purporting to be the Last Will and Testament of Louise Gray Davis, who is personally known to this affiant, and whose signature is affixed to the said Last Will and Testament, which said Last Will and Testament is dated April 22, A.D., 1996, and consists of six (6) typewritten pages, this Affidavit is attached to the original of said Last Will and Testament as Exhibit "A".

2. On the 22nd day of April, A.D., 1996, the said Louise Gray Davis signed, published and declared said instrument as her Last Will and Testament, in the presence of this affiant and in the presence of PAULA LAMBERT, the other subscribing witness to said instrument.

3. Said testator, Louise Gray Davis, was then and there of sound and disposing mind and memory and over the age of twenty-one (21) years.

4. This affiant, and PAULA LAMBERT, 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 testator, Louise Gray Davis, and in the presence of each other.

EXHIBIT "A"

5. This affiant is a resident of Raymond, Second Judicial District of Hinds County, Mississippi.

Edie Hedgepeth  
EDIE HEDGEPEETH

SWORN TO AND SUBSCRIBED BEFORE ME, this the 22nd day of April, A.D., 1996.

Nancy Lee Hamner  
NOTARY PUBLIC

MY COMMISSION EXPIRES:  
MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES FEB. 17, 2000



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 24 day of Oct, 1997, at 1:45 o'clock P.M., and was duly recorded on the OCT 24 1997, Book No. 30, Page 254.

STEVE DUNCAN, CHANCERY CLERK

BY: Stanley Hill D.C.



AFFIDAVIT

STATE OF MISSISSIPPI  
COUNTY OF HINDS

THIS DAY PERSONALLY APPEARED BEFORE ME, the undersigned authority at law, in and for the County and State aforesaid, PAULA LAMBERT, who, first being duly sworn by me according to law, says on oath:

1. This affiant is one of the subscribing witnesses to an instrument of writing purporting to be the Last Will and Testament of Louise Gray Davis, who is personally known to this affiant, and whose signature is affixed to the said Last Will and Testament, which said Last Will and Testament is dated April 22, A.D., 1996, and consists of six (6) typewritten pages, this Affidavit is attached to the original of said Last Will and Testament as Exhibit "B".

2. On the 22nd day of April, A.D., 1996, the said Louise Gray Davis signed, published and declared said instrument as her Last Will and Testament, in the presence of this affiant and in the presence of EDIE HEDGEPEETH, the other subscribing witness to said instrument.

3. Said testator, Louise Gray Davis, was then and there of sound and disposing mind and memory and over the age of twenty-one (21) years.

4. This affiant, and EDIE HEDGEPEETH, 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 testator, Louise Gray Davis, and in the presence of each other.

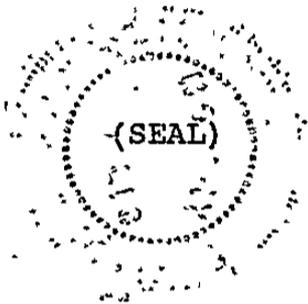
EXHIBIT "B"

5. This affiant is a resident of Pearl, Rankin County, Mississippi.

Paula Lambert  
PAULA LAMBERT

SWORN TO AND SUBSCRIBED BEFORE ME, this the 22nd day of April, A.D., 1996.

Nancy Lee Harris  
NOTARY PUBLIC



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

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES FEB. 17, 2000



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 24 day of Oct, 1997, at 1:45 o'clock P.M., and was duly recorded on the OCT 24 1997, Book No. 30, Page 256.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacy Hill D.C.

# CODICIL

*original*

I, LOUISE GRAY DAVIS resident of  
the CITY OF JACKSON of HINDS COUNTY in the State of  
MISSISSIPPI, being of sound mind, do make and declare this

codicil to be my **LAST WILL AND TESTAMENT** dated April 8, 1997

and do certify that I am not acting under undue influence, duress or menace

1. In the event Alyce F. Palmore has to absence herself from Jackson, Mississippi, I request that she appoint someone to fulfill her duties temporarily with pay comparable to the amount he/she would have normally made.
2. It is my desire to completely eliminate Item VI on page five (5) of my will dated April 22, 1996. However, at the discretion of Alyce F. Palmore, she may use anyone in the firm if she so desires.
3. The address of Charles Steven Gray, my nephew, is to be changed from 375 Bainbridge, Southaven, Mississippi 38671 to Charles Steven Gray, 2365 Church Road, Nesbit, Mississippi 38651.
4. It is my desire that any certificates of deposit in my name, and the name of anyone listed with my name, shall, upon my death pass under the right of survivorship. If not, I give, devise and bequeath this certificate to the designated party.

In all other respects I ratify and confirm my Will and in witness whereof, I have  
hereunto set my hand this 8th day of April, 1997.

Louise Gray Davis  
(Testator Signature)

This codicil to the **LAST WILL AND TESTAMENT** of Louise Gray Davis  
was signed and declared to be his/her codicil to his/her **LAST WILL AND TESTAMENT** in

our presence at his/her request and in his/her presence and the presence of each other as  
witnesses on this 8th day of April, 1997.

Alesia A. Spawson, 5086 Sunnyvale Dr., Jackson, MS 39211  
(Witness Signature) My Commission Expires Nov 20, 2000 (Address)

Deana C. Shiggins, 223 E School St, Ridgeland MS 391  
(Witness Signature) (Address)



**STATE OF MISSISSIPPI, COUNTY OF MADISON**

I certify that the within instrument was filed for record in my office this 24 day  
of Oct, 1997, at 1:45 o'clock P.M., and was duly recorded  
on the OCT 24 1997, Book No. 30, Page 258

STEVE DUNCAN, CHANCERY CLERK

BY Steve Hill DC

PROOF OF CODICIL

STATE OF MISSISSIPPI

COUNTY OF HINDS

We TERESA A. LAWSON and LEONA C. PHILLIPS on oath state that we are the subscribing witnesses to the attached written instrument dated the 8th day of April, 1997, which purports to be the first Codicil to the Last Will and Testament of LOUISE GRAY DAVIS, who indicated to us that she is a resident of and has a fixed place of residence in the City of Jackson, County of Hinds, State of Mississippi. On the execution date of the instrument, the Testatrix in our presence and in the presence of each of us, signed the instrument at the end thereof and declared the instrument to be a Codicil to her Will and requested that we attest to the execution thereof whereupon, in the presence of the Testatrix and in the presence of each other, each of us signed our respective names as attesting witnesses. At the time of the execution of the instrument, the Testatrix was over eighteen (18) years of age, and in our opinion was of sound mind, in full possession of her mental faculties, and acting without undue influence, fraud or restraint.

DATED this the 15th day of October, 1997.

*Teresa A. Lawson*  
TERESA A. LAWSON

*Leona C. Phillips*  
LEONA C. PHILLIPS

Subscribed and sworn to before me on this the 15th day of October, 1997.

*Regina Floyd Marsh*  
NOTARY PUBLIC

My Commission Expires:  
My Commission Expires October 13, 1998.

RL11/cod.wom



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 24 day of Oct, 19 97, at 1:45 o'clock P.M., and was duly recorded on the OCT 24 1997, Book No. 30, Page 259.

STEVE DUNCAN, CHANCERY CLERK

BY: *Stacy Hill* D.C.

FILED  
THIS DATE

OCT 24 1997

STEVE DUNCAN  
CHANCERY CLERK

BY

**Last Will and Testament**  
OF

CHARLES PHILLIP BUFFINGTON

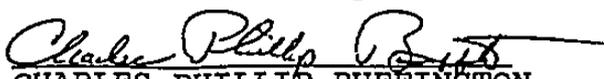
I, the undersigned Charles Phillip Buffington, being of sound and disposing mind, and being an adult resident citizen of Canton, Madison County, Mississippi, do hereby make, publish, and declare this my Last Will and Testament, hereby revoking all other Wills and Codicils heretofore made by me.

## ARTICLE I.

I nominate and appoint my wife, Gwin Durfey Buffington of Canton, Mississippi, to be the Executrix of my Last Will and Testament. If she should predecease me or otherwise fail to qualify as Executrix, then my son, Charles Phillip Buffington, Jr., is nominated and appointed to serve as Executor. My Executrix(or) shall have full and plenary power and authority to do and perform any act deemed by her or him to be in the best interest of my estate, including but not limited to those powers conferred upon trustees over trusts by the Mississippi Uniform Trustees Powers Act, and including the power to buy, sell, lease, or mortgage real estate and to buy and sell all stocks and bonds. My Executrix(or) is to serve without being required to give bond, inventory, appraisal, or accounting, which requirements I expressly waive.

