

MADISON COUNTY, MS

LAST WILL AND TESTAMENT

FILED

OF

JUL 13 1998

FLOYD HENRY BOYSTER, JR.

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

*By: Karen Jupp, D.C.*

I, FLOYD HENRY BOYSTER, JR., an adult resident citizen of Madison County, Mississippi, being of sound and disposing mind and memory, and being over the age of eighteen (18) years, do hereby make, publish, and declare this to be my Last Will and Testament, and I hereby revoke any and all other wills and codicils heretofore made by me.

ARTICLE I.

I hereby nominate and appoint my wife, ELIZABETH SUZANNE BOYSTER, Executrix of my Last Will and Testament, to serve without inventory, appraisal, bond or accounting to any court and to have all the powers during the administration of this estate that are given to trustees in the Mississippi Uniform Trustees' Powers Act.

If my wife, ELIZABETH SUZANNE BOYSTER, should fail to serve as Executrix for any reason whatsoever, then I appoint my attorney, FRED W.

Signed for Identification

F.H.B. JR. 4-16-96

JOHNSON, JR., to serve as Alternate Executor of my estate, with all the powers given to trustees in the Mississippi Uniform Trustees' Powers Act.

ARTICLE II.

If, at the time of my death, my wife, ELIZABETH SUZANNE BOYSTER, survives me, then I give all of my real and personal property to my wife for her use during her lifetime and then at her death, the real and personal property is to be divided with one-half (1/2) going to my daughter, AUBREY NICOLE BOYSTER, and one-half (1/2) divided equally between my wife's mother, CHARLENE SANDERS and my wife's sister, JACKIE L. SANDERS.

ARTICLE III.

In the event my wife, ELIZABETH SUZANNE BOYSTER, has predeceased me, then I direct that at the time of my death all of my real and personal property be divided with one-half (1/2) going to my daughter, AUBREY NICOLE BOYSTER, and one-half (1/2) equally divided between my wife's mother, CHARLENE SANDERS and my wife's sister, JACKIE L. SANDERS.

ARTICLE IV.

If my wife, ELIZABETH SUZANNE BOYSTER, and I shall die under such circumstances that it is difficult to prove the order of our deaths beyond a reasonable doubt, I direct that she shall be deemed to have survived me. By this Article IV, I

Signed for Identification

F.H.B JR 4-16-86

modify all provisions of this Will, notwithstanding any law or rule of construction to the contrary.

I, FLOYD HENRY BOYSTER, JR., have signed this Will which consists of six (6) pages, including the attestation of the witnesses and the acknowledgement, on this the 16<sup>th</sup> day of April, 1996, in the presence of Judith Helman and Missy Huddleston who attested it at my request.

Floyd Henry Boyster Jr.  
FLOYD HENRY BOYSTER, JR.  
4-16-96

The above and foregoing Will of FLOYD HENRY BOYSTER, JR. was declared by him in our presence to be his Last Will and Testament and was signed in our presence; and at his request and in his presence, and in the presence of each other, was attested by us.

Judith Helman  
WITNESS

6295 Oak Center Dr. 31B  
STREET ADDRESS

Atlanta, GA 30321  
CITY AND STATE

Signed for Identification

F.H.B. JR 4-16-96

The above and foregoing Will of FLOYD HENRY BOYSTER, JR., was declared by him in our presence to be his Last Will and Testament and was signed in our presence; and at his request and in his presence, and in the presence of each other, was attested by us.

Missy Huddleston  
WITNESS

225 E Jackson St.  
STREET ADDRESS

Ridgeland, MS 39157  
CITY AND STATE

STATE OF MISSISSIPPI

COUNTY OF MADISON

Before me, the undersigned authority, on this day personally appeared FLOYD HENRY BOYSTER, JR., known to me to be the Testator, and \_\_\_\_\_

James W. Johnson and Missy Huddleston known to me to be the Witnesses, respectively, whose names are signed to the attached or foregoing instrument, and all of these persons being by me first duly sworn, FLOYD HENRY BOYSTER, JR., the Testator, declared to me and to the Witnesses in my presence that the instrument is his Last Will and that he has willingly signed, and that he

Signed for Identification

F.H.B. JR 4-16-96

executed it as his free and voluntary act for the purposes therein expressed; and each of the Witnesses stated to me in the presence and hearing of the Testator that he or she signed the Will as Witness and that to the best of his or her knowledge the Testator was 18 years of age or over, of sound mind and under no constraint or undue influence.

Each Witness further stated that he or she, upon the request and express direction of FLOYD HENRY BOYSTER, JR., the Testator herein, were the subscribing Witnesses to the foregoing instrument and that the same was duly signed by FLOYD HENRY BOYSTER, JR on April 16, 1996. Further, FLOYD HENRY BOYSTER, JR. declared said instrument to be his Last Will and Testament in the presence of said Witnesses, and said Witnesses did then and there sign as subscribing Witnesses to said Will upon the express request of FLOYD HENRY BOYSTER, JR. and that all signatures thereto were affixed while in the presence of FLOYD HENRY BOYSTER, JR. and in the presence of each other.

Floyd Henry Boyster Jr.  
FLOYD HENRY BOYSTER, JR.

Missy Middleton  
WITNESS

Paul H. Johnson  
WITNESS

Signed for Identification

F.H.B. JR  
4-16-96  
Page 5

Subscribed, sworn and acknowledged before me by FLOYD HENRY

BOYSTER, JR., the Testator, by [Signature] and \_\_\_\_\_

Missy Huddleston, Witnesses, on April 16, 1996.

Janine Kay McDowell  
NOTARY PUBLIC

My Commission Expires:  
NOTARY PUBLIC STATE OF MISSISSIPPI  
MY COMMISSIONS EXPIRE 12/31/97  
BOHSEB TARR HEIDER MARSHALL, INC.



Signed for Identification

F.H.B. JR.  
4-16-96 Page 6

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 13th day of July, 1998, at 10:00 o'clock A. M., and was duly recorded on the 13th day of July, 1998, Book No. 31, Page 1.

STEVE DUNCAN, CHANCERY CLERK

BY: Karen Fipp D.C.



May 11, 1990

I, Martha Stennis Brown, on this day wish to change my will to say that, after all expenses are paid I wish to leave 35% of my assets to my sister, Elizabeth Stennis Martin, 35% to my sister, Fuchred Stennis Rochelle, 20% to my nephew, Scott Tucker Bearden, and 10% to my nephew Thomas Stennis Bearden. I leave my best wishes to all my relatives.

Martha Stennis Brown

Witness Josh Dehmer  
 Witness JR Stennis Legate

State of Mississippi  
County of Rankin

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Martha Stennis Brown who severally acknowledged that she signed and delivered the above and foregoing instrument on the day and year therein mentioned.

Given under my hand and official seal this the 11th day of May 1990.

Dorey Jean Sellers  
 Notary Public

My Commission Expires November 12, 1993.



FILED  
 THIS DATE  
 JUL 13 1998  
 STEVE DUNCAN  
 CHANCERY CLERK  
 BY: Steve Duncan

STATE OF MISSISSIPPI, COUNTY OF MADISON:

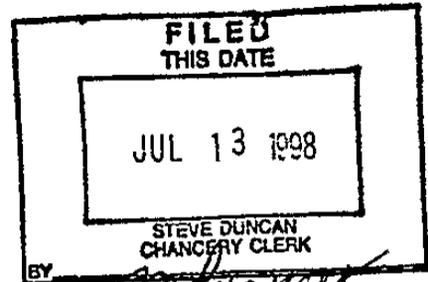
I certify that the within instrument was filed for record in my office this 13 day of July, 1998, at 4:00 o'clock P M., and was duly recorded on the JUL 13 1998, Book No. 31, Page 07.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.



FIRST CODICIL  
TO THE  
LAST WILL AND TESTAMENT  
OF  
MARTHA STENNIS BROWN



KNOW ALL MEN BY THESE PRESENTS that I, MARTHA STENNIS BROWN, an adult resident of Tuscaloosa, in the State of Alabama, being of sound and disposing mind, memory and understanding, do hereby make, declare and publish this as and for a First Codicil to my Last Will and Testament heretofore executed by me.

ITEM ONE: I do hereby amend Item II of my said Last Will and Testament to the extent that I do hereby name as Co-Executrixes of said will my sisters, Mildred S. Rochelle and Elizabeth S. Martin, who is the same person as Elizabeth Stennis Banks as named in my said will, or the survivor of either, in lieu of Doris Stennis Bearden.

ITEM TWO: I hereby revoke the appointment of William E. Bearden, Jr. as contingent executor as named in Item II of my said will.

ITEM THREE: I hereby direct that my Executrixes as herein named shall be allowed a reasonable fee for their services and expenses.

ITEM FOUR: The remainder of my said Last Will and Testament executed by me on August 4, 1969, are to remain as written.

IN WITNESS WHEREOF, I, MARTHA STENNIS BROWN, have hereunto affixed my signature on this the 23<sup>rd</sup> day of October, 1987.

*Martha Stennis Brown*  
MARTHA STENNIS BROWN

SIGNED, published and declared by the said MARTHA STENNIS BROWN, as and for and to be a First Codicil to her Last Will and Testament, in the presence of the undersigned, who, at her

request, and in her presence, and in the presence of each other, have hereunto subscribed our names, as witnesses, on this the 23<sup>rd</sup> day of October, 1987.

*Gary J. Capital*  
*John A. Black*

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 13 day of July, 1998, at 4:00 o'clock P.M., and was duly recorded on the JUL 13 1998, Book No. 31, Page 08.



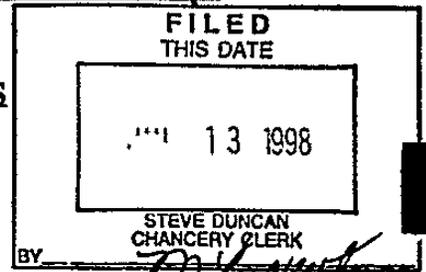
STEVE DUNCAN, CHANCERY CLERK

BY: *Steve Hill* D.C.

MADISON  
IN THE CHANCERY COURT OF HINDS COUNTY, FIRST MISSISSIPPI

RE: IN THE MATTER OF THE ESTATE  
OF MARTHA STENNIS BROWN

NO: 98-461



AFFIDAVIT OF SUBSCRIBING WITNESSES

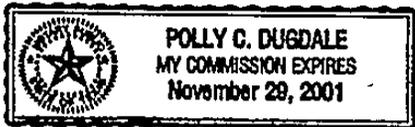
STATE OF TEXAS

COUNTY OF GREGG

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, MARY T. CUPSTID, 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 a codicil to the Last Will and Testament of Martha Stennis Brown; that the said MARTHA STENNIS BROWN on October 23, 1987 signed, published and declared said instrument to be a codicil to her Last Will and Testament in the presence of this affiant, and JUDITH HART the other subscribing witness to said instrument; and that said Testatrix was then of sound and disposing mind, memory and understanding and of legal age; that this affiant and JUDITH HART subscribed and attested said instrument as witnesses to the signature and publication thereof at the request and in the presence of said Testatrix and in the presence of each other.

*Mary T. Cupstid*  
MARY T. CUPSTID

SWORN TO AND SUBSCRIBED before me this the 18<sup>th</sup> day of June, 1998.



*Polly C. Dugdale*  
NOTARY PUBLIC

My Commission Expires: 11/29/2001



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 13<sup>th</sup> day of July, 1998, at 4:00 o'clock P.M., and was duly recorded on the JUL 13 1998, Book No. 31, Page 10.

STEVE DUNCAN, CHANCERY CLERK

BY: *Steve Hill* D.C.

MADISON  
IN THE CHANCERY COURT OF HINDS COUNTY, MISSISSIPPI

~~FIRST DISTRICT~~

FILED  
THIS DATE  
JUL 13 1998  
STEVE DUNCAN  
CHANCERY CLERK  
BY: *[Signature]*

IN THE MATTER OF THE ESTATE  
OF MARTHA STENNIS BROWN

NO. 98-461

AFFIDAVIT OF SUBSCRIBING WITNESSES

STATE OF MISSISSIPPI

COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for the jurisdiction aforsaid, R DENNIS LEGATE, 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 purporting to be the Last Will and Testament of Martha Stennis Brown; that the said Martha Stennis Brown signed, published and declared said instrument to be her Last Will and Testament on the 11th day of May, 1990 in the presence of this affiant, BETTY JEAN SALERS and JOSH DEHMER the other subscribing witness to said instrument; and that said Testatrix was then of sound and disposing mind, memory and understanding and of legal age; that this affiant, BETTY JEAN SALERS and JOSH DEHMER subscribed and attested said instrument as witnesses to the signature and publication thereof at the request and in the presence of said Testatrix and in the presence of each other.

*[Signature: R. Dennis Legate]*  
R. DENNIS LEGATE

SWORN TO AND SUBSCRIBED before me this the 26<sup>th</sup> day of June, 1998.

*[Signature: Frankie Cooper]*  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 7/16/98

F:\STA\_JUBMARTINESTATEMBROWN\AFFIDAVI.RDL



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 13 day of July, 1998, at        o'clock — M., and was duly recorded on the JUL 13 1998, Book No. 31, Page 11.

STEVE DUNCAN, CHANCERY CLERK

BY: *[Signature: Stanley B. ...]* D.C.

