

**FILED**  
THIS DATE

MAY 10 2002

IN THE CHANCERY COURT  
OF MADISON COUNTY, MISSISSIPPI

MIKE CROOK  
CHANCERY CLERK  
By: [Signature] DC.

ESTATE OF BENNIE JO MCGUFFIE,  
DECEASED

NO. 2002-327

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF RAZOR

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

A. That this affiant is one of the subscribing witnesses to an instrument of writing purporting to be the Last Will and Testament of BENNIE JO MCGUFFIE, Deceased, who was personally known to the affiant, and whose signature is affixed to said Last Will and Testament, which Last Will and Testament is dated the 22<sup>nd</sup> day of December, 1994.

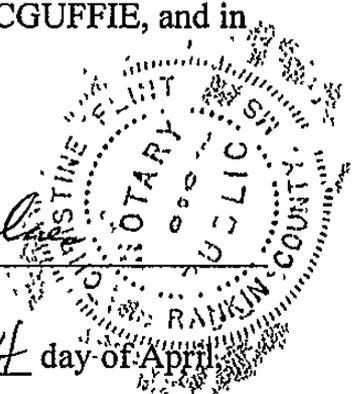
B. That on the 22<sup>nd</sup> day of December, 1994, the said BENNIE JO MCGUFFIE, signed, published and declared said instrument of writing as her Last Will

and Testament, in the presence of this affiant and in the presence of BETTY J. FERGUSON, the other subscribing witness to said instrument.

C. That the said JAMES M. HOLMES was then and there of sound and disposing mind and memory, and well above the age of twenty-one (21) years.

D. That this affiant, together with BETTY J. FERGUSON, 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 BENNIE JO MCGUFFIE, and in the presence of each other.

*James M. Holmes*  
James M. Holmes



SWORN TO AND SUBSCRIBED BEFORE ME on this the 24 day of April

2002.

*Christine Flint*  
Notary Public

**My Commission Expires:**

Notary Public State of Mississippi At Large  
My Commission Expires. June 13, 2005  
Bonded Thru Helden, Brooks & Garland, Inc.

Leonard C. Martin

Leonard C. Martin  
BAKER, DONELSON, BEARMAN & CALDWELL  
Post Office Box 14167  
Jackson, Mississippi 39236  
Telephone: (601) 351-2400  
State Bar # 1897

ATTORNEY

STATE OF MISSISSIPPI, COUNTY OF MADISON



I certify that the within instrument was filed for record in my office this 10th day  
of May, 2002, at 9:00 o'clock a M., and was duly recorded  
on the MAY 10 2002, Book No. 34, Page 700.

MIKE CROOK, CHANCERY CLERK

BY: [Signature] D.C.

# 2002-332

MAY 10 2002

LAST WILL AND TESTAMENT OF IRENE B. SALTER

MIKE CROOK  
CHANCERY CLERK  
By: [Signature] D.C.

I, IRENE B. SALTER, 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.

I give, devise and bequeath all of my property, both real and personal, of whatsoever kind or character and where-soever situated unto my nieces, Daisy Bell Pentecost and Wanzie D. Winans, in equal shares, share and share alike, per stirpes.

ARTICLE II.

I hereby nominate, appoint and constitute my niece, Daisy Bell Pentecost, 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 to the best interest of the estate, without any limitation whatsoever, and to serve without bond. Said authority shall include, but shall not be limited to the right to take possession, hold, manage, invest and reinvest the same, and to collect the income, dividends, rents, interest and profits therefrom, and to employ and to pay any attorneys, agents and accountants that she may deem necessary for the best interest of my estate.

ARTICLE III.

In the event that said Daisy Bell Pentecost shall predecease me, become disqualified or otherwise fail to qualify as Executrix of my estate, then I nominate and appoint my niece, Wanzie D. Winans, to serve as Executrix of my estate and I direct that she shall not be required to enter any bond as such Executrix and I direct that she shall have the same authority and power as is set forth

for my Executrix in the above and foregoing Article.