## ARTICLE II.

I hereby direct my Executrix(or) to pay all of my just debts which may be probated, registered, and allowed against my estate, including the expenses of my last illness, funeral and burial, and the costs of administration of my estate, as soon as may be conveniently done after my death. I direct my Executrix(or) to pay all federal and state estate, inheritance or death taxes and other taxes in the general nature thereof which may be assessed against my estate or shall become payable upon or by reason of my death as soon as possible.

  
CHARLES PHILLIP BUFFINGTON

ARTICLE III.

I give, grant, bequeath and devise in fee all of the property of my entire estate, whether real, personal or mixed, tangible or intangible, of whatsoever nature and wheresoever situated, including all property which I may acquire or become entitled to after the execution of this Will, unto my wife, Gwin Durfey Buffington. If my wife shall predecease me, I then give, grant, bequeath and devise unto my children, Sharon Buffington Ford and Charles Phillip Buffington, Jr., in equal shares, per stirpes, my entire estate as hereinabove described.

I, Charles Phillip Buffington, in the presence of Myrleen C. Boudousquie, R. H. Shackelford, Jr. and \_\_\_\_\_, who at my request have served as attesting witnesses, do hereby sign, publish, and declare this instrument as my Last Will and Testament on this, the 22nd day of December, 1988.

Charles Phillip Buffington  
CHARLES PHILLIP BUFFINGTON

On the day and year shown above, this instrument was signed, published, and declared by Charles Phillip Buffington, in our presence to be his Last Will and Testament, and we, at his request, have on the said date subscribed our names as witnesses, in his presence and in the presence of each other.

Myrleen C. Boudousquie  
WITNESS  
Rt 2 Box 143  
ADDRESS  
Canton, MS 39046

R. H. Shackelford, Jr.  
WITNESS  
Rt 28 Boudousquie  
ADDRESS  
Canton, MS 39046

WITNESS  
ADDRESS

Charles Phillip Buffington  
CHARLES PHILLIP BUFFINGTON

Page 2 of 2 Pages



STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 24 day of Oct, 1997, at 3:30 o'clock P.M., and was duly recorded on the Oct 24, 1997, Book No 30, Page 260.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey K. O'D DC

**FILED**  
THIS DATE  
OCT 24 1997  
STEVE DUNCAN  
CHANCERY CLERK  
BY *[Signature]*

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE  
OF CHARLES PHILLIP BUFFINGTON, DECEASED

CIVIL ACTION FILE NO. 91772

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

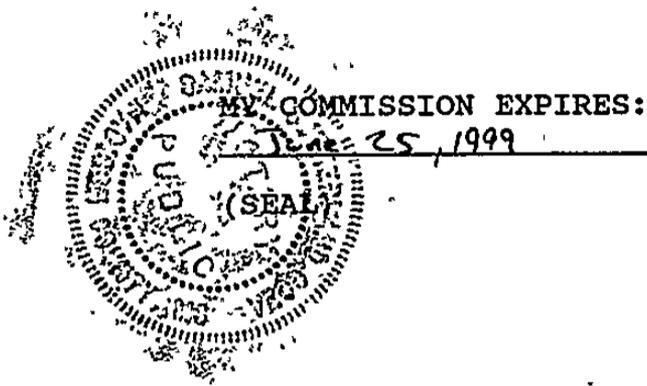
COUNTY OF MADISON

THIS DAY PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction above mentioned, **MYRLEEN C. BOUDOUSQUIE**, one of the subscribing witnesses to a certain instrument in writing purporting to be the Last Will and Testament of Charles Phillip Buffington, deceased, late of the County of Madison, Mississippi, who having been duly sworn makes oath that the said Charles Phillip Buffington signed, published and declared said instrument as his Last Will and Testament on the 22nd day of December, 1988, the day and date of said instrument, in the presence of this affiant and R. H. Shackelford, Jr., 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, Myrleen C. Boudousquire, the Affiant, and R. H. Shackelford, Jr., subscribed and attested said instrument as witnesses to the signature of the testator and the publication thereof at the special instance and request and in the presence of said testator and in the presence of each other.

*Myrleen C. Boudousquire*  
Myrleen C. Boudousquire

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 15 day  
of October, 1997.

Samuel Satchel Gay  
NOTARY PUBLIC



SSGPIESTATEBUPPINGTAFFIDWIT.101

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 24 day  
of Oct, 1997, at 3:30 o'clock P M., and was duly recorded  
on the Oct 24, 1997, Book No. 30, Page 262.



STEVE DUNCAN, CHANCERY CLERK

BY: Stanley Hill D.C.

MADISON COUNTY, MS  
**FILED**

OCT 28 1997

AT 3:55 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK  
By: Stacey [Signature]

LAST WILL AND TESTAMENT  
OF  
ROSABOWIE KENAN CLARK

I, ROSABOWIE KENAN CLARK, an adult resident of Ridgeland, Madison County, Mississippi, make this my Will and revoke all prior Wills and Codicils.

ITEM I.

I have two (2) adult children now living, DALE C. MORROW and ANN B. CLARK.

The word "descendants" as used herein shall include any person hereafter born to any of my descendants, and shall be deemed to include an adopted child or adopted children, irrespective of any provisions of law establishing a contrary presumption.

ITEM II.

I appoint my daughter, DALE C. MORROW, Executrix of my estate under this Will. In the event DALE C. MORROW is or becomes unable or unwilling to serve as Executrix, I appoint my daughter, ANN B. CLARK, as successor Executrix.

ITEM III.

My Executrix shall pay all funeral expenses, costs of administration and other proper claims against my estate.

ITEM IV.

Where used throughout this Will, the terms "Executor," "Executrix," and "Administrator" may be used interchangeably and shall apply to whoever may be serving as personal representative

FOR IDENTIFICATION:

Rosabowie Kenan Clark Page 1 of 3

of my estate, whether one or more than one, and to any successor Executor or Administrator.

## ITEM V.

I give, devise, and bequeath my entire estate, real and personal, of whatsoever kind or character, and wheresoever located, to my children, DALE C. MORROW and ANN B. CLARK, in equal shares. In the event one or more of my children is not then living, that deceased child's share shall go to his or her descendants per stirpes.

## ITEM VI.

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

Except where specific property is devised or bequeathed, my Executrix shall have discretion to select property to be distributed in satisfaction of any devise or bequest provided in this Will. In making a selection, my Executrix is excused from any duty of impartiality with respect to the income tax basis of the property. I authorize my Executrix to exercise, at such times and in such manner as my Executrix shall deem appropriate, any rights of election or other rights which are available to me or my estate in respect of the provisions of the Internal Revenue Code or of any other tax law.

My Executrix shall have authority to continue all business operations in which I am interested at my death for the time

FOR IDENTIFICATION:

Rosalene K. Clark

permitted by law in order to avoid depreciation in value of the interests or losses to my estate or associates. My Executrix may continue to act as partner, engage in any partnership, and take all actions with regard to any partnership my Executrix deems advisable.

I specifically authorize my Executrix to borrow such funds as may be necessary to pay my debts and administration expenses and taxes of my estate and to pledge such of my property, real or personal, as may be necessary to secure such loan; provided, however, that my Executrix shall not pledge any property specifically devised or bequeathed herein. My Executrix shall not be required to pay or otherwise satisfy such loan, or any loan to which my property is subject at my death, prior to the closing of my estate and the discharge of my Executrix, but may distribute such property at its value net of such loan in satisfaction of any bequest herein.

IN WITNESS WHEREOF, I have signed and declared this to be my Last Will and Testament on this the 13<sup>th</sup> day of July, 1990.

RosaBowie Kenan Clark  
RosaBowie Kenan Clark

This instrument was, on the day and year shown above, signed, published, and declared by ROSABOWIE KENAN CLARK 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.

Katherine R. Catchat

302 W. Santa Clara St  
Jackson, MS 39212  
Address

Sarah H. Williams

5155 Haymead Dr. B-7  
Jackson, MS 39211  
Address



STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 28 day of Oct, 1997, at 3:55 o'clock PM, and was duly recorded on the OCT 28 1997, Book No 30, Page 264.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C

PROOF OF WILL

STATE OF MISSISSIPPI  
HINDS COUNTY

CHANCERY COURT  
In Vacation A.D. 1997

In the matter of a certain instrument of writing, purporting to be the Last Will and Testament of ROSABOWIE KENAN CLARK, Deceased of Madison County.