FILED THIS DATE  
JUL 13 1998  
STEVE DUNCAN  
CHANCERY CLERK  
BY: *Stacy*

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

IN THE MATTER OF THE ESTATE  
OF MARTHA STENNIS BROWN

NO. 98-421

AFFIDAVIT OF SUBSCRIBING WITNESSES

STATE OF MISSISSIPPI

COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, BETTY JEAN SALERS, 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 Last Will and Testament of Martha Stennis Brown; that the said Martha Stennis Brown signed, published and declared said instrument to be her Last Will and Testament on the 11th day of May, 1990 in the presence of this affiant and, R. DENNIS LEGATE and JOSH DEHMER the other subscribing witness to said instrument; and that said Testatrix was then of sound and disposing mind, memory and understanding and of legal age; that this affiant and R. DENNIS LEGATE and JOSH DEHMER subscribed and attested said instrument as witnesses to the signature and publication thereof at the request and in the presence of said Testatrix and in the presence of each other.

*Betty Jean Salers*  
BETTY JEAN SALERS

SWORN TO AND SUBSCRIBED before me this the 21th day of June, 1998.

*Frankie Cooper*  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 7/16/98

F:\STA 3\B\MARTINESTATE\BROWN\AFFIDAVIT.RIS

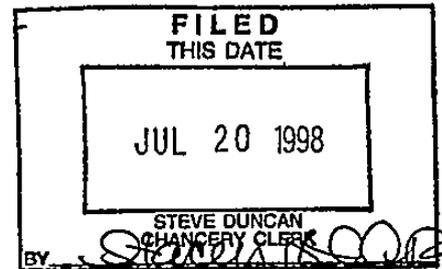


STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 13 day of July, 1998, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and was duly recorded on the JUL 13 1998, Book No. 31, Page 12.

STEVE DUNCAN, CHANCERY CLERK

BY: *Stacy* D.C.



LAST WILL AND TESTAMENT  
OF  
NINA GOSS MOFFITT

I, NINA GOSS MOFFITT; an adult resident citizen of Jackson, Hinds County, Mississippi, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all other wills and codicils heretofore made by me.

ITEM I.

I appoint my husband, ELLIS MUMFORD MOFFITT, my son, JOHN ELLIS MOFFITT, and my daughter, VIRGINIA ELLEN M. CRAWFORD, as Co-Executors of my Estate under this Will. I direct my Co-Executors to pay all of my just debts and obligations which may be probated, registered and allowed against my estate as soon as may be conveniently done. For convenience the Co-Executors shall be referred to as "Executor."

ITEM II.

My husband's name is ELLIS MUMFORD MOFFITT, and he is sometimes referred to herein as "my husband." I have two (2) children now living and they are:

JOHN ELLIS MOFFITT; and

VIRGINIA ELLEN M. CRAWFORD.

They are herein referred to as "my children."

ITEM III.

I devise and bequeath to my husband, ELLIS, if he survives me, any interest I may own in both of our residences located in Jackson, Mississippi, and in Diamondhead, Bay St. Louis,

*Nina Goss Moffitt*  
\_\_\_\_\_  
NINA GOSS MOFFITT

Mississippi, subject to any indebtedness that may be against either residence at my death. If my husband shall not survive me, I devise and bequeath my interest in our residences to my children, in equal shares.

## ITEM IV.

I give and bequeath to my husband, ELLIS, if he survives me, my automobiles, clothing, books, jewelry, sport equipment and other personal effects. If my husband does not survive me, I bequeath these items of personal property to my children, in equal shares.

## ITEM V.

I give and bequeath all my household furniture, furnishings, ornamental decorations, silverware, china, pictures, linen, glassware and the like located in my home to my husband for his use during his lifetime. Upon the death of my husband, or his prior abandonment of these assets, they shall be distributed to my children, in equal shares. I may leave a separate memorandum containing directions for the specific disposition to be made of certain of the assets bequeathed under this Item. In such event, the provisions of that memorandum shall be given the same legal effect as if included in this Will and the assets described therein shall be distributed to the named beneficiaries upon my husband's death or abandonment of the assets.

## ITEM VI.

A. After the payment of any debts, obligations and expenses of my estate, I devise and bequeath to my husband, ELLIS, for his lifetime only, a sum equal to the largest value that can pass free of federal estate tax by reason of the federal estate tax unified credit and state death tax credit (provided use of the state death

  
NINA GOSS MOFFITT

tax credit does not require an increase in the state death taxes paid) allowable to my estate but by reason of no other credit, after taking into account (i) prior taxable gifts, (ii) properties passing under previous Items of this Will, (iii) properties passing outside of this Will that do not qualify for the federal estate tax marital or charitable deductions, and (iv) charges to principal that are not allowed as deductions in computing the federal estate tax imposed upon my estate. The value as finally fixed in the federal estate tax proceeding relating to my estate shall be used for purposes of such valuations and determinations. I recognize that in certain circumstances there may be no sum disposed of under this Item and that the amount of the sum disposed of under this Item, if any, may be affected by the action of my Executor in exercising certain tax elections. Any property included in my estate and assigned or conveyed in kind to satisfy the devise and bequest under this Item shall be valued for this purpose at its value as of the date or dates of distribution. It is my intention to convey by this bequest the maximum portion of my estate which, at the time of my death, is exempt from the federal transfer tax because of the application of the federal estate tax unified transfer credit and the state death tax credit.

B. From the assets of this bequest, my Executor shall pay any estate or inheritance taxes payable by my estate. My husband shall be entitled to possession of all property in which he holds a life estate by virtue of this Item of my Will. He shall not be required to furnish any bond or other security for any part of this property. He shall not be liable for the loss or destruction of any property passing to him under this Item of my Will. He shall not be liable for the payment of any encumbrances or assessments on the property in which he holds a life interest, all of which shall

  
NINA GOSS MOFFITT

be paid from principal of the life estate property or by the remaindermen.

C. My husband shall have the power to sell and convey good title to any of the property which passes to him under this Item of my Will. He shall be entitled to invest and reinvest the proceeds from such sale in such property as he in his absolute discretion deems advisable. My husband shall not be liable for any loss that might result from his reinvestment of the proceeds of sale. However, the proceeds of any such sale shall be kept by my husband in a single fund separate and apart from any property owned outright by him so as to segregate the principal from his own estate. My husband may not use the proceeds of sale for his own use or benefit. Neither may he use or dispose of the property in any manner that may destroy or detract from the interest of the remaindermen. No one shall question any action taken by my husband with respect to the property conveyed to him hereunder and no further authority or power to dispose of such property, other than this Item of my Will, shall be required by persons with whom my husband deals in selling such property or in purchasing other property with the proceeds of such sale.

D. The net income realized from the assets herein conveyed to my husband shall be received by him as long as he shall live.

E. Upon the death of my husband, the entire remaining property conveyed to my husband by this Item of my Will, in whatever form it may then exist, shall be distributed to my children, in equal shares. If either of my children is not living at the time this distribution is required, but leaves surviving children, my deceased child's share of the distribution shall be distributed to the "Nina Goss Moffitt Grandchildren's Trust" to be held for the benefit of his or her then living children and to be administered and disposed of in accordance with the terms of that

  
NINA GOSS MOFFITT

trust. If my deceased child leaves no surviving children, his or her interest shall be distributed to my other child.

F. If my husband fails to survive me, then the assets of this bequest shall be distributed in accordance with the provisions of E. above.

ITEM VII.

A. I give, devise and bequeath to my husband, ELLIS, if he survives me, all the rest and residue of my estate. None of the assets hereby conveyed to my husband shall be used for the payment of any estate or inheritance taxes that become payable upon or by reason of my death.

B. My husband shall have the right to disclaim all or any part of his interest in any property which I have devised or bequeathed to him, whether outright or in trust, provided he shall do so within the time period required for the disclaimer to qualify under Section 2518 of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any future law. Any such disclaimer shall be made in writing, clearly stating the portion or assets disclaimed, and shall be timely filed in the Court in which my estate is being probated. If my husband disclaims in whole or in part, the property in which he disclaims his interest shall be distributed to my children, in equal shares.

C. If my husband shall not survive me, then I devise and bequeath the residue of my estate to my children, in equal shares. If either of my children does not survive me, but leaves children surviving, the interest of my deceased child shall be distributed to the "Nina Goss Moffitt Grandchildren's Trust," created by the provisions of Item VIII of this Will to be held for the benefit of that deceased child's then living children and to be administered and disposed of in accordance with the terms of that trust. If my

  
 \_\_\_\_\_  
 NINA GOSS MOFFITT

deceased child leaves no surviving children, his or her interest shall be distributed to my other child.

ITEM VIII.

The trust created under this Item of my Will shall be designated and known as the "Nina Goss Moffitt Grandchildren's Trust," and the assets shall be held by DEPOSIT GUARANTY NATIONAL BANK, Jackson, Mississippi as Trustee. Any assets conveyed to this trust under any Item of this Will shall be held in a separate trust for the benefit of the surviving children of my deceased child in accordance with the following provisions:

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

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

  
NINA GOSS MOFFITT

C. As and when the youngest living beneficiary attains age twenty-one (21) years, the Trustee shall distribute the remaining trust assets to the surviving beneficiaries, in equal shares. If all beneficiaries die prior to distribution of all trust assets, the remainder of the trust estate shall be distributed to my other child.

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

E. In the event all of the persons and classes designated as beneficiaries of this trust die prior to the distribution of all trust assets, upon death of the survivor of them, the assets shall be distributed outright and free of any trust to my heirs at law, in accordance with the intestacy laws then in effect in the State of Mississippi.

ITEM IX.

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

B. Any trust created by this Will is a private trust. The Trustee shall not be required to obtain the order or approval of any court for the exercise of the Trustee's powers and discretions. The income of any trust created by this Will shall accrue from the date of my death. During the administration of my estate and until the trust is established and activated, I authorize the Trustee to request of my Executor, in which case my Executor shall comply with that request, to pay at least annually out of my estate advanced

  
NINA GOSS MOFFITT

payments of income to the income beneficiaries of the trust. These payments shall be an amount which in the joint judgment of the Trustee and the Executor equals the trust income which the beneficiaries would have received had the trust been established and activated.

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

ITEM X.

A. In making distributions to beneficiaries from a trust created under this Will, and especially where the beneficiaries are minors or incapable of transacting business due to incapacity or illness, the Trustee, in the Trustee's discretion, may make payments either (a) directly to the beneficiary, (b) to the legal or natural guardian of the beneficiary, (c) to a relative or guardian of the person of the beneficiary who has custody and care of the beneficiary, or (d) by applying the payments for the benefit of the beneficiary by paying expenses directly. In any event, the Trustee shall require such reports and take such steps as the Trustee deems necessary to assure and enforce the application of such payments for the exclusive benefit of the beneficiary.

B. If at any time in following the directions of this Will the Trustee is required to distribute all or any part of the principal of a trust created herein outright to a person who is a minor, the Trustee is directed to continue to hold the share of the minor in trust for that minor's benefit until the minor attains age twenty-one (21). Until distribution is made, the Trustee is

  
NINA GOSS MOFFITT

directed to expend such part of the income and/or principal of the share belonging to that minor as the Trustee, in the Trustee's discretion, deems necessary to provide for the proper education, support, maintenance and health of the minor.

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

ITEM XI.

A. No Trustee shall be required to enter into any bond as Trustee or to file with any court any periodic or formal accounting of the administration of any trust. The Trustee shall render annual accounts to each of the beneficiaries of any trust (or his or her guardian if a beneficiary is a minor). No persons paying money or delivering property to the Trustee shall be required to see to its application.

B. The Trustee may resign at any time by giving each of the beneficiaries of the trust (or his or her guardian) written notice specifying the effective date of such resignation. The notice may be sent by personal delivery or by registered mail. By joint action, my children may demand the resignation of the Trustee by giving written notice to the Trustee.

C. If the Trustee resigns or becomes unable to serve, regardless of the cause, a successor Trustee shall be appointed by joint action of my children. If my children fail to make the appointment, a successor Trustee shall be appointed by the Chancery

  
NINA GOSS MOFFITT

Court of Hinds County, Mississippi, upon petition brought by or on behalf of the beneficiaries of the trust.

D. The resignation of the Trustee shall become effective upon the qualification of the successor Trustee and submission of a full accounting by the resigning Trustee; however, the successor Trustee and the beneficiaries may agree to waive a final accounting by the Trustee being replaced.

E. Any successor Trustee shall be vested with all the rights, powers, duties and discretions conferred upon the original Trustee.

F. I direct the Trustee to use TIM MEDLEY of Jackson, Mississippi, as investment counsel and authorize the Trustee to pay his usual and customary fees for his services. I have great confidence in TIM's knowledge and ability, and I expect the Trustee to follow his recommendations. The Trustee shall not be liable for any investment losses the trust may suffer in following TIM's recommendations.

G. Any bank serving as Trustee shall receive reasonable compensation for its services based on its regular compensation schedule for administering trusts of this size and type.

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

ITEM XII.

Unless otherwise provided, the administration of any trust herein created, the sale and conveyance of trust assets, the investment and reinvestment of trust assets, and the rights, powers, duties and liabilities of the Trustee shall be governed by the terms and provisions of the Uniform Trustees' Powers Law of

  
NINA GOSS MOFFITT

Mississippi, as amended. In addition to the powers contained in that Law, and the power to make "legal investments" under Mississippi law, the Trustee shall have full power and authority:

A. To place such funds on time deposit in a savings account or certificates of deposit in any federally insured bank or savings and loan association, including any bank which may be serving as Trustee.

B. To receive additional property conveyed to the trust by any person, and to administer and dispose of the property in accordance with the terms of the trust.

C. To distribute income of the trust in cash or in kind. In making distributions of both principal and income, the Trustee may make a non pro rata distribution of property in kind. The judgment of the Trustee concerning values and purposes of such division or distribution of the property or securities held in the trust shall be binding and conclusive on all interested parties. In making a division or distribution, the Trustee is specifically excused from a duty of impartiality with respect to the income tax basis of the property distributed. The Trustee may select assets to be allocated or distributed without regard to the income tax basis of the property.