The foregoing instrument consists of two pages, including this one.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this the 13<sup>th</sup> day of July, 1977.

Irene B. Salter  
Irene B. Salter

This instrument was, on the date shown above, signed, published and declared by IRENE B. SALTER 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.

WITNESSES:

Laurie Deack  
John W. Christopher

STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 10<sup>th</sup> day of May, 2002, at 2:30 o'clock P.M., and was duly recorded on the MAY 10 2002, Book No. 34, Page 703.

MIKE CROOK, CHANCERY CLERK

BY: Stacey Hill D.C.



**FILED**  
THIS DATE

LAST WILL AND TESTAMENT

MAY 10 2002

OF

2002-311

WALTER J. DUBUC, JR.

MIKE CROOK  
CHANCERY CLERK  
By: *[Signature]* D.C.

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

ITEM I  
EXECUTOR

I appoint my wife, Lizabeth P Dubuc, as Executor of my Estate under this Will If my wife, Lizabeth P. Dubuc, is unable or unwilling to serve as Executor, I appoint my daughter, Felicia D. Morris, as Successor Executor

ITEM II  
WIFE AND CHILDREN

At the time of the execution of this Will, I am married to Lizabeth P Dubuc, who is sometimes referred to herein as "my wife I have three (3) adult children who are now living, and they are Nicole D. Hidalgo, Felicia D. Morris, and Walter J. Dubuc, III; they are sometimes herein referred to as "my children".

ITEM III  
PAYMENT OF DEBTS AND EXPENSES

I direct my Executor to pay all of my just debts and obligations which are probated, registered and allowed against my Estate as soon as may be conveniently done, provided however, that my Executor shall specifically be authorized to pay any debt of my estate which

does not exceed \$1,000 without the necessity of probating said debt. I direct my Executor to pay all of my funeral expenses, including the cost of a suitable monument at my grave, expenses of my last illness, and the costs of administration of my estate as soon as practicable after my death; provided, however, my Executor shall not be required to pay any obligation in advance of its maturity. My Executor, in my Executor's sole discretion, may pay from my domiciliary estate all or any portion of the costs of ancillary administration and similar proceedings in other jurisdictions

ITEM IV  
PERSONAL EFFECTS

A. To Wife. I give and bequeath to my wife, Lizabeth P. Dubuc, all of my clothing, jewelry, sports equipment, automobiles, and other tangible personal property located in my home. My wife is the owner of all furniture, furnishings, china, silver, linens, and objects of art located in our home. I confirm her title.

B. If Wife Does Not Survive Me. If my wife does not survive me, I give and bequeath these items of tangible personal property, including all such personal property that I may inherit from my wife, in equal shares to my children to divide as they agree, or if they fail to agree, as they may select by casting lots to determine the order in which they shall select, with each of them to select in the aggregate items of comparable value in this rotating fashion. Any questions as to value of such property shall be determined by my successor Executor in her sole discretion

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

ITEM V.  
RESIDUE

A. Residue to Wife I give, devise and bequeath all of the rest, residue and remainder of my property, real, personal, or mixed and wherever located to my wife, Lizabeth P Dubuc.

B. If Wife Does Not Survive If my wife, Lizabeth P Dubuc, does not survive me, I give, devise, and bequeath all of the rest, residue, and remainder of my property, real, personal or mixed, and wherever located to my children in equal shares per stirpes

1. Trust for Children of Deceased Child. If one of my children does not survive me and leaves children surviving, the share of such deceased child of mine shall be held in trust for the benefit of such deceased child's children and administered and distributed by my Trustee according to the following provisions:

a. Principal and Income. The Trustee may distribute to or for the benefit of the beneficiary of each trust as much of the net income and principal of the trust as the Trustee deems advisable for the education, support, maintenance and health of each beneficiary, for the maintenance of each beneficiary's accustomed standard of living; or for any medical, hospital or other institutional care which any beneficiary may require. These distributions shall be made in such proportions, amounts and intervals as the Trustee may determine. Any income not distributed shall be retained and added to principal and shall be distributed according to provisions of this Item. In making distributions of principal, the Trustee shall consider the needs of each beneficiary and the funds available to each of them from other sources