Personally appeared before me the undersigned notary public in and for Hinds County, Mississippi, Sarah H. Williams, one of the subscribing witnesses to the foregoing and annexed instrument of writing, purporting to be the Last Will and testament of ROSABOWIE KENAN CLARK, Deceased, late of Madison County, who, having been first duly sworn, says that the said ROSABOWIE KENAN CLARK signed, published and declared said instrument as her Last Will and Testament on the 13th day of July 1990, A. D., the day of the date of said instrument, in the presence of this deponent and in the presence of Katherine R. Catchot, the other subscribing witness thereto, and that the said testatrix was then of sound and disposing mind and memory, was more than twenty-one years of age and that this deponent and Katherine R. Catchot, the other subscribing witness, subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request and in the presence of the testatrix, and in the presence of each other, on the day and year of the date thereof.

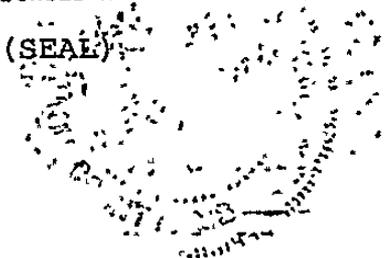
Sarah H. Williams  
SARAH H. WILLIAMS

SWORN to and subscribed before me, this 14th day of July, 1997.

Charles M. Hogan  
NOTARY PUBLIC

My Commission Expires:  
Notary Public State of Mississippi At Large  
My Commission Expires December 11, 1998  
BONDED THROUGH REIDER/MARCFITL, INC.

(SEAL)



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 28 day of Oct, 1997, at 3:55 o'clock P.M., and was duly recorded on the OCT 28 1997, Book No. 30, Page 267.



STEVE DUNCAN, CHANCERY CLERK

BY: Steve H. Hoo D.C.

97-799

BOOK 30 PAGE 268

# Last Will and Testament

MADISON COUNTY, MS

**FILED**

OF

OCT 31 1997

JACK DANIEL

AT 9:50 O'CLOCK A M  
STEVE DUNCAN, CHANCERY CLERK  
By: *Stanley Hill*

I, JACK DANIEL, an adult resident of Madison County, Mississippi, being of sound and disposing mind and memory and over the age of eighteen (18) years, 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.

### ARTICLE I.

I declare that I am currently the husband of NAOMI B. EADY, to whom all references herein to "my wife" relate. I am the father of PAMELA DANIEL and PAULA DANIEL CRAVEY, to whom all references herein to "my child" or "my children" shall relate, said children being from my prior marriage to ELOIS S. DANIEL, Deceased. For all purposes of this will and the disposition of my estate hereunder, the terms "issue" and "descendants" shall be deemed to include all children born to or adopted by said children herein prior to and after the execution of this will, irrespective of any provisions of law establishing a contrary presumption.

### ARTICLE II.

My Executor shall pay all funeral expenses, costs of administration and other proper claims against my estate. My Executor may, in my Executor's discretion, pay all or any portion of the administration expenses out of the income and/or principal of the estate during the period of administration and may elect in accordance with applicable federal tax laws, to deduct such expenses either for federal estate tax purposes or federal income tax purposes, or partly for one and partly for the other, irrespective of the source of payment, and without reimbursement or

  
JACK DANIEL

adjustment of the estate accounts or the amounts to which the beneficiaries of my estate may otherwise be entitled. However, my Executor shall not exercise this discretion in a manner that will result in loss of, or decrease in, the marital deduction otherwise allowable in determining the federal estate tax due by my estate.

All property bequeathed or devised under this will is bequeathed and devised subject to existing mortgages, liens or encumbrances thereon. My Executor is given full discretion as to which debts to pay and which to allow to pass with the property to which such debts apply. However, nothing contained herein shall be construed as creating an express trust for the payment of said taxes, debts and expenses.

#### ARTICLE III.

I give and bequeath unto my children, in equal shares, all of my personal belongings (except cash, stocks, bonds, or like investments on hand or on deposit and the tangible and intangible personal property customarily used in connection with any business in which I shall be engaged or in which I may own any interest at the time of my death), consisting of jewelry, wearing apparel, sporting equipment, club memberships, and similar property owned by me at the time of my death, to be divided among them as they see fit. I also give and bequeath unto my children, in equal shares, all of the automobiles and other vehicles individually owned by me at the time of my death.

Should any child predecease me, such property bequeathed to such child shall pass to her issue, per stirpes, or if she should die without issue, to my surviving child, or if deceased to her issue, per stirpes. If I have left any listing signifying my intent as to the division of any such property among my children or my grandchildren I would request my Executor and my beneficiaries to abide by such latest dated listing.

  
JACK DANIEL

Should any disagreement arise as to the equitable division of this property among my children or such children's issue, then I authorize my Executor to sell all or any portion of such personal property at public or private sale without Court order or bond and divide the net sale proceeds among my beneficiaries equally or if deceased, among such beneficiary's issue, per stirpes, pursuant to the provisions of this clause.

Should all of my children predecease me, leaving no issue, then such personal property as defined herein shall pass to my heirs-at-law, as determined under the laws of descent and distribution of the State of Mississippi in effect at that time.

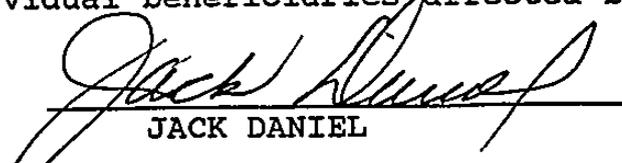
#### ARTICLE IV.

1. I give and bequeath unto my wife, if she survives me, the cash sum of TEN THOUSAND DOLLARS (\$10,000.00) AND NO/100's. If my wife does not survive me, this devise shall lapse, and shall pass in accordance with Article VI herein.

2. I further request of my children and my Executor that my said wife be allowed to continue to live in and use the residence we are living in at the time of my death for a period of six (6) months following my death. I currently utilize the residence under a life estate.

#### ARTICLE V.

All of my insurance policies which provide indemnity for the loss of or damage to any of my personal or real property by fire, windstorm or other similar casualty, including any claim for the loss of or damage to any such property which I might have at the time of my death against any insurance company, I give and bequeath, respectively, to those persons or corporations, as the case may be, who shall or would have become the owners of such properties by reason of my death, whether such ownership be acquired under the provisions of this will, by survivorship or by other means. If any of the individual beneficiaries affected by

  
JACK DANIEL

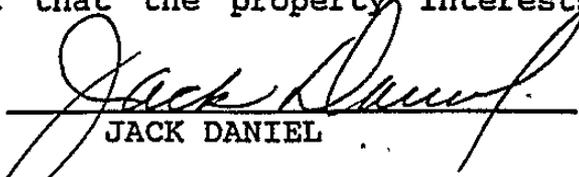
this Article shall not survive me, or if any corporation so affected by this Article shall not be in existence at the time of my death, the bequest to such individuals or corporations shall lapse and same shall become a part of my residuary estate hereinafter disposed of.

ARTICLE VI.

I give, devise and bequeath all of the rest, residue and remainder of my property, including all remaining personal, real and mixed property, lapsed legacies and devises, and disclaimed property, unto my children, in equal shares, or in the event any child should predecease me, such property shall pass to her issue, per stirpes, or in the event she should die without issue, to my surviving child, or if deceased to her issue, per stirpes, or in the event that they shall both predecease me leaving no issue, such property shall be distributed to my heirs-at-law, as determined under the laws of descent and distribution of the State of Mississippi in effect at that time.

ARTICLE VII.

I am cognizant that the provisions of the federal Internal Revenue Code (and other applicable laws) in force at the time of my death and applicable to my estate may permit my Executor to elect to claim certain expenses and losses as deductions on certain income, estate, or inheritance tax returns. Thus, I authorize my Executor to elect to claim such expenses and losses as deductions on the particular tax return or returns as my Executor in its sole discretion shall deem advisable, irrespective of whether such expenses and losses may be payable from (or attributable to) income or principal, and my Executor is directed not to make adjustments between income or principal or between the property interests passing to the beneficiaries under my will which may be substantially affected as a result of my Executor's election under this Article. Further, I direct that the property interests

  
JACK DANIEL

determined as the result of my <sup>BOOK</sup> 30 <sup>PAGE</sup> 272 Executor's election under this Article shall be the interest that such beneficiaries will receive. Also, I exonerate my Executor from all liability for any such election and direct that no beneficiary shall have any claim against my Executor or my estate by reason of the exercise of my Executor's judgment in this respect.