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

E. To merge and consolidate the assets of this trust with another trust if at the time of my death the Trustee herein named shall then be serving as Trustee of another trust created by me during my lifetime or by the terms of the Will of my husband, and if the beneficiaries are the same and the terms of that other trust are substantially similar to the trust created herein. The Trustee shall administer the two trusts as one if such consolidation shall

  
NINA GOSS MOFFITT

result in more effective and efficient management of the two trusts.

F. To receive and retain all types of property and especially to receive and retain shares of stock in closely-held corporations and nonincome producing real estate regardless of where it may be situated, without liability and without regard to the proportion such property or property of a similar character so held may bear to the entire amount of the trust estate and whether or not such property is of the class in which trustees generally are authorized to invest by law.

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

H. To borrow money to pay taxes; to exercise subscriptions, rights and options; to pay assessments; to accomplish any other purpose of any nature incidental to the administration of the trust, and to pledge any securities or other property held by it as security for such loan.

ITEM XIII.

A. In the event my husband, my son, or my daughter is or becomes unable or unwilling to serve as a Co-Executor, then the remaining two of them shall serve as Co-Executors. In the event any two of them become unable to serve, the remaining one shall

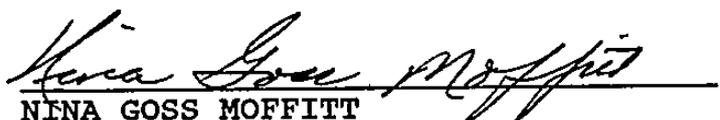
  
 \_\_\_\_\_  
 NINA GOSS MOFFITT

serve as sole Executor. All rights, powers, duties and discretions granted to or imposed upon my Executor shall be exercisable by and imposed upon any successor Executor or Administrator. Where used throughout this Will, the terms "Executor," "Co-Executor" and "Administrator" may be used interchangeably and shall apply to whoever may be serving as personal representative of my estate, whether one or more than one.

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

C. My Executor shall have discretion to select property to be distributed in satisfaction of any devise or bequest provided in this Will without respect to the income tax basis of the property. In making a selection, my Executor is excused from any duty of impartiality with respect to the income tax basis of the property. My Executor may satisfy any pecuniary bequest provided in this Will in cash or in kind or partly in cash and partly in kind; however, any asset distributed in kind shall be valued at its date of distribution value. However, my Executor shall not exercise this discretion in any manner that will result in a loss of or decrease in the marital deduction otherwise allowable in determining the federal estate tax due by my estate.

D. No person dealing with my Executor shall be obligated to see to the application of any moneys, securities, or other property paid or delivered to my Executor, or to inquire into the expediency or propriety of any transaction or the authority of my Executor to enter into and consummate the transaction upon such terms as my Executor may deem advisable.

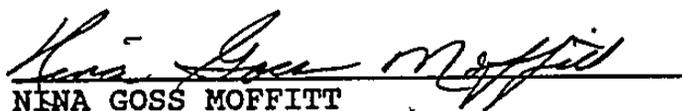
  
NINA GOSS MOFFITT

E. My Executor shall have the power to disclaim any part or all of my interest in any property which is or has been devised or bequeathed to me, whether outright or in trust, provided such disclaimer is made within the time period required for the disclaimer to qualify under Section 2518 of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any future law.

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

G. I specifically authorize my Executor to borrow such funds as may be necessary to pay my debts, 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. However, my Executor shall not pledge any property specifically devised or bequeathed herein. My Executor shall not be required to pay or otherwise satisfy such loan prior to the closing of my estate and the discharge of my Executor, but in satisfaction of any bequest herein, my Executor may distribute such property at its value net of such loan.

H. My Executor shall not be required to reduce any or all of my personal or real property to cash during the administration of my estate, but in my Executor's discretion may sell only so much of my property as is necessary to obtain cash to pay taxes, debts and costs of the administration of my estate. After the payment of debts, taxes and costs, in the sole discretion of my Executor, my

  
NINA GOSS MOFFITT

Executor is authorized to make distributions to devisees and legatees either in cash or in kind or a combination of each.

I. My Executor shall take all actions necessary to comply with any agreements made by me during my lifetime, including the consummation of any agreements relating to the stock of corporations in which I am a stockholder at the time of my death, and including the continuation of any partnership of which I may be a partner at the time of my death whenever the terms of any such agreement obligate my estate or my personal representatives to sell or continue my interest therein.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this my Last Will and Testament, consisting of 15 pages on the 14<sup>th</sup> day of November, 1991.

Nina Goss Moffitt  
NINA GOSS MOFFITT

WITNESSES:

Karen J. Dramer  
Melanie C. Ingram

ATTESTATION

We, the undersigned, as subscribing witnesses, do hereby acknowledge and affirm that the foregoing written instrument was exhibited to us by NINA GOSS MOFFITT 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 14<sup>th</sup> day of November, 1991.

Karen J. Dramer  
Melanie C. Ingram

PROOF OF WILL

STATE OF MISSISSIPPI

COUNTY OF HINDS

We, Karen J. Garner and Melanie Ingram, on oath state that we are the subscribing witnesses to the attached written instrument dated the 14<sup>th</sup> day of November, 1991, which has been represented to us to be the Last Will and Testament of NINA GOSS MOFFITT, 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 Testator, 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 Testator 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 Testator 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 14<sup>th</sup> day of November, 1991.

Karen J. Garner  
Melanie Ingram

Subscribed and sworn to before me on this the 14<sup>th</sup> day of November, 1991.

Pat G. Sheppard  
NOTARY PUBLIC

My Commission Expires:

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES Nov 4, 1995.  
BOANDED THRU NOTARY PUBLIC UNDERWRITERS.



Page 16.



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 20<sup>th</sup> day of July, 1998, at 9:30 o'clock A.M., and was duly recorded on the JUL 20 1998, Book No. 31, Page 13.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

JUL 20 1998

BOOK 0031 PAGE 029

LAST WILL AND TESTAMENT OF ANNE L. PARKER AT 9:30 O'CLOCK A M  
STEVE DUNCAN, CHANCERY CLERK  
By: *Stacey B. O'Connell*

KNOW ALL MEN BY THESE PRESENTS that I, Anne L. Parker, an adult, resident citizen of Hinds County, Mississippi, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all other wills and codicils heretofore made by me.

ARTICLE I

I hereby give, devise and bequeath my entire estate, real and personal, that I may own at my death in equal shares, share and share alike unto my three daughters, namely: Mary P. Buckley, Sue Ellen P. Stubbs and Jo Anne P. Thomas.

ARTICLE II

I hereby nominate, constitute and appoint my daughters Sue Ellen P. Stubbs and Jo Anne P. Thomas, as co-executrices of my estate, and I waive bond, inventory, appraisal and accounting by said co-executrices, so far as the same can be waived under law existing at the time of my death.

WITNESS MY SIGNATURE to this my Last Will and Testament, on this the 2 day of August, 1992, in the presence of the undersigned witnesses, who are witnessing my will at my specific request, in my presence and in the presence of each other.

*Anne L. Parker*  
ANNE L. PARKER

*Felicia Knox*  
WITNESS 110 Pine Knoll, #147, Ridgefield, MS  
ADDRESS

*Kathryn C. Hughes*  
WITNESS 30 Eastbrook Jackson, MS 39216  
ADDRESS



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 20th day of July, 1998, at 9:30 o'clock A M., and was duly recorded on the JUL 20 1998, Book No 31, Page 29

STEVE DUNCAN, CHANCERY CLERK

BY *Stacey B. O'Connell* c.c.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

**FILED**  
THIS DATE  
JUL 20 1993  
STEVE DUNCAN  
CHANCERY CLERK  
BY *Stacy Book*

IN THE MATTER OF THE ESTATE  
OF ANNE L. PARKER, DECEASED

CIVIL ACTION, FILE NO.

*98,466*

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 E. HUGHES, now Kathryn Long, one of the subscribing witnesses to a certain instrument in writing purporting to be the Last Will and Testament of Anne L. Parker, deceased, late of the County of Madison, Mississippi, who having been duly sworn makes oath that the said Anne L. Parker signed, published and declared said instrument as her Last Will and Testament on the 2nd day of August, 1992, the day and date of said instrument, in the presence of this affiant and FELICIA KNOX 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 E. HUGHES, the Affiant and FELICIA KNOX, subscribed and attested said instrument as witnesses to the signature of the testator and the publication thereof at the special instance and request

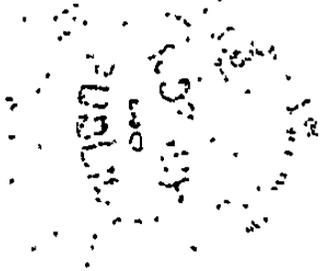
and in the presence of said testator and in the presence of each other.

Kathryn H Long  
Kathryn E. Hughes, now  
Kathryn Long

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 10 day of July, 1998.

Rebecca B. [Signature]  
NOTARY PUBLIC

MY COMMISSION EXPIRES  
Notary Public State of Mississippi  
My Commission Expires: February 26, 2002  
Bonded thru Heidon, Brooks & Garland, Inc.  
(SEAL)



Damp Estate

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 20th day of July, 1998, at 9:30 o'clock A.M., and was duly recorded on the JUL 20 1998, Book No. 31, Page 30.



STEVE DUNCAN, CHANCERY CLERK

BY: [Signature] D.C.

# Last Will and Testament

OF

MARIE E. JAMES

FILED  
THIS DATE

JUL 23 1998

STEVE DUNCAN  
CHANCERY CLERK

BY

I, MARIE E. JAMES, being over the age of eighteen (18) years and of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby expressly revoking all former wills and codicils made by me at any time heretofore.

## I.

I hereby appoint my daughter, Charlene Gowdy, as Executrix of this my Last Will and Testament, and it is my desire that my Executrix shall have full and complete power and authority to do and to perform any act deemed by her to be in the best interest of my estate. Should Charlene Gowdy be unwilling or unable to serve, I hereby appoint C. H. James, III as Executor. I hereby direct that no bond be required of the Executrix or Executor and I further waive the necessity of having a formal appraisal made of my estate and I further waive the necessity of an accounting.

## II.

I hereby give, devise and bequeath unto my husband, C. H. James, Jr., all of my property, whether it be real, personal or mixed, wheresoever situated or howsoever situated or howsoever described.

## III.

In the event my husband, C. H. James, Jr., predeceases me, I hereby give, devise and bequeath all of my property, whether it be real, personal, or mixed, wheresoever situated or howsoever described unto my children, Charlene Gowdy, C. H. James, III and Susan Henry Smith, share and share alike.

IN WITNESS WHEREOF, I, MARIE JAMES, have hereunto set my signature on, and published and declare this to be my Last Will and

Testament on this the 26<sup>th</sup> day of May, 1992, in the presence of two witnesses who have each signed as witnesses at my request, in my presence and in the presence of each other.

Marie E. James  
MARIE E. JAMES

WITNESSES:

Nancy Baukston  
Delna D. Nardwick

ATTESTATION CLAUSE

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

WITNESS OUR SIGNATURES on this the 26<sup>th</sup> day of May, 1992.

Nancy Baukston  
Delna D. Nardwick  
WITNESSES

jamesmar.103



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 23 day of July, 1998, at \_\_\_\_\_ o'clock \_\_\_\_\_ M, and was duly recorded on the 24<sup>th</sup> day of July, 1998, Book No 31, Page 32

STEVE DUNCAN, CHANCERY CLERK BY Stacey 1600 D.C.

<p>FILED THIS DATE</p> <p>JUL 23 1998</p> <p>STEVE DUNCAN CHANCERY CLERK</p> <p>BY: <i>[Signature]</i></p>
--

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE  
OF MARIE E. JAMES, DECEASED

CIVIL ACTION FILE NO. 98-485

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF MADISON

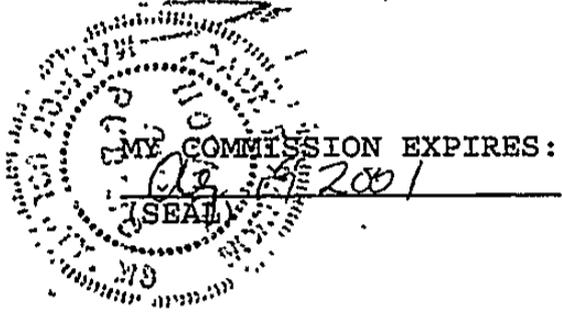
THIS DAY PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction above mentioned DEBRA HARDWICK, one of the subscribing witnesses to a certain instrument in writing purporting to be the Last Will and Testament of MARIE E. JAMES, deceased, late of the County of Madison, Mississippi, who having been duly sworn makes oath that the said Marie E. James, signed, published and declared said instrument as her Last Will and Testament on the 26<sup>th</sup> day of May, 1992, the day and date of said instrument, in the presence of this affiant and NANCY BARENSTON 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, DEBRA HARDWICK, the Affiant and NANCY BARENSTON, 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.

Debra Hardwick  
Debra Hardwick

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 21<sup>st</sup> day of July, 1998.

James J. Hunter  
NOTARY PUBLIC



GDHP/Estate

STATE OF MISSISSIPPI, COUNTY OF MADISON:



I certify that the within instrument was filed for record in my office this 23 day of July, 1998, at            o'clock            M., and was duly recorded on the 24<sup>th</sup> day of July, 1998, Book No. 31, Page 34.

STEVE DUNCAN, CHANCERY CLERK BY: Stacey R. Q. D.C.

Christi - silver  
Lee - wedding ring  
Leslie - magazine stand

Charlies house - things numbered in sets.  
charlie asked her to go instead of him.

Nank & Betty - secretary in front bed room.