b. Termination of Trust. The assets of a trust held for the surviving children of a deceased child of mine shall be distributed to such children, per stirpes, when the youngest of such children attains the age of twenty-one (21) years. Upon distribution of the entire trust estate to the beneficiaries of each trust, that trust shall terminate

c. Distribution If No Beneficiaries Survive If all persons who are the beneficiaries of a trust established by this Will die before distribution, the assets of the trust shall

be divided in equal share between my surviving children per stirpes. If all persons and classes designated as beneficiaries of this Will and all trusts established by this Will die before distribution of all trust assets, upon the death of the survivor of them, the assets shall be distributed outright and free of trust to my heirs at law, according to the intestacy laws then in effect in the State of Mississippi.

ITEM VI  
MISCELLANEOUS TRUST PROVISIONS

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

B. Income During Administration of Estate. The income of any trust created by this Will shall accrue from the date of my death. During the administration of my estate and until the trust is established and funded, 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 payments of income to the income beneficiaries of the trust. These payments shall be an amount that in the joint judgment of the Trustee and the Executor equals the trust income that the beneficiaries would have received had the trust been established and funded. If an overpayment or underpayment results, the Trustee shall pay to or receive from the beneficiaries the appropriate amount

C. Distributions to Minor or Incapacitated Beneficiary. In making distributions to the beneficiaries from a trust created under this Will, and especially where a beneficiary is a minor or incapable of transacting business due to incapacity or illness, the Trustee may make distributions either (a) directly to the beneficiary, (b) to the legal or natural guardian of the beneficiary, (c) to a relative or guardian of the person of the beneficiary who has custody and care of the beneficiary by paying expenses directly.

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

E. Beneficiary's Interest Must Vest Within Rule Against Perpetuities Period. The interest of every beneficiary of any trust created herein shall vest within the period prescribed by the Rule against Perpetuities. Upon vesting, any trust property held by the Trustee shall be distributed to the beneficiary or beneficiaries of the trust property or to his or her legal guardian or other personal representative as though such beneficiary had reached the age at which final distribution was required.

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

ITEM VII  
MISCELLANEOUS AND TRUSTEE PROVISIONS

A. Trustee. I nominate and appoint my daughter, Felicia D. Morris, as Trustee of any trust created under this Will.

B. Bond and Accountings. No Trustee shall be required to enter into any bond as Trustee, to obtain the approval of any Court for the exercise of the powers or discretion provided

herein, or to file with any Court any periodic or formal accountings of the administration of any trust. The Trustee shall render annual accountings to each of the beneficiaries of any trust or his or her guardian if a beneficiary is a minor. No persons paying money or delivering property to the Trustee shall be required to see to its application.

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

D. Successor Trustee If Felicia D. Morris resigns or becomes unable to serve as Trustee of any trust created hereunder, regardless of the cause, then I name Nicole D. Hidalgo as successor Trustee. If Nicole D. Hidalgo resigns or becomes unable to serve as successor Trustee, I then name Walter J. Dubuc, III, to serve as successor Trustee.

E. Effective Date of Trustee's Resignation. The resignation of the Trustee, regardless of cause, shall become effective upon the qualification of the successor Trustee and submission of a full accounting by the resigning Trustee; however, the successor Trustee and the adult beneficiaries may agree to waive a final accounting by the Trustee being replaced.