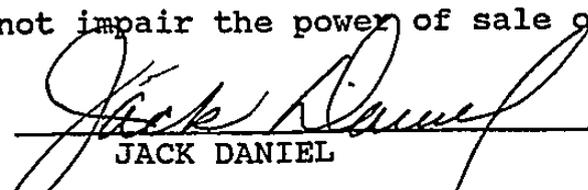
ARTICLE VIII.

I hereby grant to my Executor established hereunder (including any substitute or successor, personal representative or executor) the continuing, absolute, discretionary power to deal with any property, real or personal, held in the administration of my estate as freely as I might in the handling of my own affairs. Such power may be exercised independently without prior or subsequent approval of any judicial authority, and no person dealing with the Executor shall be required to inquire into the propriety of its actions. Without limiting the generality of the foregoing, I hereby grant to my Executor and to any successor hereunder the following specific powers and authority in addition to and not in substitution of powers conferred by law:

A. To have all of the specific powers set forth in MISS. CODE ANN. §91-9-101 through §91-9-109 (1972) as now enacted or hereafter amended.

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

C. To retain any security or other property owned by me at the time of my death, so long as such retention appears advisable, to exchange any such security or property for other securities or properties and to retain such items received in exchange. My Executor may presume any securities owned by me at the time of my death to be of investment merit and worthy of retention by my Executor. Such presumption shall not impair the power of sale or

  
JACK DANIEL

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

D. To sell, exchange, assign, transfer, mortgage and convey any security or property, real or personal, held in my estate at public or private sale, at such time and price and upon such terms and conditions (including credit) as it may deem to be advisable and for the best interest of my estate, all without court order or bond.

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

  
JACK DANIEL

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

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

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

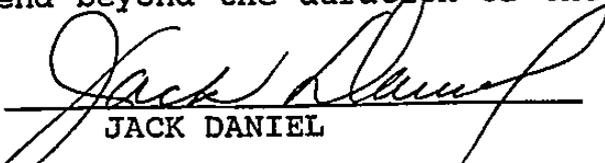
I. To charge or credit to principal any premiums and discounts on securities purchased at more or less than par.

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

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

L. To borrow money (from itself or from others) upon such terms and conditions as it may determine and to mortgage and pledge estate assets as security for the repayment thereof; and to loan money to any beneficiary of the estate upon such terms as the Executor may in its discretion determine advisable.

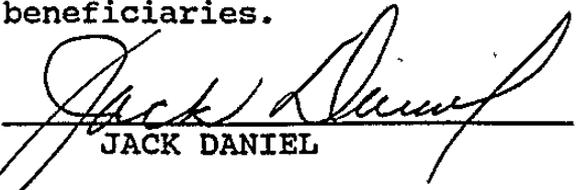
M. To lease any real estate for such term or terms and upon such conditions and rentals in such manner as it may deem advisable (with or without privilege of purchase), including but not limited to commercial, agricultural and oil, gas and mineral leases, and any lease so made shall be valid and binding for the full term thereof even though same shall extend beyond the duration of the

  
JACK DANIEL

estate administration. With regard to mineral rights, to execute contracts, letter agreements, farm-out agreements, operating agreements, division orders, transfer orders, and any and all other related documents as needed in relation thereto. To insure against fire or other risk. To make repairs, replacements and improvements, structural or otherwise, to any such real estate. To subdivide real estate, to dedicate same to public use and to grant easements as it may deem proper; all without court order or bond.

N. Whenever required or permitted to divide and distribute my estate, to make such distribution (including the satisfaction of any pecuniary bequests) in cash or in specific property, real or personal, or any such property, and to do so without regard to the income tax basis of specific property allocated to any beneficiary. In making distributions, I request (but do not direct) that my Executor do so in a manner which will result in the property to be sold to satisfy obligations of my estate having an aggregate income tax basis as close as possible to its aggregate fair market value and, to the extent consistent with this primary objective, do so in a manner which will result in maximizing the increase in basis for federal and state estate and succession taxes attributable to appreciation. I also authorize my Executor, in its absolute discretion, to make in kind and non-prorata distributions under this will if practicable.

O. To employ accountants, attorneys, advisors, including investment advisors and money managers and such agents as it may deem advisable; and to grant them discretionary powers, to pay reasonable compensation for their services and to charge same to (or apportion same between) income and principal as it may deem proper. In this regard, I encourage the beneficiaries of my estate or their guardians, if minors, to suggest such advisors to my Executor and I encourage my Executor to heed such suggestions if same be in the best interest of my beneficiaries.

  
JACK DANIEL

P. Unless inconsistent with other provisions of this instrument, to hold two (2) or more trusts or funds in one (1) or more consolidated trusts or funds in which the separate funds shall have undivided interests.

Q. If any individual among the legatees named or provided for under the foregoing provisions of this will (or under the provisions of any codicil to it hereafter executed by me) shall be a minor at the time of my death, then, and in that event, and notwithstanding any statute or rule of law to the contrary, I authorize my Executor to pay or deliver the legacy to which each such minor shall be entitled to the parent or to the legal guardian of such minor or to the person with whom such minor shall then reside, and the receipt of such parent or guardian or person with whom such minor shall then reside shall constitute a full acquittance of my Executor with respect to the legacy so paid or delivered, all specifically subject to the provisions for distributions in the trusts contained herein.

R. My Executor shall not be required to file in any court or with any public official any reports or accounts relating to the administration of my estate or trust, except to the extent that I have no power to excuse the filing of such reports or accounts.

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

T. Abandon, in any way, property which is determined not to be worth protecting.

U. To borrow to fund margin accounts and to buy or sell any stock or security options, including but not limited to calls, puts, straddles, spreads, strips or straps, whether over any

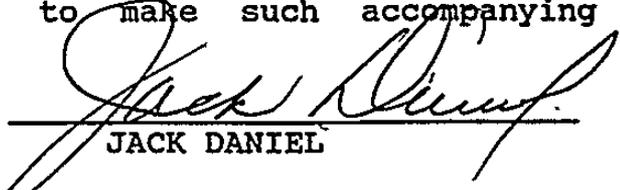
  
JACK DANIEL

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

V. In its sole discretion, if it deems practicable, to disclaim, in whole or in part, on my behalf any interest bequeathed or devised to me or otherwise inherited by my estate; and to exercise and make any and all tax elections of all kinds and execute and file any and all necessary tax returns and forms including a joint income tax return with my wife, if deemed practicable.

W. The power, exercisable in its sole discretion, to invest in any insurance policy, whether the insured or covered person is a beneficiary or any other person. Such investment may be in part ownership of any insurance policy and may be made in any manner that the Executor shall deem appropriate. The propriety of such investment and the nature and amount of the insurance policy in which is invested shall be solely within the discretion of the Executor, and the Executor shall incur no liability as a result of such investment, even though such insurance policy is not an investment in which Executors are authorized by law or by any rule of court to invest trust funds. The Executor shall have the power, exercisable in its sole discretion, to retain any such insurance policy as an investment of the estate without regard to the portion that such insurance policies of a similar character, so held, may bear to the entire amount of the estate. The term "insurance policy" shall be deemed to include life insurance policies, annuity contracts, accident policies, and any retirement plan or contract under which death benefits can or are made payable to the Executor.

X. The power, exercisable in its sole discretion, to make any election permitted under the applicable federal income and estate and gift tax laws (including but not limited to converting any corporation to an S-Corporation and deferral of excise taxes on excess retirement benefits) and to make such accompanying

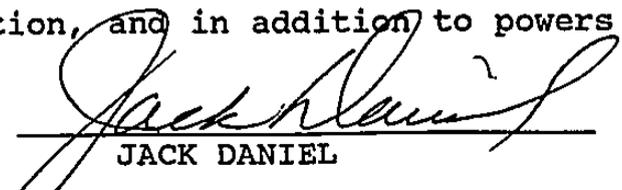
  
JACK DANIEL

adjustment between income and principal as it may deem proper. This power also includes, but is not limited to, the power to make the election to recognize gain or loss on the distribution of property in kind, as now permitted under Section 643(d)(3) of the Internal Revenue Code of 1986, or as permitted in any later codification.