Suzanne - Rose point crystal

Charlene - picture of paw

Wants to be buried in pink suit & pin.

Wants Bro. Jant for funeral service.

Wants the song that Juanita O' Cain sang at  
Bro. Estes' funeral.

\$14,000 already given to Charlene to be taken  
out of estate if the estate is sold at one time  
& then share the proceeds equally. Car to be sold  
estate.

FILED  
THIS DATE  
JUL 23 1998  
STEVE DUNCAN  
CHANCERY CLERK  
BY: Steve Duncan

X Marie E. James  
X Sybil P. Ward  
X Veronica Harris



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 23 day  
of July, 1998, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and was duly recorded  
on the 24th day of July, 1998, Book No. 31, Page 36.

STEVE DUNCAN, CHANCERY CLERK

BY: Steve Duncan D.C.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE  
OF MARIE E. JAMES, DECEASED

FILED  
THIS DATE

JUL 23 1998

STEVE DUNCAN  
CHANCERY CLERK

BY *[Signature]*

CIVIL ACTION FILE NO. 98485

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 SYBIL P. WARD, one of the subscribing witnesses to a certain instrument in writing purporting to be a Codicil to the Last Will and Testament of MARIE E. JAMES, deceased, late of the County of Madison, Mississippi, who having been duly sworn makes oath that the said Marie E. James, signed, published and declared said instrument as her Codicil, in the presence of this affiant and VERONICA HARRIS 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, SYBIL P. WARD, the Affiant and VERONICA HARRIS, 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.

Sybil P. Ward  
Sybil P. Ward

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 13<sup>th</sup> day of July, 1998.

Wanda A. Alley  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

June 12, 2001  
(SEAL)



GDHP/Estate

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 23 day of July, 1998, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and was duly recorded on the 24<sup>th</sup> day of July, 1998 Book No. 31, Page 37.



STEVE DUNCAN, CHANCERY CLERK

BY: Steve Duncan D.C.

MADISON COUNTY, MS

FILED

JUL 24 1998

AT 9:30 O'CLOCK A.M.  
STEVE DUNCAN, CHANCERY CLERK

By: *Karen Jupp, DC*

LAST WILL AND TESTAMENT

OF

EUNICE RACHEL SRITE

I, EUNICE RACHEL SRITE, a resident of the City of Madison, Madison County, Mississippi, declare this to be my Last Will and Testament, hereby revoking all wills and codicils heretofore made by me. My husband, George Ray Srite, and my children:

- Beverly Ann Drews, born in 1956;
- Barbara Jean Goff, born in 1958;
- George Anthony Srite, born in 1960;
- Rebecca Rey Hamil, born in 1962; and
- John Michael Srite, born in 1963,

are living at the time of the execution of this Will.

ARTICLE I

I direct that all my debts (including unpaid charitable pledges whether or not the same are enforceable obligations of my estate), all expenses of my last illness, all funeral and burial expenses (including the cost of a suitable monument at my grave) and the cost of administration of my estate be paid as soon as practicable after my death out of my estate.

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

FOR IDENTIFICATION

*Eunice Rachel Srite*

## ARTICLE II

I direct that all estate, inheritance and other taxes in the general nature thereof (together with any interest or penalty thereon), be paid out of my estate or any other special fund I may have established for that purpose.

## ARTICLE III

I hereby give, bequeath and devise all of my property and estate, of whatever kind or nature and wherever located, to my husband, George Ray Srite. All of my clothing, jewelry, personal effects, automobiles and all other tangible personal property not otherwise specifically bequeathed owned by me at the time of my death, I bequeath to my husband, George Ray Srite.

If my husband shall not survive me, I bequeath all the aforesaid property in equal shares to my five children who are named above. In the event any or all or such children die before I do, any share to which they would otherwise be entitled is to be distributed to their descendants, per stirpes. If such children should die before me without issue, their share is to be equally divided among the surviving children or their descendants, in the manner described above. I direct that any expenses incurred in safeguarding and delivering such property be paid from my estate as an administration expense thereof.

## ARTICLE IV

I hereby grant to my Executor (including any substitute or successor) the continuing absolute discretionary power to deal with any property, real or personal, held in my estate as freely as I might in the handling of my own affairs. Such power may be exercised independently without prior or subsequent approval of any judicial authority and no person

FOR IDENTIFICATION.

*Emilia Rachel Srite*

dealing with the Executor shall be required to inquire into the propriety of any of her actions. I specifically grant to my Executor the power to make distributions (including the satisfaction of any pecuniary bequests) in cash or in specific property, real or personal, or an undivided interest therein or partly in cash and partly in such property.

Without in any way limiting the generality of the foregoing and subject to MISS. CODE ANN. §§ 91-9-101 through 91-9-109 (1972), I hereby grant to my Executor all the powers set forth in MISS. CODE ANN. §§ 91-9-101 through 91-9-109 (1972), and those powers are hereby incorporated by reference and made a part of this instrument. Such powers are intended to be in addition to and not in substitution of the powers conferred by law.

#### ARTICLE V

I appoint my husband, George Ray Srite, to be the Executor of this my Last Will and Testament. If he shall fail to survive me or shall fail to qualify as Executor, then in that event I appoint John Michael Srite, as my secondary Executor. My Executor shall serve without security or any bond required by law and without any accounting or inventory to any Court and shall have the powers and discretions provided in Article IV and any others that may be granted by law, all to be exercised without a Court order.

Throughout this Will the word "Executor" is used for simplicity and all such words shall also refer to Executor and shall in no way deem to lessen the powers granted herein.

FOR IDENTIFICATION.

*Erinice Rock Srite*

IN WITNESS HEREOF, I sign, publish and declare this instrument to be my Last Will and Testament, this the 2-6-97 day of \_\_\_\_\_, 1997, at Jackson, Mississippi.

Eunice Rachel Srite  
EUNICE RACHEL SRITE

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

John Hedgpeth

203 Markey Drive  
Madison, MS 39110  
Address

Cherry Peole

329 Leah Orchard  
Ridgeland, MS 39157  
Address

FOR IDENTIFICATION.

Eunice Rachel Srite



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 24 day of July, 1997, at 9:30 o'clock A M., and was duly recorded on the 24th day of July, 1997, Book No. 31, Page 39.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey HOO D.C.

#98-459

BOOK 0031 PAGE 043

MADISON COUNTY, MS

FILED

JUL 24 1998

LAST WILL AND TESTAMENT  
OF

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

By: *Steve Duncan*

ADA CAROLINE GRISSOM MCFARLAND

I, ADA CAROLINE GRISSOM MCFARLAND, a resident of and domiciled in the First Judicial District of Hinds County, Mississippi, being over the age of twenty-one years, and of sound and disposing mind and memory, and in all respects competent and qualified, do hereby make, publish and declare this to be my true last will and testament hereby revoking all previous wills and codicils heretofore made by me. I have one child, George Max McFarland, Jr., now of Jackson, Mississippi.

ARTICLE I.

I direct my executor to pay all expenses of my last illness and funeral expenses and to pay all of my just debts which may be probated, registered and allowed against my estate as soon as may be conveniently and practically done. I also direct that my executor shall not require any part of any inheritance taxes or other applicable taxes for which my estate may be liable, to be recovered from, paid by, or apportioned among the heirs to any property which may be taxable in my estate.

ARTICLE II.

I will, devise and bequeath the sum of ONE THOUSAND DOLLARS (\$1,000.00) to each of the following persons:

- a. To my grandson, Wayne Lee McFarland.

- b. To my granddaughter, Wendi Leigh McFarland.
- c. To my great-grandson, Anthony (Tony) McFarland.
- d. To any other grandchild or great-grandchild born before my death.\*

ARTICLE III.

I will, devise and bequeath all of the rest, residue and remainder of my estate, whether real, personal or mixed and wheresoever located, unto my son, George Max McFarland, Jr. of Jackson, Mississippi. In the event my son predeceases me, then, in that event, to my son's children, natural or adoptive, per stirpes.

ARTICLE IV.

(a) I appoint as executor of my estate, my only son, George Max McFarland, Jr. of Jackson, Mississippi.

(b) I direct that my executor shall not be required to file any inventory or appraisal of my estate, or be required to give any bond whatsoever or to give any accounting to the Court and obtain an Order or approval of the Court in the exercise of any power or discretion herein given.

(c) I do hereby grant unto my executor, during the administration of my estate, to make distribution of my estate, in cash or in kind and to employ agents, attorneys, auditors, bookkeepers and depositories, with or without discretionary powers; to exercise in his sole and absolute discretion all of the powers, rights and discretions granted by virtue of the "Uniform Trustees Powers Act", being §91-9-

101 et seq. of the Miss. Code Annotated, (1972) or as hereafter amended, which "Uniform Trustees Powers Act" is hereby incorporated by reference as though fully and completely copied herein. Should said act be repealed, then my executor herein named shall continue to have all of the powers, rights and discretions granted by said "Uniform Trustees Powers Act", the same as if it were still in effect.

IN WITNESS WHEREOF, I, ADA CAROLINE GRISSOM MCFARLAND, have to this my Last Will and Testament, consisting of this and two other pages, subscribed my name, this the 12th day of APRIL, 1995.

x Ada Caroline Grissom McFarland  
ADA CAROLINE GRISSOM MCFARLAND

WITNESSES:

Phyllis E Mays  
1985 Lakeland St 103  
Jackson, MS 39216

Donald P. Hill  
1985 Lakeland St 103  
Jackson, MS 39216

ATTESTATION CLAUSE

STATE OF MISSISSIPPI  
COUNTY OF HINDS

WE, each of the subscribing witnesses to the Last Will and Testament of ADA CAROLINE GRISSOM McFARLAND do hereby certify that said instrument was signed by the said ADA CAROLINE GRISSOM McFARLAND, in our presence and in the presence of each of us, and that the said ADA CAROLINE GRISSOM McFARLAND 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 her will at the request of ADA CAROLINE GRISSOM McFARLAND, in her presence and in the presence of each other.

WITNESS OUR SIGNATURES, this the 12th day of April, 1995.

Ph. H. P. Thayer  
WITNESS

Donald P. Hill  
WITNESS



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 24 day of July, 1998, at 1:30 o'clock P M., and was duly recorded on the 24th day of July, 1998, Book No. 31, Page 43.

STEVE DUNCAN, CHANCERY CLERK BY: Stacy 1600 D.C.

FILED

JUL 24 1998

PROOF OF WILL

STATE OF MISSISSIPPI  
COUNTY OF HINDS

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

AFFIDAVIT OF SUBSCRIBING WITNESS

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid Donald P. Hill, 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 purporting to be the Last Will and Testament of ADA CAROLINE GRISSOM McFARLAND and that the said ADA CAROLINE GRISSOM McFARLAND signed, published and declared said instrument to be her Last Will and Testament on the 12th day of April, 1995 in the presence of this affiant and Paxelis Maxs, the other subscribing witness to said instrument; and said testatrix was then of sound and disposing mind and memory and over the age of twenty-one years; that this affiant and Paxelis Maxs 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.

Donald P. Hill

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 12th day of April, 1995.

Clayton Smith  
NOTARY PUBLIC

My Commission Expires:

5-13-97



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 24 day of July, 1998, at 1:30 o'clock P M., and was duly recorded on the 24th day of July, 1998, Book No. 31, Page 47.

STEVE DUNCAN, CHANCERY CLERK

BY: Steve Duncan D.C.

FILED

JUL 24 1998

PROOF OF WILL

STATE OF MISSISSIPPI  
COUNTY OF HINDS

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

AFFIDAVIT OF SUBSCRIBING WITNESS

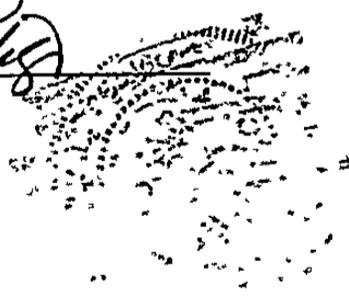
PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid Phyllis E. Mays, who by me being first duly sworn, deposes and states on oath that he is one of the subscribing witnesses to that certain instrument of writing purporting to be the Last Will and Testament of ADA CAROLINE GRISSOM MCFARLAND and that the said ADA CAROLINE GRISSOM MCFARLAND signed, published and declared said instrument to be her Last Will and Testament on the 12TH day of April, 1995 in the presence of this affiant and Donald P. Hise, the other subscribing witness to said instrument; and said testatrix was then of sound and disposing mind and memory and over the age of twenty-one years; that this affiant and Donald P. Hise 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.

X Phyllis E Mays

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 12TH day of April, 1995.

Clay J. Reddy  
NOTARY PUBLIC

My Commission Expires:  
5-13-97



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 24 day of July, 1998, at 1:30 o'clock P M., and was duly recorded on the 24th day of July, 1998, Book No. 31, Page 48.

STEVE DUNCAN, CHANCERY CLERK BY: Steve Duncan D.C.

#98-494

BOOK 0031 PAGE 049

FILED THIS DATE
JUL 28 1998
STEVE DUNCAN CHANCERY CLERK
BY <i>[Signature]</i>

LAST WILL AND TESTAMENT OF DWIGHT FOLLIN

I, DWIGHT FOLLIN, an adult resident citizen of Canton, Madison County, Mississippi, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my last will and testament, hereby revoking all former wills and codicils heretofore executed by me.

ARTICLE I.

If my wife, Barbara Anne Follin, survives me, I give, devise and bequeath to her all of my property, real and personal, of whatsoever kind or character and wheresoever situated.

ARTICLE II.

If my wife, Barbara Anne Follin, predecease me, then I give, devise and bequeath all of my property, real and personal, of whatsoever kind or character and wheresoever situated, to our children, share and share alike, or to the issue of my said children, per stirpes. I request that this property be divided among our children as nearly as possible according to each one's preference. In case of disagreement as to any item, my executor shall determine the method of making allocation of that item, and the results of the allocation by that method shall be conclusive.