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

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

H. Masculine References to Include Feminine and Neuter 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 VIII  
TRUSTEE POWERS

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

A. May Invest in Interest Bearing Accounts or CD's. To place trust funds on time deposit in interest bearing accounts or certificates of deposit in any federally insured financial institution, including any bank that may be serving as Trustee

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

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

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

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

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

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

H. May Receive, Retain and Invest in Certain Property. To receive and retain all types of property and especially to receive, invest in and retain shares of stock in closely-held corporations, partnership interests in general and limited partnerships, or other property regardless of where it may be situated, without liability and without regard to the proportion such property or property of a similar character so held may bear to the entire amount of the trust estate and whether or not such property is of the class in which trustees generally are authorized to invest by law

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

J. Rights as to Securities. To retain or acquire stocks, bonds or securities for investments; to exercise stock subscriptions, rights and options, to vote or grant proxies to vote all securities belonging to the trust; to pay assessments, to support, oppose or participate in any merger, reorganization, redemption or liquidation of any entity in which the trust owns an

interest; to pledge any securities or other property as security for any loan made by the Trustee, and to accomplish any other purpose of any nature incidental to the administration of the trust.

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

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

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

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

O. Farm Property. To manage any farm property, including the authority to plant and harvest crops; to breed, raise, and sell farm animals, aquatic produce and farm produce of all kinds; to purchase and sell equipment; to make improvements; to construct, repair or demolish

any buildings; to engage agents, managers and employees and delegate powers to them; to establish reasonable reserves for depreciation out of income; to replace improvements and equipment; to fertilize and improve the soil; to engage in the growing, improvement and sale of trees and other forest crops; and to perform any other acts deemed necessary or desirable to operate the farm property

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

#### ITEM IX EXECUTOR POWERS

A. Successor Executor to Have Powers and Duties of Original Executor. All rights, powers, duties and discretion granted to or imposed upon my Executor shall be exercisable by and imposed upon any successor Executor or Administrator. Where used throughout this Will, the terms "Executor" and "Administrator" may be used interchangeable and shall apply to whoever may be serving as personal representative of my estate, whether one or more than one.

B. Waiver of Bond Appraisal, Inventory and Accounting. I direct that neither my Executor nor any successor Executor or personal representative shall be required to make any bond as Executor. To the extent permissible by law, I waive the requirement that my Executor or

any successor Executor be required to make a formal appraisal, provide an inventory, or file an accounting for my estate with any court

C. Discretion to Select Property to be Distributed My Executor shall have discretion to select property to be distributed in satisfaction of any devise or bequest provided in this Will. My Executor shall exercise this discretion in a manner that is impartial to all beneficiaries under this Will. My Executor may satisfy any pecuniary bequest provided in this Will in cash or in kind or partly in cash and partly in kind, however, any asset distributed in kind shall be valued at its date of distribution value

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

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

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

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

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

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

J. Power to Invest My Executor shall have the power to invest or reinvest my assets in such bank accounts, securities, or real or personal property or to retain any of my assets as my Executor determines.

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

L. Right to Comply With My Lifetime Agreements. My Executor shall take all actions necessary to comply with any agreements I have made during my lifetime, including the consummation of any agreements relating to the stock of corporations I own or interests in partnerships I own whenever the terms of any such agreement obligate my estate or my personal

representatives to sell my interest therein. My Executor shall have the power to continue or permit the continuance of any business which I own or in which I have an interest at the time of my death

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

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

O. Section 6166 Election. My Executor shall have the power to elect to defer the payment of federal estate taxes as provided in Section 6166 of the Internal Revenue Code, or any corresponding provision of future law relating thereto. My Executor shall not incur any liability to any party for determining whether or not to exercise the discretion to elect or not to elect to defer the payment of taxes

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

IN WITNESS WHEREOF, I have signed and declared this to be my Last Will and Testament on this the 18 day of DECEMBER, 2001.

Walter J. Dubuc, Jr.  
WALTER J. DUBUC, JR.,

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

Honus S. Adams  
(Witness)

(Address) 111 Capital Street  
Jackson, Mississippi

Asherah L. Sullivan  
(Witness)

(Address) 11 E Capital Street  
Jackson, Ms

PROOF OF WILL

Thomas S Adams and Deborah L Sullivan

being duly sworn according to law on oath state

Each of us is a subscribing witness to the attached written instrument dated December 18, 2001, which purports to be the Last Will and Testament of WALTER J.DUBUC, JR. (the "Testator") who is personally known to each of us On the execution date of the instrument, the Testator, in our presence, signed, published and declared the instrument to be his Last Will and Testament, and requested that we attest his execution thereof. In the presence of the Testator and each other, each of us signed our respective names as attesting witnesses. At the time of execution of the instrument, the Testator appeared to be eighteen years of age or older, of sound mind, and acting without undue influence, fraud, or restraint.