Y. No powers of the Executor enumerated herein or now or hereafter conferred upon executors or fiduciaries generally shall be construed to enable the Executor, or any other person, to purchase, exchange, or otherwise deal with or dispose of all or any part of the principal or income of the estate created herein for less than an adequate consideration in money or money's worth or to enable anyone to borrow all or any part of the principal or income of the estate, directly or indirectly, without adequate interest or security. No person other than the Executor shall have or exercise the power to vote or direct the voting of any stock or other securities held in the estate, either by directing investments or reinvestments or by vetoing proposed investments or reinvestments.

#### ARTICLE IX.

I anticipate that at the time of my death I may own and operate all or a substantial portion of certain business ventures and enterprises, (whether operated in the form of a corporation, a partnership or a sole proprietorship), hereinafter referred to as "the business," and consequently I expect that some such business enterprise or enterprises may be in my estate at the time of my death. Since I desire that my Executor shall have the discretion to continue to hold and operate each such business as a part of my estate, I hereby vest my said Executor, including any successors thereto, with the following powers and authority as supplemental to the ones contained in Article VIII (General Powers), the applicability of which to the business I confirm, without limitation by reason of specification, and in addition to powers

  
JACK DANIEL

conferred by law, all of which may be exercised with respect to every such business, whether a corporation, a partnership or a sole proprietorship:

A. To retain and continue to operate the business for such period as the Executor may deem advisable. To vote all stock or issue proxies therefor.

B. To control, direct and manage the business. In this connection, the Executor in its sole discretion shall determine the manner and extent of its active participation in the operation, and the Executor may delegate all or any part of its power to supervise and operate to such person or persons as it may select, including, but not limited to, any associate, partner, officer or employee of the business or beneficiary of my estate.

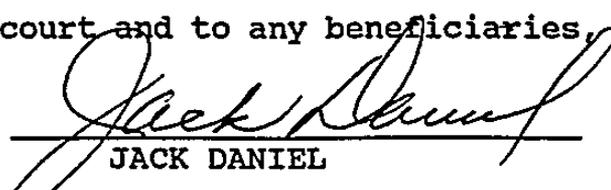
C. To hire and discharge officers and employees, fix their compensation and define their duties; and similarly to employ, compensate and discharge agents, attorneys, consultants, accountants and such other representatives as the Executor may deem appropriate; including the right to employ any beneficiary or my estate in any of the foregoing capacities.

D. To invest other estate funds in such business; to pledge other assets of the estate as security for loans made to such business; and to loan funds from the estate to such business or from the business to the estate.

E. To organize a corporation under the laws of this or any other state or country and transfer thereto all or any part of the business or other property held in the estate, and to receive in exchange therefor such stocks, bonds and other securities as the Executor may deem advisable.

F. To take any action required to convert any corporation into a partnership or sole proprietorship or S-Corporation.

G. To treat the business as an entity separate from the estate. In its accountings to the court and to any beneficiaries,

  
JACK DANIEL

if required, the Executor shall only be required to report the earnings and condition of the business in accordance with standard corporate accounting practice.

H. To retain in the business such amount of the net earnings for working capital and other purposes of the business as the Executor may deem advisable in conformity with sound business practice.

I. To purchase, process and sell merchandise of every kind and description; and to purchase and sell machinery, vehicles, and equipment, furniture and fixtures and supplies of all kinds.

J. To sell or liquidate all or any part of any business, including but not limited to real property, at such time and price and upon such terms and conditions (including credit) as the Executor may determine all without Court order. The Executor is specifically authorized and empowered to make such sale to any partner, officer or employee of the business (or to any individual executor) or to any beneficiary hereunder, and to consummate or carry out any valid and binding agreement for the sale or exchange of said stock or business.

K. To exercise any of the rights and powers herein conferred in conjunction with another or others.

L. To diminish, enlarge or change the scope or nature of any business.

I am aware that certain risks are inherent in the operation of any business. Therefore, I direct that my Executor shall not be held liable for any loss resulting from the retention and operation of any business unless such loss shall result directly from the Executor's gross negligence or willful misconduct. In determining any question of liability for losses, it should be considered that the Executor is engaging in a speculative enterprise at my express request.

  
JACK DANIEL

If any business operated by my Executor pursuant to the authorization contained in this Will shall be unincorporated, then I direct that all liabilities arising therefrom shall be satisfied first from the business itself and second out of the estate. It is my intention that in no event shall any such liability be enforced against the Executor personally. If the Executor shall be held personally liable, it shall be entitled to indemnity first from the business and second from the estate.

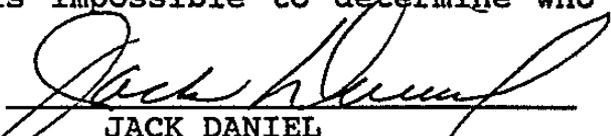
ARTICLE X.

I appoint my friend and long time employee, CAROLINE S. FRAZIER, as Executor of my estate, or in the event she predeceases me, fails to qualify or otherwise ceases to act, I appoint my daughters, PAMELA DANIEL and PAULA DANIEL CRAVEY, or the survivor of them, as Successor Executors. I direct that any and all of the above-named person(s) serve in said capacities without the necessity of making bond, inventory, accounting or appraisal to any court, to the extent that same may be properly waived under the law. My Executor shall be entitled to reasonable compensation from the estate for time and expenses as approved by the Chancery Court of Madison County, Mississippi.

All references herein to "Executor" or "it", shall be deemed to be gender neutral and include the masculine, the feminine, and shall also be deemed to include an entity or entities, and also includes individual or Co-Executors.

ARTICLE XI.

In the event that both my said wife and I should die in a common disaster or accident, or under such circumstances that it cannot be determined which of us is the survivor, I hereby declare that she shall be deemed to have survived me, and this will and all of its provisions shall be construed upon that assumption. Should I die in such a common disaster with any beneficiary of my estate, other than my said wife, and it is impossible to determine who

  
JACK DANIEL

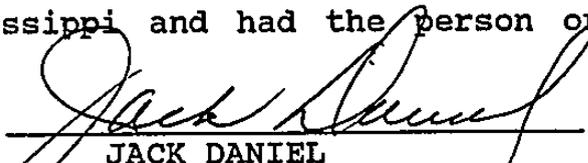
survived, I shall be deemed to have survived such other beneficiary and this will and all of its provisions shall be construed upon that assumption.

ARTICLE XII.

I hereby authorize and empower my wife and my herein-named children or her issue, or if any of said beneficiaries of my estate are deceased or disabled, I authorize and empower their executor(s) or executrix(es) or agents or personal representatives, or trustees to disclaim all or any portion of my estate herein provided for them. To be effective, such disclaimer shall be in writing and shall be delivered to my Executor within the period designated by the Internal Revenue Code effective at the date of my death. Any portion of my estate so disclaimed by any beneficiary shall pass under the provisions of this will, as if said beneficiary disclaiming had predeceased me.

ARTICLE XIII.

If any beneficiary hereunder shall contest the probate or validity of this will or any provision thereof, or shall institute or join in (except as a party defendant) any proceeding to contest the validity of this will or to prevent any provision thereof from being carried out in accordance with its terms (regardless of whether or not such proceedings are instituted in good faith and with probable cause), then all benefits provided for such beneficiary are revoked and such benefits shall pass to the residuary beneficiaries of this will (other than such beneficiary) in the proportion that the share of each such residuary beneficiary bears to the aggregate of the effective shares of the residuary. If all of the residuary beneficiaries join in such contest or proceedings, then such benefits shall pass to those persons (other than the persons joining in such contest) who are living at my death and who would have been my distributees had I died intestate a resident of the State of Mississippi and had the person or

  
JACK DANIEL

persons contesting my will died immediately before me. Each benefit conferred herein is made on the condition precedent that the beneficiary shall accept and agree to all of the provisions of this will and the provisions of this Article are an essential part of each and every benefit.

I, JACK DANIEL, have signed this Will which consists of sixteen (16) pages this the 21<sup>st</sup> day of July, 1993, in the presence of J. Stephen Hooverfield and [Signature], who attested it at my request.

[Signature]  
JACK DANIEL, Testator

The above and foregoing Will of Jack Daniel was declared by him in our presence to be his Will and was signed by Jack Daniel in our presence and at his request and in his presence and in the presence of each other, we the undersigned witnessed and attested the due execution of the Will of Jack Daniel on this the 21<sup>st</sup> day of July, 1993.