ARTICLE III.

In the event, Barbara Anne Follin, shall predecease me, then I hereby nominate, appoint and constitute the Canton Exchange Bank, Canton, Mississippi as the guardian of the estate of our minor children. The said Canton Exchange Bank, as guardian of my minor children, shall have full and plenary power to do and perform any act deemed by it to be of the best interest of the estate of my said minor children, without any limitation whatsoever, and without bond.

ARTICLE IV.

I hereby nominate, appoint and constitute my wife, Barbara Ann Follin, as Executrix of my last will and testament. My Executrix shall have full and plenary power and authority to do and perform any act deemed by her to be of the best interest of the estate, without any limitation whatsoever, and without bond. Said authority shall include, but shall not be limited to the right to take possession, hold, manage,

invest and reinvest, the same, and to collect the income, dividends, rents, interest and profits therefrom, and to employ and to pay any Attorneys, Agents and Accountants that she may deem necessary for the best interest of my estate.

ARTICLE V.

In the event that my said wife, Barbara Anne Follin, shall predecease me, become disqualified or otherwise fail to qualify as the Executrix of my will and estate, then I nominate and appoint Canton Exchange Bank, Canton, Mississippi, to serve as the executor of my last will and estate and I direct that it shall not be required to enter any bond as such executor and I direct that said Bank shall have the same authority and power as is set forth for my Executrix in the above and foregoing article.

The foregoing instrument consist of 2 pages including this one.

IN WITNESS WHEREOF, I have hereunto subscribed my name this the 3 day of April, 1973.

Dwight Follin  
DWIGHT FOLLIN

THIS INSTRUMENT was, on the date shown above, signed, published and declared by Dwight Follin to be his Last Will and Testament in our presence, and we, at his request, have subscribed our names here-to as witnesses in his presence and in the presence of each other.

WITNESSES:

Mrs. Larry W. Ingle  
Mr. Lee S. Shipe  
John W. Christopher



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 28th day of July, 1998, at 9:30 o'clock A.M., and was duly recorded on the JUL 28 1998, Book No. 31, Page 49.

STEVE DUNCAN, CHANCERY CLERK

BY: Stoney Hill D.C.

## IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
DWIGHT FOLLIN, DECEASED

<p>FILED THIS DATE</p> <p>JUL 28 1998</p> <p>STEVE DUNCAN CHANCERY CLERK</p> <p>BY: <i>[Signature]</i></p>
--

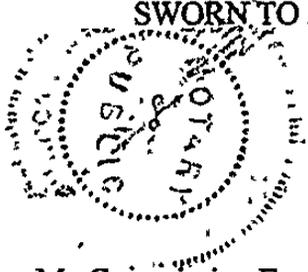
CIVIL ACTION FILE  
NO. 98-494PROOF OF WILLSTATE OF MISSISSIPPI  
COUNTY OF Madison

Personally appeared before me, the undersigned authority in and for said county and state, **MRS. LARRY W. TRAYLOR**, subscribing witness to a certain instrument of writing purporting to be the Last Will and Testament of Dwight Follin, deceased, and who, being by me first duly sworn, deposed and said that the said Dwight Follin signed, published and declared said instrument as his Last Will and Testament on April 3, 1973, the date of said instrument, in the presence of this deponent, and that the said Testator was then of sound and disposing mind and memory, more than twenty-one years of age, and had his usual place of residence in Canton, Madison County, Mississippi; and the said Mrs Larry W Traylor subscribed and attested said instrument, as witness to the signature and publication thereof, at the special instance of the said testator, in the presence of the said Dwight Follin and in the presence of John W Christopher and Mrs. Lee B. Shipley, the other subscribing witnesses, on the day and year of the date of said instrument.

And Affiant affirmed under oath that she is in no wise interested in the estate of the Testator.

*Mrs. Larry W. Traylor*  
MRS. LARRY W. TRAYLOR

SWORN TO AND SUBSCRIBED before me, this the 20<sup>th</sup> day of July, 1998.



Jarice M. Hammons  
NOTARY PUBLIC

My Commission Expires:

2/2/99

City of Jackson Falls-Taylor POW

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



I certify that the within instrument was filed for record in my office this 28<sup>th</sup> day of July, 1998, at 9:30 o'clock A.M., and was duly recorded on the JUL 28 1998, Book No. 31, Page 51.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacy Hill D.C.

## IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
DWIGHT FOLLIN, DECEASED

<p>FILED THIS DATE</p> <p>JUL 28 1998</p> <p>STEVE DUNCAN CHANCERY CLERK</p> <p>BY: <i>[Signature]</i></p>
--

CIVIL ACTION FILE  
NO. 98-494PROOF OF WILLSTATE OF MISSISSIPPI  
COUNTY OF Madison

Personally appeared before me, the undersigned authority in and for said county and state, **JOHN W. CHRISTOPHER**, subscribing witness to a certain instrument of writing purporting to be the Last Will and Testament of Dwight Follin, deceased, and who, being by me first duly sworn, deposed and said that the said Dwight Follin signed, published and declared said instrument as his Last Will and Testament on April 3, 1973, the date of said instrument, in the presence of this deponent, and that the said Testator was then of sound and disposing mind and memory, more than twenty-one years of age, and had his usual place of residence in Canton, Madison County, Mississippi; and the said John W Christopher and subscribed and attested said instrument, as witness to the signature and publication thereof, at the special instance of the said testator, in the presence of the said Dwight Follin and in the presence of Mrs. Larry W Traylor and Mrs. Lee B. Shipley, the other subscribing witnesses, on the day and year of the date of said instrument

And Affiant affirmed under oath that he is in no wise interested in the estate of the Testator.

*[Signature]*  
JOHN W. CHRISTOPHER

SWORN TO AND SUBSCRIBED before me, this the 30<sup>th</sup> day of June, 1998.

Barbara Y. Spencer  
NOTARY PUBLIC

My Commission Expires:  
MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES JUNE 9, 2002  
BONDED THRU STEGALL NOTARY SERVICE

ct:\np\junk\log\Fallin-Christopher POW



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 28<sup>th</sup> day of July, 19 98, at 9:30 o'clock A.M., and was duly recorded on the JUL 28 1998, Book No. 31, Page 53.

STEVE DUNCAN, CHANCERY CLERK

BY: Steve Duncan D.C.

MADISON COUNTY, MS

FILED

JUL 29 1998

AT 11:15 O'CLOCK A.M.  
STEVE DUNCAN, CHANCERY CLERK

## Last Will and Testament

OF

EDYTHE CARR JONES

By: Karen Supp, P.C.

I, EDYTHE CARR JONES, being over the age of twenty-one (21) years, being of sound and disposing mind and memory, having a fixed place of residence in the First Judicial District of Hinds County, State of Mississippi, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all former wills and/or codicils by me heretofore made:

FIRST: It is my desire that all of my just debts, including funeral expenses and expenses of last illness, if any there be, be paid in full.

SECOND: I do hereby give, devise and bequeath unto my beloved husband, DAN WILLIAM JONES, all of my estate, real, personal and mixed, whatsoever and wheresoever located, of which I may have the power to dispose at my death, to have and to hold as his property absolutely.

THIRD: In the event my said husband, Dan William Jones, should predecease me, or if we should die simultaneously in a common disaster, then I do hereby give, devise and bequeath all of my entire estate, real, personal and mixed, whatsoever and wheresoever located, of which I may have the power to dispose at my death, unto my beloved son; DANIEL LOWELL JONES, to have and to hold as his property absolutely.

FOURTH: I hereby designate and appoint my son, DANIEL LOWELL JONES, to serve as Executor of this, my Last Will and Testament, and that he so serve without the necessity of a bond.

WITNESS MY HAND on this the 25<sup>th</sup> day of Sept, 1981.

*Edythe Carr Jones*  
EDYTHE CARR JONES

WITNESSES:

*Laura McLevie*  
*Rissa L. Brown*

ATTESTATION CLAUSE

STATE OF MISSISSIPPI

COUNTY OF HINDS

We, the undersigned subscribing witnesses to the Last Will and Testament of EDYTHE CARR JONES, do hereby certify that the said Edythe Carr Jones did declare to us that the above and foregoing was her Last Will and Testament, and she did sign her name thereunto as Testatrix, in our presence and in the presence of each of us; and we, at the request of the said Edythe Carr Jones, did sign our names thereunto as subscribing witnesses, in her presence and in the presence of each other.

WITNESS OUR SIGNATURES on this the 29<sup>th</sup> day of Sept, 1981.

Karen McNeill  
2750 Sowell Road  
Jackson, MS 39212  
WITNESS  
ADDRESS  
ADDRESS

Rissa L. Brown  
606 Chelsea Drive  
Jackson, Mississippi 39212  
WITNESS  
ADDRESS  
ADDRESS



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 29<sup>th</sup> day of July, 1998, at 11:15 o'clock A. M., and was duly recorded on the 29<sup>th</sup> day of July, 1998, Book No. 31, Page 55.

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

FILED THIS DATE
AUG 7 1998
STEVE DUNCAN CHANCERY CLERK
BY <i>Sally [Signature]</i>

LAST WILL  
OF  
WILLIAM HERMAN MALNER

I, William Herman Malner, an adult resident of Ridgeland, Madison County, Mississippi, being above the age of eighteen (18) years and being of sound and disposing mind and memory, do hereby make this my Last Will and Testament and revoke any and all other Wills and Codicils heretofore made by me.

ITEM I.

My wife's name is Cynthia Crittenden Malner, and she is herein referred to as "my wife."

ITEM II.

I appoint my wife, Cynthia <sup>*Crittenden WHM*</sup> ~~Crittenden~~ Malner, as Executrix of my estate under this Will.

ITEM III.

My Executor shall pay all funeral expenses, costs of administration and other properly probated and allowed 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 whomever may be serving as personal representative of my estate, whether one or more than one, and to any Successor Executor or Administrator.

*WHM - 1*

ITEM V.

*Crittenden*  
-To my wife, Cynthia ~~Crittenden~~ <sup>Wife</sup> Malner, if she survives me, I give, devise and bequeath all of my estate, both real and personal, tangible and intangible, of whatsoever kind or character and wheresoever located.

ITEM VI.

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

ITEM VII.

Any recipient of property hereunder, or the Executor or other personal representative of the estate of any of them who may be deceased, shall have the right to disclaim all or any part of his or her interest in any property which I have devised or bequeathed to him or her, whether outright or in trust, or all or any part of his or her interest in any trust created herein. Any disclaimer shall be made within the time period and in a manner required for the disclaimer to qualify under Section 2518. Any such disclaimer shall be made in writing, stating specifically the property or interest disclaimed, and may be filed with the court in which my Will is probated and shall also be delivered to my Executor.

## ITEM VIII.

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 Executrix 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.

My Executrix shall have authority to disclaim any asset, power of appointment or other interest in property in which I am entitled to at my death, or to which my estate later becomes entitled.

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

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. However, my Executrix 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.

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 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 4 day of October, 1997.

William Herman Malner  
WILLIAM HERMAN MALNER

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

T E Reeves Jr  
WITNESS

T E Reeves Jr  
15 Avery Circle  
Jackson MS 39211  
ADDRESS

A F B Rietvelt  
WITNESS

A.F.B RIETVELT  
6240 WATERFORD DR.  
JACKSON MS 39211  
ADDRESS

Phillip H. Lucas  
WITNESS

Phillip H. Lucas  
220 WINGED FOOT CIRCLE  
JACKSON, MS 39211  
ADDRESS

STATE OF MISSISSIPPI, COUNTY OF MADISON:



I certify that the within instrument was filed for record in my office this 7th day of August, 1998, at 10:00 o'clock A. M., and was duly recorded on the 7th day of August, 1998, Book No. 31, Page 57.

STEVE DUNCAN, CHANCERY CLERK

BY: Anna Jupp D.C.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
WILLIAM HERMAN MALNER, DECEASED

NO. 98-539

FILED THIS DATE
AUG 7 1998
STEVE DUNCAN CHANCERY CLERK
BY: <u>[Signature]</u>

STATE OF MISSISSIPPI  
COUNTY OF HINDS

AFFIDAVIT OF SUBSCRIBING WITNESS

THIS DAY personally came and appeared before me, the undersigned authority in and for said jurisdiction, A.F.B. Rietvelt, one of the subscribing witnesses to a certain instrument of writing, a copy of which is attached hereto as Exhibit "A," which instrument consists of four (4) letter-sized typewritten pages purporting to be the Last Will and Testament of William Herman Malner, deceased, late of Madison County, Mississippi, and said affiant, who, having been first duly sworn, makes oath that the said William Herman Malner, deceased, signed, published and declared the original of said instrument as his Last Will and Testament on the 4th day of October, 1997, the day and date of said instrument, in the presence of said affiant, T. E. Reaves, Jr., and Philip H. Lucas, the other subscribing witnesses to said instrument; that said Testator was then of sound and disposing mind and memory and twenty-one (21) years and upwards of age; and said affiant, Philip H. Lucas, and T. E. Reaves, Jr., each subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of said Testator and in the presence of each other.

[Signature]

A.F.B. RIETVELT

SWORN to and subscribed before me, this the 23<sup>rd</sup> day of April, 1998.

[Signature]

NOTARY PUBLIC

My Commission Expires:

/14802

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 7<sup>th</sup> day of August, 1998, at 10:00 o'clock A. M., and was duly recorded on the 7<sup>th</sup> day of August, 1998, Book No. 31, Page 61.

STEVE DUNCAN, CHANCERY CLERK

BY: [Signature] D.C.



IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF WILLIAM HERMAN MALNER, DECEASED

FILED THIS DATE
AUG 7 1998
STEVE DUNCAN CHANCERY CLERK
BY: <i>[Signature]</i>

NO. 98-529

STATE OF MISSISSIPPI  
COUNTY OF HINDS

AFFIDAVIT OF SUBSCRIBING WITNESS

THIS DAY personally came and appeared before me, the undersigned authority in and for said jurisdiction, Phillip H. Lucas, one of the subscribing witnesses to a certain instrument of writing, a copy of which is attached hereto as Exhibit "A," which instrument consists of four (4) letter-sized typewritten pages purporting to be the Last Will and Testament of William Herman Malner, deceased, late of Madison County, Mississippi, and said affiant, who, having been first duly sworn, makes oath that the said William Herman Malner, deceased, signed, published and declared the original of said instrument as his Last Will and Testament on the 4th day of October, 1997, the day and date of said instrument, in the presence of said affiant, T. E. Reaves, Jr., and A.F.B. Rietvelt, the other subscribing witnesses to said instrument; that said Testator was then of sound and disposing mind and memory and twenty-one (21) years and upwards of age; and said affiant, A.F.B. Rietvelt, and T. E. Reaves, Jr., each subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of said Testator and in the presence of each other.

*[Signature of Phillip H. Lucas]*  
 \_\_\_\_\_  
 PHILLIP H. LUCAS

SWORN to and subscribed before me, this the 5<sup>th</sup> day of May, 1998.

*[Signature of Mary E. Jenkins]*  
 \_\_\_\_\_  
 NOTARY PUBLIC

My Commission Expires \_\_\_\_\_  
 My Commission Expires August 29, 1999  
 BONDED THRU HEIDEN-MARCHETTI, INC.

/15173



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 7<sup>th</sup> day of August, 1998, at 10:00 o'clock A. M., and was duly recorded on the 7<sup>th</sup> day of August, 1998, Book No. 31 Page 62.

STEVE DUNCAN, CHANCERY CLERK

BY: *[Signature]* D.C.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF WILLIAM HERMAN MALNER, DECEASED

STATE OF MISSISSIPPI COUNTY OF HINDS

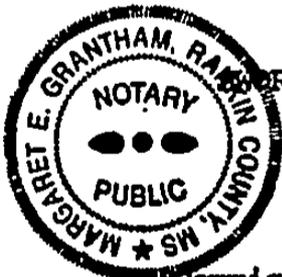
FILED THIS DATE AUG 7 1998 BY STEVE DUNCAN, CHANCERY CLERK

NO. 98-529

AFFIDAVIT OF SUBSCRIBING WITNESS

THIS DAY personally came and appeared before me, the undersigned authority in and for said jurisdiction, T. E. Reaves, Jr., one of the subscribing witnesses to a certain instrument of writing, a copy of which is attached hereto as Exhibit "A," which instrument consists of four (4) letter-sized typewritten pages purporting to be the Last Will and Testament of William Herman Malner, deceased, late of Madison County, Mississippi, and said affiant, who, having been first duly sworn, makes oath that the said William Herman Malner, deceased, signed, published and declared the original of said instrument as his Last Will and Testament on the 4th day of October, 1997, the day and date of said instrument, in the presence of said affiant, A.F.B. Rietvelt, and Phillip H. Lucas, the other subscribing witnesses to said instrument; that said Testator was then of sound and disposing mind and memory and twenty-one (21) years and upwards of age; and said affiant, Philip H. Lucas, and A.F.B. Rietvelt each subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of said Testator and in the presence of each other.

[Signature] T. E. REAVES, JR.



PERSON to and subscribed before me, this the 8th day of May, 1998.

[Signature] NOTARY PUBLIC

My Commission Expires: My Commission Expires May 14, 2000

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 7th day of August, 1998, at 10:00 o'clock A.M., and was duly recorded on the 7th day of August, 1998, Book No. 31, Page 63.



STEVE DUNCAN, CHANCERY CLERK

BY: Karen Supp D.C.

FILLED  
THIS DATE

AUG 7 1988

NON 0031 PAGE 064

#98-511

LAST WILL AND TESTAMENT

I, JOHNNIE E. JACKSON, presently residing in Madison County, Mississippi, being of sound and disposing mind and memory and over the age of twenty-one years, do hereby make, declare and publish the following as my Last Will and Testament, hereby revoking all other wills and codicils that I have heretofore made:

CLAUSE I

I give, bequeath, and devise all of my estate and property, real and personal, and of whatsoever nature and kind and wheresoever located, that I may own at the time of my death unto my wife, Mattie E. Jackson, if she shall survive me.

CLAUSE II

In the event that my said wife, Mattie E. Jackson, should predecease me, then in such event I give, bequeath, and devise all of my estate and property to my grandson, Hollya A. Jackson, whose present address is 2421 Powers Avenue, Jackson, Mississippi, 39213.

CLAUSE III

I name, constitute and appoint my grandson, Hollya A. Jackson, as Executor of my estate and direct that he be relieved of making bond or accounting to any court in said capacity.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this the 10th day of March, 1980.

Johnnie E. Jackson  
Johnnie E. Jackson

The foregoing instrument was, on the date shown above, signed, published, and declared by JOHNNIE E. JACKSON 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.

Robert A. Powell  
Imogene E. Lewis

Witnesses

FILED  
THIS DATE  
AUG 7 1980  
STEVE DUNCAN  
CLERK  
BY *[Signature]*

MM0031 PAGE 065

#98-512

LAST WILL AND TESTAMENT

I, MATTIE E. JACKSON, presently residing in Madison County, Mississippi, being of sound and disposing mind and memory and over the age of twenty-one years, do hereby make, declare and publish the following as my Last Will and Testament, hereby revoking all other wills and codicils that I have heretofore made:

CLAUSE I

I give, bequeath, and devise all of my estate and property, real and personal, and of whatsoever nature and kind and wheresoever located, that I may own at the time of my death unto my husband, Johnnie E. Jackson, if he shall survive me.

CLAUSE II

In the event that my said husband, Johnnie E. Jackson, should predecease me, then in such event I give, bequeath, and devise all of my estate and property to my grandson, Hollya A. Jackson, whose address is 2421 Powers Avenue, Jackson, Mississippi 39213.

CLAUSE III

I name, constitute and appoint my grandson, Hollya A. Jackson, as Executor of my estate and direct that he be relieved of making bond or accounting to any Court in said capacity.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this the 10th day of March, 1980.

Witnesses:  
*[Signature]*  
*[Signature]*

*[Signature]*  
Mattie E. Jackson

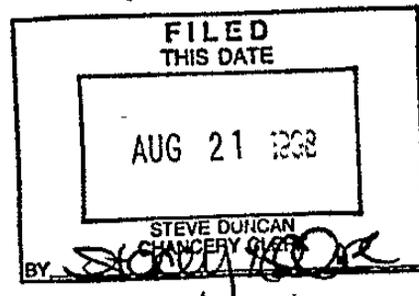
The foregoing instrument was on the date shown above, signed, published, and declared by MATTIE E. JACKSON to be her Last Will and Testament in our presence, and we, at her request, have subscribed our names hereto as witnesses in her presence and in the presence of each other.

*[Signature]*  
*[Signature]*  
Witnesses

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 7th day





LAST WILL AND TESTAMENT  
OF  
E. K. BARDIN

#98-551

I, E. K. BARDIN, an adult resident of Flora, Madison County, Mississippi, make this my Will and revoke all prior Wills and Codicils.

ITEM I.

My wife's name is ELIZABETH L. BARDIN, and she is herein referred to as "my wife." I have two (2) adult children now living, EDWINA C. BARDIN and CYNTHIA B. ALFORD.

The word "descendants" shall include any person hereafter born to any of my descendants. Each of the words "child," "children," and "descendants" 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 wife, ELIZABETH L. BARDIN, Executor of my estate under this Will. In the event my wife is or becomes unable or unwilling to serve as an Executor, I appoint my daughters, EDWINA C. BARDIN and CYNTHIA B. ALFORD, to serve jointly as successor Executor.

ITEM III.

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

FOR IDENTIFICATION:

E. K. Bardin

## ITEM IV.

All Section references, as used in this Will, refer to the Internal Revenue Code of 1986, as amended, or any corresponding provisions of future laws.

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

## ITEM V.

If my wife survives me, I devise and bequeath to my wife, for her lifetime, an amount of property equal to the largest amount, but no more, that can pass free of federal estate tax by reason of the unified credit available at the date of my death provided under Section 2010 and that portion of the state death tax credit allowable to my estate under Section 2011 which does not cause an increase in state death taxes. However, the amount of this bequest shall be reduced by the value of insurance proceeds and any other property which passes at any time during my life or at my death, either under any other ITEM of my Will or outside of my Will, in such manner as to constitute a part of my gross estate under federal estate tax law or an adjusted taxable gift and for which no marital deduction is allowed under Section 2056 and no deduction for public, charitable or religious purposes is allowed under Section 2055. In computing the dollar amount of property constituting this pecuniary bequest, the values used in finally determining the federal estate tax on my estate shall control. My Executor shall select and distribute to my wife the cash or other property in which my wife shall have a life estate and the property so selected shall be valued at the value thereof as of the date or dates of distribution to my wife.

The assets devised and bequeathed under this ITEM of my Will shall be charged with the payment of any estate, inheritance or other death taxes payable by reason of my death and any other expenses of my estate not deductible for federal estate tax purposes. I recognize the possibility that no property may be disposed of by this ITEM of my Will and that the amount so disposed of may be affected by the action of my Executor in exercising certain tax elections.

My wife shall be entitled to possession of all property in which she holds a life estate by virtue of this ITEM of my Will, and shall be entitled to all income from the property during her lifetime. She shall not be required to furnish any bond or other security for any part of the property. She shall not be liable for the loss or destruction of any property passing to her under this ITEM of my Will, nor for any loss due to investments made by her. My wife shall have the power to sell and convey good title to any of the property which passes to her under this ITEM of my Will. The proceeds of any such sale shall be kept by my wife in a single fund separate and apart from other property held by her so as to segregate the principal from her own estate. She shall be entitled to invest and reinvest the proceeds from such sale in her absolute discretion in such property as she deems advisable, but she may not use or dispose of the property in any manner that may destroy or detract from the interest of the remaindermen. No one shall question any action taken by my wife with respect to the property conveyed to her hereunder and no further authority or power to dispose of such property, other than this ITEM of my Will, shall be required by persons with whom my wife deals in selling such property or in purchasing other property with the proceeds of such sale. In addition, my wife shall have the right to vote any shares of stock which she holds by virtue of this ITEM of my Will, as if she were the outright owner of them, and without any regard for the interests of the remaindermen.

Upon the death of my wife, the property conveyed to her by this ITEM of my Will, in whatever form it may then exist, I devise and bequeath, in equal shares, to my daughters, EDWINA C. BARDIN and CYNTHIA B. ALFORD. In the event either of my daughters is not living at the time of my wife's death, I devise and bequeath that daughter's share to her descendants, if any, per stirpes, and if that daughter has no surviving descendants, to my other daughter.

## ITEM VI.

If my wife, ELIZABETH L. BARDIN, survives me, I devise and bequeath to her the rest and residue of my estate, real and personal, of whatsoever kind or character and wheresoever situated.

None of the assets devised or bequeathed to my wife in this ITEM of my Will shall be used for the payment of estate, inheritance or other death taxes payable by reason of my death.

## ITEM VII.

If I am not survived by my wife, I give, devise and bequeath the rest and residue of my estate, real and personal, of whatsoever kind or character, and wheresoever located, in equal shares to my daughters, EDWINA C. BARDIN and CYNTHIA B. ALFORD. In the event either of my daughters is not then living, I give, devise and bequeath that daughter's share to her descendants, if any, per stirpes, and if that daughter has no surviving descendants, to my other daughter.

## ITEM VIII.

If my wife and I die simultaneously, or under circumstances which make it difficult to determine which died first, I direct that my wife be deemed to have survived me for purposes of this Will. I direct that the provisions of this Will be construed upon that assumption, irrespective of any provisions of law

establishing a contrary presumption or requiring survivorship as a condition of taking property by inheritance.

ITEM IX.

Any recipient of property hereunder, or the Executor or other personal representative of the estate of any of them who may be deceased, shall have the right to disclaim all or any part of his or her interest in any property which I have devised or bequeathed to him or her. Any disclaimer shall be made within the time period and in a manner required for the disclaimer to qualify under Section 2518. Any such disclaimer shall be made in writing, stating specifically the property or interest disclaimed, and may be filed with the Chancery Court in which my Will is probated and shall also be delivered to my Executor. If my wife disclaims any portion of a bequest, the property disclaimed shall go as provided in ITEM VII hereof.

ITEM X.

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

Except where specific property is devised or bequeathed, my Executor 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 Executor is excused from any duty of impartiality with respect to the income tax basis of the property. 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. I authorize my Executor to exercise, at such times and in such manner as my Executor 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 Executor shall have the authority to disclaim or renounce any interest in property, in whole or in part, including any power with respect to property and including an undivided interest in property transferred to me or to my estate. Any disclaimer by my Executor shall be made in writing stating specifically the property or interest disclaimed and shall be delivered to the transferor of the property, the transferor's legal representative, or the holder of the legal title to the property to which the interest relates. Any disclaimer shall be made within the time period and in the manner required for the disclaimer to qualify under Section 2518.

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

I specifically authorize my Executor 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 Executor shall not pledge any property specifically devised or bequeathed herein. My Executor 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 Executor, 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 8 day of ~~February~~ <sup>MARCH</sup>, 1998.