J. Stephen Hooverfield of 1921 Bellemard Road  
Jackson, Ms. 39211  
[Signature] of 908-A Glastonbury Cr.  
Ridgeland, MS 39157

c:\daniel\j\jack.will



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 31 day of Oct, 1997, at 9:50 o'clock A.M., and was duly recorded on the OCT 31 1997, Book No. 30, Page 208.

STEVE DUNCAN, CHANCERY CLERK

BY: [Signature] D.C.

IN THE CHANCERY COURT  
OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE  
OF JACK DANIEL

CAUSE NO 97-799

PROOF OF WILL

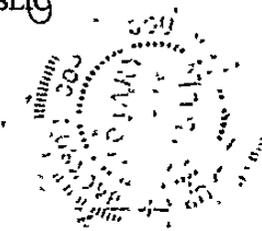
Be it known and remembered that on this 21<sup>st</sup> day of July, A. D., 1993 before me, the undersigned authority, personally came and appeared J. David Clark, Jr., one of the subscribing witnesses to that certain instrument of writing purporting and alleged to be the Last Will and Testament of Jack Daniel, bearing date of the 21<sup>st</sup> day of July, 1993; and he/she, having first carefully examined and inspected said instrument and the signature thereto, and having been by me first duly sworn, deposed and said that the said Jack Daniel, signed, published and declared said instrument of writing as and for his Last Will and Testament in the presence of this deponent on the day of the date of said instrument; that said Jack Daniel, was then of sound and disposing mind, memory and understanding, and able and competent in law and in fact to make a Will, and at that time was a bona fide resident of Madison County, Mississippi, where he had maintained his fixed place of residence prior to said date; and that said Jack Daniel was then more than eighteen years of age, and that this deponent and the other witness subscribed said instrument as witness thereto, at the instance and request and in the presence of said testator and in the presence of each other on the date aforesaid.

[Signature]  
\_\_\_\_\_, Witness

SWORN TO AND SUBSCRIBED before me by J David Clark, Jr,  
this 21<sup>st</sup> day of July, A.D., 1993.

Laura P. Jackson  
NOTARY PUBLIC

My Commission Expires  
My Commission Expires Jan 31, 1994



STATE OF MISSISSIPPI, COUNTY OF MADISON.

I certify that the within instrument was filed for record in my office this 31 day of Oct, 1997, at 9:50 o'clock A M., and was duly recorded on the OCT 31 1997, Book No 30, Page 284

STEVE DUNCAN, CHANCERY CLERK

BY: Stacy Hill D.C.

IN THE CHANCERY COURT  
OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE  
OF JACK DANIEL

CAUSE NO. 97-799

PROOF OF WILL

Be it known and remembered that on this 21<sup>st</sup> day of July, A.D., 1993 before me, the undersigned authority, personally came and appeared J. STEPHEN STUBBLEFIELD, one of the subscribing witnesses to that certain instrument of writing purporting and alleged to be the Last Will and Testament of Jack Daniel, bearing date of the 21<sup>st</sup> day of July, 1993; and he/~~she~~, having first carefully examined and inspected said instrument and the signature thereto, and having been by me first duly sworn, deposed and said that the said Jack Daniel, signed, published and declared said instrument of writing as and for his Last Will and Testament in the presence of this deponent on the day of the date of said instrument; that said Jack Daniel, was then of sound and disposing mind, memory and understanding, and able and competent in law and in fact to make a Will, and at that time was a bona fide resident of Madison County, Mississippi, where he had maintained his fixed place of residence prior to said date; and that said Jack Daniel was then more than eighteen years of age, and that this deponent and the other witness subscribed said instrument as witness thereto, at the instance and request and in the presence of said testator and in the presence of each other on the date aforesaid.

J. Stephen Stubblefield  
J. STEPHEN STUBBLEFIELD, Witness

SWORN TO AND SUBSCRIBED before me by J. STEPHEN STUBBLEFIELD,  
this 21<sup>st</sup> day of July, A.D., 1993.

Laura P. Jackson  
NOTARY PUBLIC

My Commission Expires:  
My Commission Expires Jan. 31, 1994



STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 31 day of Oct, 1997, at 9:50 o'clock A.M., and was duly recorded on the OCT 31 1997, Book No. 30, Page 285

STEVE DUNCAN, CHANCERY CLERK

BY: Sarah K. O. D.C.

OCT 31 1997

AT 9:50 O'CLOCK A M  
STEVE DUNCAN, CHANCERY CLERK  
By Stanley Hill, Jr.

FIRST CODICIL TO THE LAST WILL AND TESTAMENT  
OF  
JACK DANIEL

I, JACK DANIEL, an adult resident citizen of Madison County, Mississippi, being of sound and disposing mind and memory, and over the age of eighteen (18) years, do hereby make, publish and declare this First Codicil to my Last Will And Testament dated July 21, 1993.

## I.

1. I hereby cancel, delete and remove the first sentence in Article I. of said Last Will and Testament in its entirety and just as though it had never been a part thereof.

2. Further, all references contained in said Last Will and Testament relating to "my wife", or "my said wife", or referring to her in any other manner either expressly or by implication, and all provisions affected thereby are hereby canceled, deleted and removed from said Last Will and Testament just as though they had never been a part thereof.

## II.

I hereby cancel, delete and remove Article IV. of said Last Will And Testament in its entirety and just as though it had never been a part thereof.

## III.

I hereby insert in and add to my said Last Will And Testament dated July 21, 1993, as Article XIV thereof, the following:

## ARTICLE XIV.

A. It is my desire and wish, and I hereby direct that my funeral service shall be held in the First Baptist Church of Madison, Mississippi. It is my wish and desire that in lieu of flowers for my funeral, the funds that would be used for the purchase of flowers will be contributed to the above church for use in the programs of the church.

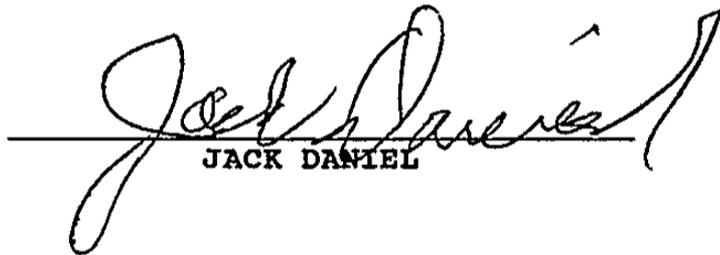
  
JACK DANIEL

B. As early as conveniently possible after the funeral service, my body shall be taken to Athens, Texas for burial next to my former wife, Elois S. Daniel, Deceased. At Athens, Texas, a grave side service shall be conducted by a Baptist preacher of that area as selected by my daughters named herein.

I do hereby ratify, adopt, republish and reaffirm my said Last Will And Testament dated July 21, 1993, in all respects as amended and modified by this First Codicil thereto.

IN WITNESS WHEREOF, I have hereto affixed my hand and declare the foregoing instrument to be my First Codicil to my said Last Will And Testament.

DATED this the 19<sup>th</sup> day of June, 1997, in the presence of the undersigned witnesses, who I have requested to witness the execution hereof.

  
JACK DANIEL

CERTIFICATE OF SUBSCRIBING WITNESSES

We, Carol C. Walker, and Josh Dehmer do hereby certify that JACK DANIEL declared and published the foregoing instrument to be the First Codicil to his Last Will And Testament dated July 21, 1993, and that in our presence he signed and subscribed the same as the First Codicil to his Last Will And Testament, and we do now, at his request and in his presence and in the presence of each other, hereunto subscribe our names and addresses, we having noted and hereby certifying that the matters herein stated took place in fact and in the order stated.

WITNESS OUR SIGNATURES on this the 19th day of June, 1997.

Carol C. Walker  
NAME

110 Commonwealth Avenue  
ADDRESS  
Brandon, Ms 39042

[Signature]  
NAME

P.O. Box 1200  
ADDRESS  
Jackson, MS 39215

danel170.cod



STATE OF MISSISSIPPI, COUNTY OF MADISON.

I certify that the within instrument was filed for record in my office this 31 day of Oct 1997, at 9:50 o'clock A.M., and was duly recorded on the OCT 31 1997, Book No 30, Page 286.

STEVE DUNCAN, CHANCERY CLERK

BY: [Signature] D.C.