E. K. Bardin  
E. K. Bardin

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

Jewel O. Rastbery

P.O. Box 223 Flora, MS 3901  
Address

Catherine M. Ferris

P.O. Box 9 Flora, Miss 39021  
Address



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 21st day of August, 1998, at 9:00 o'clock A.M., and was duly recorded on the 21st day of August 1998, Book No. 31, Page 66.

STEVE DUNCAN, CHANCERY CLERK

BY: Michelle K. Speight D.C.

<p>FILED THIS DATE</p> <p>AUG 21 1998</p> <p>STEVE DUNCAN CHANCERY CLERK</p> <p>BY <i>[Signature]</i></p>
---

IN THE CHANCERY COURT  
OF MADISON COUNTY, MISSISSIPPI

ESTATE OF E. K. BARDIN,  
DECEASED .

NO. 98-551

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 CATHERINE M. FERRIS, who being by me first duly sworn according to law, says on oath:

(1) That this affiant is one of the subscribing witnesscs to an instrument of writing purporting to be the Last Will and Testament of E. K. BARDIN, Deceased, who was personally known to the affiant, and whose signature is affixed to said Last Will and Testament is dated the 8th day of March, 1991.

(2) That on the 8th day of March, 1991 the said E. K. BARDIN, 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 JEWEL O. RASBERRY, the other subscribing witness to said instrument.

(3) That the said E. K. BARDIN 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 JEWEL O. RASBERRY 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 E. K. BARDIN, and in the presence of each other.

Catherine M. Ferris  
Catherine M. Ferris

SWORN TO AND SUBSCRIBED BEFORE ME, this the 31<sup>st</sup> day of

July, 1998.

Suzanne Helley  
Notary Public

My Commission Expires: \_\_\_\_\_

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES MARCH 7, 2002  
BONDED THRU STEGALL NOTARY SERVICE

*Leonard C. Martin*

Leonard C. Martin, MSB# 1987  
BAKER, DONELSON, BEARMAN & CALDWELL  
Post Office Box 24417  
Jackson, Mississippi 39225  
Telephone: (601) 351-2400  
Facsimile: (601) 351-2424

ATTORNEY

STATE OF MISSISSIPPI, COUNTY OF MADISON:



I certify that the within instrument was filed for record in my office this 21st day of August, 1998, at 9:00 o'clock A.M., and was duly recorded on the 21st day of August 1998, Book No. 31 Page B.

STEVE DUNCAN, CHANCERY CLERK

BY: *Michelle R. Speight* D.C.

FILED  
THIS DATE  
AUG 21 1998  
STEVE DUNCAN  
CHANCERY CLERK  
BY *[Signature]*

IN THE CHANCERY COURT  
OF MADISON COUNTY, MISSISSIPPI

ESTATE OF E. K. BARDIN,  
DECEASED .

NO. 98-551

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 JEWEL O. RASBERRY, 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 E. K. BARDIN, Deceased, who was personally known to the affiant, and whose signature is affixed to said Last Will and Testament is dated the 8th day of March, 1991.

(2) That on the 8th day of March, 1991 the said E. K. BARDIN, 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 CATHERINE M. FERRIS, the other subscribing witness to said instrument.

(3) That the said E. K. BARDIN 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 CATHERINE M. FERRIS 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 E. K. BARDIN, and in the presence of each other.

*Jewel O. Rasberry*  
\_\_\_\_\_  
Jewel O. Rasberry

SWORN TO AND SUBSCRIBED BEFORE ME, this the 31 day of

July, 1998.

*Suzanne Holley*  
\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES MARCH 7, 2002  
BONDED THRU STEGALL NOTARY SERVICE

*Leonard C. Martin*

Leonard C. Martin, MSB# 1987  
 BAKER, DONELSON, BEARMAN & CALDWELL  
 Post Office Box 24417  
 Jackson, Mississippi 39225  
 Telephone: (601) 351-2400  
 Facsimile: (601) 351-2424

ATTORNEY



## STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 21st day  
 of August, 1998, at 9:00 o'clock A. M., and was duly recorded  
 on the 21st day of August 1998, Book No. 31, Page 76.

STEVE DUNCAN, CHANCERY CLERK

BY: *Michelle R. Spaight* D.C.

# Last Will and Testament

OF  
ELLA HICKS

FILED THIS DATE
AUG 24 1998
STEVE DUNCAN CHANCERY CLERK
BY: <i>[Signature]</i>

I, Ella Hicks, a resident of Madison County, Mississippi, being of sound and disposing mind and memory and of lawful age to make a will, do hereby revoke any and all wills and codicils there to which have heretofore been made by me, and make, publish and declare this as my Last Will and Testament.

ITEM I

I devise and bequeath unto Geneva C. Johnson, my daughter, all of my property, be it real, personal, or mixed, wheresoever located.

ITEM II

I hereby nominate, constitute and appoint my daughter, Geneva C. Johnson, as the executrix of this my Last Will and Testament without requiring her to give any bond, security whatsoever, or to report or account to any court in the administration and distribution of my estate.

IN WITNESS WHEREOF I have hereunto subscribed my name on this the 16 day of July, 1979

*[Signature]*

ELLA HICKS

We, the undersigned, do each hereby certify that the foregoing instrument consisting of one page, this page included, was signed, sealed, published and declared by Ella Hicks, a resident of Canton, Madison County, Mississippi, the Testatrix therein, as and for her Last Will and Testament in the presence of us and each of us, and we, at the same time, at her request and in her presence and in the presence of each other, and believing her to be of sound and disposing mind and memory, have hereunto subscribed our names as attesting witnesses, this the 16 day of July, 1979

*[Signature]*  
Residing at:

Rt 1 Box 205  
Canton Miss.

*[Signature]*  
Residing at:

298 W. place  
Canton, Miss.

3 20 96



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 24th day of August, 1998, at 9:00 o'clock A-M, and was duly recorded on the 24th day of August 1998, Book No 31, Page 19

STEVE DUNCAN, CHANCERY CLERK

BY: *[Signature]* D.C.

THIS DATE  
AUG 24 1998  
STEVE DUNCAN  
CHANCERY CLERK  
BY *[Signature]*

PROOF OF WILL

COMES NOW J.L. MCCULLOUGH, one of the subscribing witnesses to the instrument filed herein for probate and purporting to be the Last Will and Testament of ELLA HICKS, and enters his appearance herein as provided by §91-7-9, Miss. Code Ann. (1972), as amended, and makes oath before the undersigned authority that ELLA HICKS, the above named decedent, signed, published and declared said instrument to be her Last Will and Testament on the 16th day of July, 1979, the day of the date of said instrument, in the presence of this deponent and IKE BROWN, the other subscribing witness, and that said testatrix was then of sound and disposing mind and memory, more than twenty-one years of age, and having her usual place of abode in Madison County, Mississippi, and that he and IKE BROWN subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance of said testatrix and in the presence of said testatrix and in the presence of each other, on the day of the date of said instrument.

*[Signature]*  
J.L. MCCULLOUGH

STATE OF MISSISSIPPI  
COUNTY OF MADISON

A SWORN TO AND SUBSCRIBED BEFORE ME on this the 30 day of August, 1998.

*[Signature]*  
NOTARY PUBLIC

MY COMMISSION EXPIRES:  
MARCH 10, 2001

(SEAL)

Ex. 187



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 24th day of August, 1998, at 9:00 o'clock A.M., and was duly recorded on the AUG 24 1998, Book No. 31, Page 79.

STEVE DUNCAN, CHANCERY CLERK

BY: *[Signature]* D.C.

FILED

AUG 27 1998

LAST WILL AND TESTAMENT

OF

JAMES ENOCH MARSALIS, JR.

AT 12:55 O'CLOCK P.M.  
STEVE DUNCAN, CHANCERY CLERK

#98-565 By: Karen Supp

STATE OF MISSISSIPPI

COUNTY OF MADISON

I, JAMES ENOCH MARSALIS, JR., 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, hereby revoking any and all other wills or codicils heretofore made by me.

ITEM I

I hereby direct my Executrix to pay all of my just and lawful debts duly probated, including expenses of my funeral and a suitable marker for my grave; that the administration of my estate be completed as soon after my death as may be reasonably done.

ITEM II

I hereby give, devise and bequeath unto each of my four (4) children, MICHAEL GRAY, MATT GRAY, CYNTHIA LOUISE INGLE, and MARK ALLEN MARSALIS, the sum of Five Hundred and No/100 Dollars (\$500.00), if these funds are available after paying the expenses of my funeral and a suitable marker for my grave.

ITEM III

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

RPS  
LSD  
*James Enoch Marsalis, Jr.*  
JAMES ENOCH MARSALIS, JR.

ITEM IV

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

The foregoing Last Will and Testament consists of three (3) pages, at the bottom of each of which I have signed my name.

IN WITNESS WHEREOF, I have hereunto set my hand to this my Last Will and Testament on this the 16 day of January, 1998.

*James Enoch Marsalis, Jr.*  
 JAMES ENOCH MARSALIS, JR.

STATE OF MISSISSIPPI  
 COUNTY OF MADISON

We, each of the subscribing witnesses to the Last Will and Testament of JAMES ENOCH MARSALIS, JR., do hereby certify that said instrument was signed by the said JAMES ENOCH MARSALIS, JR., in our

*Rps*  
*RLJ*  
*James Enoch Marsalis, Jr.*  
 JAMES ENOCH MARSALIS, JR.

presence and in the presence of each of us, and that the said JAMES ENOCH MARSALIS, JR. declared the same to be his Last Will and Testament in the presence of each of us and that we each signed as subscribing witnesses to his Will at the request of JAMES ENOCH MARSALIS, JR., in his presence and in the presence of each other.

Rebecca P. Smith  
ADDRESS: P.O. Box 228  
Canton MS 39046

Regina L. Ferguson  
ADDRESS: 114 Lockin Chain Road  
Canton, MS 39046

*James Enoch Marsalis, Jr.*  
JAMES ENOCH MARSALIS, JR.



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 27<sup>th</sup> day of August, 1998 at 12:55 o'clock P M, and was duly recorded on the 27<sup>th</sup> day of August, 1998, Book No. 31, Page 81  
STEVE DUNCAN, CHANCERY CLERK BY: Karen Jupp D.C

FILED  
THIS DATE

AUG 27 1998

STEVE DUNCAN  
CHANCERY CLERK

BY Karen Tupp

PROOF OF WILL

COMES NOW

Regina L. Ferguson

the subscribing witnesses to the instrument filed herein for probate and purporting to be the Last Will and Testament of JAMES ENOCH MARSALIS, JR., and enters her appearance herein as provided by §91-7-9, Miss. Code Ann. (1972), as amended, and makes oath before the undersigned authority that JAMES ENOCH MARSALIS, JR., the above named decedent, signed, published and declared said instrument to be his Last Will and Testament on the 16<sup>th</sup> day of January, 1998, the day of the date of said instrument, in the presence of this deponent and Rebecca P. Smith, the other subscribing witness, and that said testator was then of sound and disposing mind and memory, more than twenty-one years of age, and having his usual place of abode in Madison County, Mississippi, and that she and Rebecca P. Smith subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance of said testator and in the presence of said testator and in the presence of each other, on the day of the date of said instrument.

Regina L. Ferguson

STATE OF MISSISSIPPI  
COUNTY OF MADISON

SWORN TO AND SUBSCRIBED BEFORE ME on this the 20<sup>th</sup> day of January, 1998.

[Signature]  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

March 10, 2001



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 27<sup>th</sup> day of August, 1998, at 12:55 o'clock P. M., and was duly recorded on the 27<sup>th</sup> day of August, 1998, Book No. 31, Page 84.

STEVE DUNCAN, CHANCERY CLERK

BY: Karen Tupp D.C.



PROOF OF WILL

THIS DATE  
AUG 27 1998  
STEVE DUNCAN  
CHANCERY CLERK  
BY Aren Supp

COMES NOW Rebecca P Smith, one of the subscribing witnesses to the instrument filed herein for probate and purporting to be the Last Will and Testament of JAMES ENOCH MARSALIS, JR., and enters her appearance herein as provided by §91-7-9, Miss. Code Ann. (1972), as amended, and makes oath before the undersigned authority that JAMES ENOCH MARSALIS, JR., the above named decedent, signed, published and declared said instrument to be his Last Will and Testament on the 16 day of January, 1998, the day of the date of said instrument, in the presence of this deponent and Regina L. Ferguson, the other subscribing witness, and that said testator was then of sound and disposing mind and memory, more than twenty-one years of age, and having his usual place of abode in Madison County, Mississippi, and that she and Regina L. Ferguson subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance of said testator and in the presence of said testator and in the presence of each other, on the day of the date of said instrument.

Rebecca P Smith

STATE OF MISSISSIPPI  
COUNTY OF MADISON

SWORN TO AND SUBSCRIBED BEFORE ME on this the 16 day of January, 1998.

[Signature]  
NOTARY PUBLIC

MY COMMISSION EXPIRES:  
March 10, 2001



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 27<sup>th</sup> day of August, 1998, at 12:55 o'clock P. M., and was duly recorded on the 27<sup>th</sup> day of August, 1998, Book No. 31, Page 85.

STEVE DUNCAN, CHANCERY CLERK BY: Aren Supp D.C.

FILED

SEP - 3 1998

AT 1:10 O'CLOCK P M  
STEVE DUNCAN, CHANCERY CLERK  
by Kuegouy DC- LAST WILL AND TESTAMENT OF  
ALICE HALL TAYLOR

I, ALICE HALL TAYLOR, of Tupelo, Lee County, Mississippi, being over the age of twenty one (21) years and of sound and disposing mind and memory, do hereby make, declare and publish this to be my last will and testament, especially revoking all other previous testamentary documents made by me.

1.