PROOF OF WILL

STATE OF MISSISSIPPI

COUNTY OF MADISON

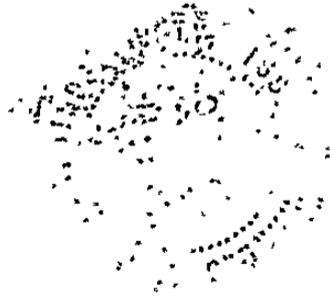
Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Carol C. Walker  
 \_\_\_\_\_, who by me being first duly sworn, deposes and states on oath that She is one of the subscribing witnesses to that certain instrument of writing dated June 19, 1997 and designated as the First Codicil to the Last Will And Testament of JACK DANIEL dated July 21, 1993, and that the said JACK DANIEL signed, published and declared said instrument to be his First Codicil to said Last Will And Testament in the presence of this affiant and Josh Dehmer, the other subscribing witness to said instrument; that JACK DANIEL was then of sound and disposing mind and memory and over the age of eighteen (18) years; and that this affiant and Josh Dehmer  
 \_\_\_\_\_ subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request and in the presence of the said JACK DANIEL and in the presence of each other.

Carol C. Walker

SWORN TO AND SUBSCRIBED before me, on this the 19 day of June, 1997.

Charles L. [Signature]  
NOTARY PUBLIC

My Commission Expires:  
My Commission Expires Dec. 9, 1998



STATE OF MISSISSIPPI, COUNTY OF MADISON:  
 I certify that the within instrument was filed for record in my office this 31 day of Oct, 1997, at 9:50 o'clock A.M., and was duly recorded on the OCT 31 1997, Book No. 30, Page 289.  
 STEVE DUNCAN, CHANCERY CLERK BY: Janey [Signature] D.C.

PROOF OF WILL

STATE OF MISSISSIPPI

COUNTY OF MADISON

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Josh Dehmer

\_\_\_\_\_, who by me being first duly sworn, deposes and states on oath that he is one of the subscribing witnesses to

that certain instrument of writing dated June 19, 1997 and designated as the First Codicil to the Last Will And Testament of

JACK DANIEL dated July 21, 1993, and that the said JACK DANIEL signed, published and declared said instrument to be his First

Codicil to said Last Will And Testament in the presence of this affiant and Carol C. Walker, the other

subscribing witness to said instrument; that JACK DANIEL was then of sound and disposing mind and memory and over the age of eighteen

(18) years; and that this affiant and Carol C. Walker subscribed and attested said instrument as

witnesses to the signature and publication thereof, at the special instance and request and in the presence of the said JACK DANIEL

and in the presence of each other.

Josh Dehmer  
\_\_\_\_\_

SWORN TO AND SUBSCRIBED before me, on this the 19 day of June, 1997.

Charles Ed. Haggard  
NOTARY PUBLIC

My Commission Expires:  
My Commission Expires Dec. 9, 1998



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 31 day of Oct, 1997, at 9:50 o'clock A M., and was duly recorded on the OCT 31 1997, Book No. 30, Page 290.

STEVE DUNCAN, CHANCERY CLERK

BY: Stanley Kilo D.C.

FILED

NOV 03 1997

AT 9:30 O'CLOCK A M  
STEVE DUNCAN, CHANCERY CLERK  
By Stanley Hill

I, the undersigned, Anna Brown Smith, being above the age of twenty-one years and of sound and disposing mind and memory, do herewith do make, publish and declare this instrument to be my Last Will and Testament, hereby expressly revoking any and all wills, codicils and other testamentary dispositions heretofore made by me.

I.

I hereby name, nominate and appoint Charles E Jones to serve as Executor of this my Last Will and Testament, to be in full force at any time without the necessity for inventory, appraisal, accounting or bond, all of which are hereby expressly waived.

II.

I direct my Executor to pay all of my just debts which may be probated, registered, allowed against my estate, and all funeral expenses, as soon after my death as conveniently may be done.

III

I hereby give, devise and bequeath all of my property, wheresoever located and howsoever described, including all real and personal property of every kind and character to, Charles E Jones. I hereby devise and bequeath all my known and unknown interest and benefits, entitlements due to me and my deceased husband Benton Smith or due to my estate upon my death be given to Charles E Jones, my nephew. The above benefits are all parts of from Local 705 Pension Trust Fund International Brotherhood of Teamsters

IN WITNESS WHEREOF, I hereunto fix my signature in the presence of the subscribing and attesting witnesses whose names appear hereon, this the 27<sup>th</sup> day of June, 1997.

(her "X")

X \_\_\_\_\_

This instrument was, on the day and year shown above, signed, published and declared by Anna Brown Smith (by means of an X as her signature) to be her Last Will and Testament in our presence, and we have subscribed our names as witnesses in her presence and in the presence of each other.

Lynn J Winston

161 Meadow Ln Jackson Ms. 392  
Residence

Lula Mae McElroy

P.O. Box 172 (172) Madison, Miss., 39110  
Residence

State of Mississippi  
County of Hinds

Done this 27, day of June 1997

Notary Public State of Mississippi At Large  
My Commission Expires September 7, 1999  
BONDED THRU HEIDEN MARCHETTI, INC.

Atty. Earle Spinks  
Notary, Commission



STATE OF MISSISSIPPI, COUNTY OF MADISON.

I certify that the within instrument was filed for record in my office this 3 day of November, 1997, at 9:30 o'clock A.M., and was duly recorded on the NOV 3 1997, Book No. 30, Page 291.

STEVE DUNCAN, CHANCERY CLERK

BY: Stanley Hill D.C.

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

**FILED**

IN THE MATTER OF THE ESTATE  
OF ANNA BROWN SMITH

NOV 03 1997

CAUSE NO. 97-803

AT 9:30 O'CLOCK A M  
STEVE DUNCAN, CHANCERY CLERK  
*by Stanley Hill, Jr.*  
AFFIDAVIT

STATE OF MISSISSIPPI

COUNTY OF MADISON

This date personally appeared before me, the undersigned authority at law in and for the state and county aforesaid, the within named LULA MAE MCELROY, P. O. Box 172, Madison, Mississippi 39130, 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 Anna Brown Smith, deceased, who was personally known to the affiant, and whose signature is affixed to the Last Will and Testament, dated the 27th day of June, 1997, a true and correct copy of which is attached hereto as an Exhibit.

(2) That on the 27th day of June, 1997, the said Anna Brown Smith signed, published and declared the instrument of writing as her Last Will and Testament, in the presence of this affiant and in the presence of Lynn F. Winston, the other subscribing witness to the instrument.

(3) That Anna Brown 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 Lynn F. Winston 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 Anna Brown Smith, and in the presence of each other.

Lula Mae McElroy  
LULA MAE MCELROY

SWORN TO AND SUBSCRIBED before me, as of the 31<sup>st</sup> day of October, 1997.

Larry E. Maxey  
Notary Public



My Commission Expires:

3/23/99

OF COUNSEL:

Thomas M. Milam, Esq.  
Post Office Box 1247  
Madison, Mississippi 39130-1247  
Telephone No. (601) 853-1268  
Mississippi Bar No. 3264

smith\affidavit.002



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 3 day of November, 19 97, at 9:30 o'clock A M., and was duly recorded on the NOV 3 1997, Book No. 30, Page 292.

STEVE DUNCAN, CHANCERY CLERK

BY: Jarney Hill D.C.

**FILED**  
THIS DATE  
8:55 A.M.  
NOV 14 1997  
STEVE DUNCAN  
CHANCERY CLERK  
BY *[Signature]*

LAST WILL AND TESTAMENT  
OF  
MARY SUE WITHERS GILBREATH

KNOW ALL PERSONS BY THESE PRESENTS, That I, the undersigned, MARY SUE WITHERS GILBREATH, of the City of Ridgeland, County of Madison, State of Mississippi, being above the age of eighteen years, and being of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all other Wills and Codicils heretofore made by me.

ARTICLE I.

I direct that all of my just debts, all taxes, and all expenses of my last illness and funeral be paid as soon after my death as conveniently can be done; provided, however, that nothing herein shall be construed to create a constructive trust for the payment of such amounts. I will and direct that the administration of my estate be closed as soon after my death as is reasonably possible.

ARTICLE II.

I hereby give, devise and bequeath all of my property, real, personal and mixed, and wherever situated, of which I may die seized or possessed, or in which I may have any interest at the

*Mary Sue Withers Gilbreath*  
MARY SUE WITHERS GILBREATH

time of my death, unto my children, Guy C. Futral, Jr., Larry L. Futral, James R. Futral, Thomas G. Futral and David R. Futral, or unto the descendants of such children who may have predeceased me, in equal shares, per stirpes.

ARTICLE III.

I appoint my son, James R. Futral, as Executor of this my Last Will and Testament. Should my said son be unable or unwilling to serve as such, either before or after entering upon his duties, I hereby appoint my son, Guy C. Futral, Jr., as successor Executor of this Will. I direct that my Executor and/or successor Executor be allowed to serve as such without bond and without accounting to any court and I hereby waive the requirement of an appraisal of my estate.

ARTICLE IV.

During the period of the administration thereof, my estate shall be considered as a trust within the meaning of the said Uniform Trustees' Powers Act, Chapter 372, Mississippi Laws of 1966 (Sections 91-9-101 through 91-9-119 of the Mississippi Code of 1972, Annotated), and my Executor and/or successor Executor shall have all the powers during the period of administration that are afforded to trustees in and by the terms and provisions of said Act, as now or hereafter amended.

Page 2.

*Mary Sue Withers Gilbreath*  
MARY/SUE WITHERS GILBREATH

WITNESS MY SIGNATURE, this the 12 day of July, 1995.

Mary Sue Withers Gilbreath  
MARY SUE WITHERS GILBREATH

WITNESSES:

Jay Fitch  
Barry & Hardy

ATTESTATION

We, the undersigned, as subscribing witnesses, do hereby acknowledge and affirm that the foregoing written instrument was exhibited to us by Mary Sue Withers Gilbreath, as her Last Will and Testament, that she signed the same in our presence and in the presence of each of us, and that we, at her request, and in her presence and in the presence of each other, hereto affixed our signatures as subscribing witnesses thereto, this the 12<sup>th</sup> day of July, 1995.

Jay Fitch  
Barry & Hardy

Page 3.

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 14 day of Nov, 1997, at 8:55 o'clock A.M., and was duly recorded on the NOV 14 1997, Book No. 30, Page 294.

STEVE DUNCAN, CHANCERY CLERK

BY: Stanley Hill D.C.



**FILED**  
THIS DATE  
8:55 A.M.  
NOV 14 1997  
STEVE DUNCAN  
CHANCERY CLERK  
BY *[Signature]*

PROOF OF WILL

STATE OF MISSISSIPPI

COUNTY OF HINDS

We, Jay Fletcher and Barry E. Hardy, on oath state that we are the subscribing witnesses to the attached written instrument dated the 12<sup>th</sup> day of JULY, 1995, which has been represented to be the Last Will and Testament of Mary Sue Withers Gilbreath, who indicated to us that she is a resident of and has a fixed place of residence in the City of Ridgeland, County of Madison, State of Mississippi. On the execution date of the instrument, the Testatrix, in our presence and in the presence of each of us, signed the instrument at the end thereof and declared the instrument to be her Will, and requested that we attest to the execution thereof whereupon, in the presence of the Testatrix and in the presence of each other, each of us signed our respective names as attesting witnesses. At the time of the execution of the instrument, the Testatrix was over eighteen (18) years of age, and in our opinion was of sound mind, in full possession of her mental faculties, and acting without undue influence, fraud or restraint.

DATED this 12<sup>th</sup> day of JULY, 1995.

JAY FLETCHER Name  
415 BEECHWOOD LN Street Address  
MADISON, MS 39110 City and State

BARRY E. HARDY Name  
512 CAMELIA TRAIL Street Address  
BRANDON, MS 39042 City and State

Subscribed and sworn to before me on this the 12 day of July, 1995.

*[Signature]*  
NOTARY PUBLIC

My Commission Expires:  
My Commission Expires May 28, 1999



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 14 day of NOV, 1997, at 8:55 o'clock A M., and was duly recorded on the NOV 14 1997, Book No. 30, Page 297.

STEVE DUNCAN, CHANCERY CLERK

BY: *[Signature]* D.C.

# Last Will and Testament

OF

KATHERINE REA

**FILED**  
 THIS DATE  
 NOV 14 1997  
 STEVE DUNCAN  
 CHANCERY CLERK  
 BY *Steve Duncan*

STATE OF MISSISSIPPI

COUNTY OF HINDS

I, Katherine Rea, of the City of Jackson, County of Hinds, State of Mississippi, do hereby make, declare, and publish this to be my last will and testament, hereby revoking any and all wills or codicils heretofore at any time made by me.

## ARTICLE I

I hereby give, devise and bequeath all of my property of every kind and description, and wherever located, to my sister, Elizabeth Rea, if she survive me.

## ARTICLE II

In the event that my sister, Elizabeth Rea, should predecease me, then I hereby give, devise and bequeath all of my property of every kind and description, and wherever located, as follows:

1. I give, devise and bequeath unto my brother, Edwin Rea, all of the interest I own in any real estate, including but not limited to the following:

(a) The residence in Wesson, Mississippi, owned and occupied by my father, Robert E. Rea, prior to his death.

(b) One (1) tenant house located in the Town of Wesson, Copiah County, Mississippi.

(c) All of my undivided interest in the lands owned by the J. S. Rea Estate located in the Town of Wesson and Copiah County, Mississippi.

*Katherine Rea*

(d) All of my undivided interest in oil, gas and mineral rights and/or royalty rights, located in the Counties of Copiah, Lincoln and Lawrence, State of Mississippi, or elsewhere.

2. I hereby give, devise and bequeath all of the household furniture and furnishings, including books, pictures, objects of art, drapery, silverware and other items of household use and ornament, together with all of my personal effects, including any jewelry, to my brothers, Edwin H. Rea, Robert J. Rea, and James S. Rea. In the event any one or more of my brothers should predecease me leaving descendents surviving, then such descendents shall take the share that my deceased brother would have taken, per stirpes. In the event that any of my brothers should predecease me without leaving descendents, then the share that would have gone to such brother shall go to increase the shares of the other beneficiaries under this paragraph. It is my desire that the articles disposed of under this paragraph shall be divided as nearly as possible in accordance with the desire of the beneficiaries and any method of division on which they agree shall be satisfactory. However, in the event that the beneficiaries are unable to agree upon a method of disposition, then my executor hereafter named is authorized to devise a method of disposition and such method shall be binding on all parties.

3. All of the rest, residue and remainder of my estate of every nature and wherever situated, I do give, devise and bequeath to my brothers, Edwin H. Rea, Robert J. Rea and James S. Rea, in equal shares. In the event that any of my brothers should predecease me leaving descendents, such descendents shall take the share such deceased brother would have taken, per stirpes. In the event any one or more of my brothers should predecease me without leaving descendents, then the share that would have gone to such brother shall increase to the share of the other beneficiaries under this paragraph.

### ARTICLE III

1. I hereby nominate, appoint and constitute the First National Bank of Jackson, Mississippi, as Executor of this my last will and testament,

*Katherine Rea*

and my brother, Edwin H. Rea, as Co-executor, if he survives me and is willing to serve, and neither of said executors shall be required to give surety bond.

2. My Executors shall have full and plenary power and authority to do and perform any act deemed by said executors to be for the best interest of the estate, without any limitation whatsoever, and without surety 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, interests and profits therefrom, and to employ and to pay any attorneys, agents and accountants that they may deem necessary and for the best interest of my estate and to pay unto themselves a just and reasonable compensation as Executors.

The foregoing will consists of three pages, including this one, 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 30 day of August, 1963.

Katherine Rea  
KATHERINE REA

WITNESSES:

Merle S. Furlow  
H B Hendry

ATTESTATION CLAUSE

STATE OF MISSISSIPPI

COUNTY OF COPIAH

We, each of the subscribing witnesses to the last will and testament of Katherine Rea, do hereby certify that said instrument was signed by said Katherine Rea in our presence and in the presence of each of us, and that the said Katherine Rea declared the same to be her last will and testament in the presence of each of us, and that we each signed as subscribing witnesses to said will at the request of Katherine Rea in her presence and in the presence of

each other.

Witness our signatures on this the 31st day of

August, 1963.

HB Howley

Merle S. Furlow

WITNESSES

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 14 day of NOV, 1997, at \_\_\_\_\_ o'clock — M., and was duly recorded on the NOV 14 1997, Book No. 30, Page 298.



STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.