I hereby nominate, constitute and appoint my son, John S. Taylor, Jr. (aka Johnny S. Taylor, Jr.), as the Executor of this my last will and testament. No bond shall be required of him and he shall not be under the duty of reporting to any court.

2.

I direct that all of my just debts, probated and allowed according to law, be paid by my Executor.

3.

I give, devise, and bequeath all of the property, real, personal and mixed, wheresoever situated, of which I die seized and possessed, unto my two children, CAROLYN FAY TAYLOR SPARKS, and JOHNNY S. TAYLOR, JR., in equal shares, share and share alike.

IN TESTIMONY of the making, declaring and publishing of the foregoing to be my last will and testament, I now sign my name hereto in the presence of Tom Hewitt and Kyle Lampkin, whom I have especially requested to witness the making, publishing and declaring of this my last will and testament, and the witnessing of my signature hereto, all done this 21<sup>st</sup> day of November, 1991.

Alice H. Taylor

## WITNESSES:

Tom Hewitt

Address: 600 S. THOMAS  
Tupelo, Ms. 38801

Kyle Lampkin

Address: 2407 RUTH  
Tupelo, MS. 38801

## CERTIFICATE OF SUBSCRIBING WITNESSES

We, Tom Hewitt and Kyle Lampkin do hereby certify that ALICE HALL TAYLOR made, declared and published the foregoing instrument to be her last will and testament in our presence, and that she signed and subscribed the same as her last will and testament in our

presence, especially and expressly requesting us to be the subscribing witnesses, each signing in the presence of the Testatrix and in the presence of each other.

WITNESS OUR SIGNATURES, this 21<sup>st</sup> day of November, 1991.

[Signature]  
WITNESS

[Signature]  
WITNESS



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 3<sup>rd</sup> day of Sept, 1998, at 1:10 o'clock P.M., and was duly recorded on the SEP 3 1998, Book No. 31, Page 86.

STEVE DUNCAN, CHANCERY CLERK

BY: [Signature] D.C.

## AFFIDAVITT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF LEE

This day personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Tom Hewitt, 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 ALICE HALL TAYLOR, who was personally known to the affiant, and whose signature is affixed to the Last Will and Testament, dated the 21<sup>st</sup> day of November, 1991.

2. That on the 21<sup>st</sup> day of November, 1991, the said ALICE HALL TAYLOR 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 Kyle Lampkin, the other subscribing witness to the instrument.

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

4. That ALICE HALL TAYLOR was not under any undue pressure or influence from any person in executing the aforesaid instrument, and acted freely and of her own accord in executing and publishing her Last Will and Testament.

5. That this affiant, together with Kyle Lampkin, 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 ALICE HALL TAYLOR, and in the presence of each other.

Tom Hewitt

SWORN TO AND SUBSCRIBED before me, this the 21<sup>st</sup> day of November, 1991.

Sheela Ann Wood

NOTARY PUBLIC

My Commission Expires:  
My Commission Expires June 6, 1994



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 3<sup>rd</sup> day of Sept, 1998, at 1:10 o'clock P.M., and was duly recorded on the SEP 3 1998, Book No. 31, Page 89.

STEVE DUNCAN, CHANCERY CLERK

BY: Stacey Hill D.C.

## AFFIDAVITT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF LEE

This day personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Kyle Lampkin, 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 ALICE HALL TAYLOR, who was personally known to the affiant, and whose signature is affixed to the Last Will and Testament, dated the 21<sup>st</sup> day of November, 1991.

2. That on the 21<sup>st</sup> day of November, 1991, the said ALICE HALL TAYLOR 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 Tom Hewitt, the other subscribing witness to the instrument.

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

4. That ALICE HALL TAYLOR was not under any undue pressure or influence from any person in executing the aforesaid instrument, and acted freely and of her own accord in executing and publishing her Last Will and Testament.

5. That this affiant, together with Tom Hewitt  
\_\_\_\_\_, 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  
ALICE HALL TAYLOR, and in the presence of each other.

Ray Langhi  
\_\_\_\_\_

SWORN TO AND SUBSCRIBED before me, this the 21<sup>st</sup> day of  
November, 1991.

Sheean Ann Wood  
\_\_\_\_\_

NOTARY PUBLIC

My Commission Expires:

My Commission Expires June 6, 1994

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



I certify that the within instrument was filed for record in my office this 3rd day  
of Sept, 1998, at 1:10 o'clock P.M., and was duly recorded  
on the 3rd day of September, 1998, Book No. 31, Page 91.

STEVE DUNCAN, CHANCERY CLERK

BY: Michelle Sprigles D.C.

LAST WILL AND TESTAMENT  
OF  
YVONNE E. GARRITY

FILED THIS DATE
SEP 4 1968
STEVE DUNCAN CHANCERY CLERK
BY <i>[Signature]</i>

I, YVONNE E. GARRITY, being over twenty one (21) years of age and presently residing in Madison County, Mississippi, being of sound mind and memory, and not under any restraint, and realizing the uncertainty of life and the certainty of death, and wishing to direct how my property shall be distributed upon my death, do hereby make, publish, and declare this to be my Last Will and Testament, and hereby revoke any and all former Wills or Codicils heretofore made by me.

FIRST: I direct that all my just debts, all expenses of my last illness, all funeral and burial expenses, including the cost of a suitable monument or marker at my grave, and the cost of the administration of my estate be paid as soon as practical after my death out of the principal of my estate. Nothing herein shall be construed as creating a trust or fund for the payment of debts and / or expenses which would in any way extend the applicable statute(s) of limitations for the payment of my debts or enlarge upon the duty to pay same.

SECOND: I hereby give, bequeath, and devise all of my property and estate, of every kind and description, both real, personal, and mixed, wherever situated, unto my husband, Edward J. Garrity.

THIRD: In the event my husband, Edward J. Garrity, should predecease me, then I give, bequeath and devise all of my estate, whether real, personal or mixed, wherever located or situated, unto my children as follows:

- a) One-Third (1/3) to my son, E. Gerald Garrity;
- b) One-Sixth (1/6) to my son, A. Patrick Garrity;
- c) One-Sixth (1/6) to my daughter, Judith Ann Garrity Armstrong;
- d) One-Sixth (1/6) to my son, John M. Garrity; and
- e) In the event my daughter, Joan Ellen Garrity, now known as Sister M. Joan, O.C.S.O., should predecease me, then One-Sixth (1/6) to OUR LADY OF THE MISSISSIPPI ABBY, 8400 Abby Hill, Dubuque, Iowa 52003.

In the event said daughter should survive me, then One-Sixth (1/6) to E. Gerald Garrity to be held in a trust to be known as the Garrity Charitable Trust for the use and benefit of the beneficiaries named therein. My son, E. Gerald Garrity, shall be the Trustee of said Trust. In the event he should predecease me, or will not or cannot act, then I hereby appoint my son, John M. Garrity, as Successor Trustee. The Trustee shall hold, administer and distribute all of the aforesaid assets, together with all additions thereto and all reinvestments thereof as the principal of a trust estate in accordance with the terms and provisions hereinafter set out.

#### ARTICLE I

The Trustee shall receive, hold, manage, convert, sell, exchange, assign, alter, invest, reinvest and otherwise deal with the trust property, or its increase, or any other properties which may be hereinafter transferred to this trust estate, or its increase, as he in his sole discretion shall deem to be for the best interests of the beneficiaries hereinafter named. By way of illustration, but not of limitation of the Trustee's powers, the Trustee is hereby authorized to:

1. In the administration of this trust, the Trustee shall 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, save as herein modified.

2. To receive all rents, income, profits and properties of every nature due the trust estate and to hold or make distribution in accordance with the terms of this agreement;

3. To retain any of the properties now or hereafter received by Trustee or to dispose of all or any of them as and when Trustee shall deem advisable by public or private sale or exchange or otherwise, for cash or upon credit or partly for cash and partly upon credit and upon such terms and conditions as it shall deem proper;

4. To acquire other property by purchase, exchange or otherwise and to hold or dispose of said property in accordance with the terms of this trust agreement. Any such purchase or exchange shall be made upon such terms and conditions as the Trustee in their sole discretion deems appropriate. The Trustee shall not be liable for any loss of the trust estate by reason of acting in accordance with this article, except for bad faith or wrongdoing;

5. To participate in any plan of liquidation, reorganization, consolidation, merger, incorporation or other financial adjustment of any business or corporation in which the trust estate is or shall be financially interested and to exchange any property held in the trust estate for property issued under any such plan;

6. To pay such charges and expenses as the Trustee shall deem requisite or desirable for the protection of any property belonging to the trust estate;

7. In case of doubt, to determine what receipts of cash or other property shall be credited to principal and what to income and what expenses or other payments shall be charged against principal and what against income, and all such determinations shall be conclusive and binding upon all persons interested in the trust estate;

8. To invest or reinvest the funds belonging to the trust estate in any securities or properties (real or personal) as shall from time to time be appropriate by the Trustee;

9. To loan or borrow for the benefit of the trust estate, for such periods of time and upon such terms and conditions as the Trustee shall deem proper, any sum or sums of money and, in Trustee's discretion, to secure such loans by mortgage or pledge of any property belonging to the trust estate;

10. To compromise, arbitrate or otherwise adjust or settle claims in favor of or against the trust estate;

11. To make improvements upon any lands belonging to the trust estate and to make, or to join with other persons in making, partition of any such lands;

12. To execute such deeds, leases (for any period of time even though same may extend beyond the duration of the trust in which the property so leased shall be held), contracts, bills of sale, notes, proxies and other instruments as the Trustee shall deem requisite or desirable in the proper administration of the trust estate;

13. To divide or allot all or any portion of the properties belonging to the trust estate either in kind or in money or partly in kind and partly in money and to include undivided interests in the properties so divided or allotted, and the judgment of the Trustee concerning the relative values of the properties so divided or allotted shall be conclusive and binding upon all persons interested in the trust estate.

No person having transactions with the Trustee shall be required to see the application by the Trustee of any property involved in such transactions.

The Trustee shall not be liable for depreciation in the value of any property held in the trust estate or for any error of judgment but shall be liable for acts of bad faith or wrongdoing.

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

#### ARTICLE II

The trust estate shall continue to exist so long as my daughter, Joan Ellen Garrity, now known as Sister M. Joan, O.C.S.O., shall be a member of such religious order. However, if she terminates her membership in such order, this Trust shall terminate and its res shall be distributed to my daughter, Joan Ellen Garrity, now known as Sister M. Joan, O.C.S.O.

In the event said daughter shall die as a member of said order, then upon said daughter's death, this Trust shall terminate and its res shall be distributed to OUR LADY OF THE MISSISSIPPI ABBY, 8400 Abby Hill, Dubuque, Iowa 52003, absolutely and forever.

## ARTICLE III

Insofar as possible, any requirement as to the posting of bond(s), or submission of inventories and accountings, imposed upon the Trustee acting pursuant to this trust agreement are hereby expressly waived.

## ARTICLE IV

As compensation for his services the Trustee may receive reimbursement from the trust for all his documented out-of-pocket expenses plus reasonable compensation for time spent administering this trust as may be requested.

## ARTICLE V

This agreement shall be construed and regulated in all respects by the laws of the State of Mississippi.

FOURTH: In the event any beneficiary under this Will and I should die in a common disaster or accident or under such circumstances that it is difficult to determine who survived the other, then I direct that I shall be deemed to have predeceased such beneficiary.

FIFTH: Any child or children I have not herein specifically provided or made settlement for is / are hereby disinherited.

SIXTH: I hereby appoint my son, E. Gerald Garrity, as sole Executor of this, my Last Will and Testament. In the event he should predecease me, or will not or cannot act, then I hereby appoint my son, John M. Garrity, as Executor of this, my Last Will and Testament. I direct that the Executor of my estate shall not be required to post any bond or perform any appraisals, inventories, or accountings for, or on behalf of, my estate, all of which being hereby expressly waived. I further direct that the Executor of my estate shall be given, and is hereby given, full authority and power to sell or convey any or all of my property, both real, personal, and mixed, to raise funds with which to pay

any indebtedness chargeable to my estate or to pay for any gift or bequest provided for herein without intervention of any Court.

IN TESTIMONY WHEREOF, I, YVONNE E. GARRITY, have hereunto subscribed my name to this, my Last Will and Testament, this the 13<sup>TH</sup> day of July, 1996.

*Yvonne E. Garrity*  
YVONNE E. GARRITY

*Yvonne E. Garrity*

ATTESTATION

We, the undersigned subscribing witnesses to the within and foregoing Last Will and Testament of YVONNE E. GARRITY, do hereby certify, acknowledge, and attest that the same was exhibited to us by YVONNE E. GARRITY as her Last Will and Testament, that we saw her make, declare, publish, and sign the above and foregoing instrument of writing as being her Last Will and Testament in our presence, all being present at the same time, and thereupon, we, at her request, and in the presence of each other, have subscribed our names as witnesses on this the 13<sup>TH</sup> day of July, 1996.

Katherine M. Hershey  
NAME

7106 Edgewater Drive  
ADDRESS  
Ridgeland, MS 39157  
856-3165  
TELEPHONE NUMBER

Beatrice C. Donohoe  
NAME

200 Dominican Dr. #2209  
ADDRESS  
Madison MS 39110  
856-0217  
TELEPHONE NUMBER

A. Robert Hood  
NAME

5 DEERFIELD ROAD  
ADDRESS  
MADISON, MS 39110  
856-7616  
TELEPHONE NUMBER

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 4th day of Sept., 1998, at 8:30 o'clock A. M., and was duly recorded on the 4th day of September, 1998, Book No. 31; Page 93.

STEVE DUNCAN, CHANCERY CLERK

BY: Michelle H. Speights D.C.