DATED this 18<sup>th</sup> day of December, 2001

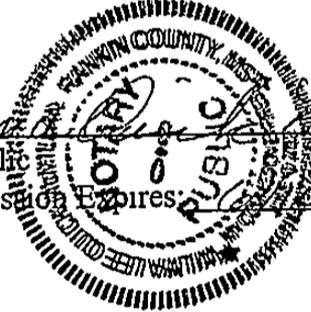
Thomas S. Adams  
(Witness)

Deborah L. Sullivan  
(Witness)

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Subscribed and sworn to before me, the undersigned Notary Public, on this the 18<sup>th</sup> day of December, 2001

Theresa D. McMillan  
Notary Public  
My Commission Expires: 2/20/2002



STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 10<sup>th</sup> day of May, 2002, at 9:00 o'clock a M., and was duly recorded on the 10<sup>th</sup> day of May, 2002, Book No. 34, Page 705.

MIKE CROOK, CHANCERY CLERK

BY: Karen Jupp D.C.



IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI MAY 10 2002

IN RE: IN THE MATTER OF THE WILL AND ESTATE OF WALTER J. DUBUC, JR., DECEASED

MIKE CROOK CHANCERY CLERK By: *Karla Supp* D.C.

NO. 2002-311

PROOF OF WILL

STATE OF MISSISSIPPI COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for the aforesaid jurisdiction, Deborah L. Sullivan, subscribing witness to the instrument of writing purporting to be the Last Will and Testament of Walter J. Dubuc, Jr., deceased, of Madison County, Mississippi, who, having been first by me duly sworn, deposed and said that Walter J. Dubuc, Jr., in her presence and the presence of the other witness, Holmes S. Adams, signed, published, and declared the instrument as his Last Will and Testament on December 18, 2001, and that in the presence of Walter J. Dubuc, Jr., and each other, the deponent and the other witness, Holmes S. Adams, each subscribed and attested the instrument as a witness to the signature and publication at the special instance of, and in the presence of, Walter J. Dubuc, Jr. on the day and year of the date thereof; and that at the time of execution of the instrument Walter J. Dubuc, Jr. appeared to be eighteen years of age or older, of sound mind, and acting without undue influence, fraud, or restraint.

*Deborah L. Sullivan*  
Deborah L. Sullivan

SWORN TO AND SUBSCRIBED before me, this the 18<sup>th</sup> day of April, 2002

*Janna H. Welch*  
Notary Public  
My Commission Expires: \_\_\_\_\_  
MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES JULY 2, 2005  
BONDED THRU STEGALL NOTARY SERVICE



STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 10<sup>th</sup> day of May, 2002, at 9:00 o'clock AM, and was duly recorded on the 10<sup>th</sup> day of May, 2002, Book No 34, Page 720.

MIKE CROOK, CHANCERY CLERK BY: *Karla Supp* D.C.





IN WITNESS WHEREOF, I have hereunto subscribed my name, this, the 14 day of July, 1995.

Frank Coxe Zimmerman  
FRANK COXE ZIMMERMAN

This instrument was, on the date shown above, signed, published and declared by FRANK COXE ZIMMERMAN 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.

Steve Lawrence  
WITNESS

1229 Winterview Dr  
ADDRESS

Jackson, MS 39241

Debbie Green  
WITNESS

5175 Alapac Blvd.  
ADDRESS

Jackson, Ms. 39206

STATE OF MISSISSIPPI, COUNTY OF MADISON



I certify that the within instrument was filed for record in my office this 17th day of May, 20 02, at 2:00 o'clock P M., and was duly recorded on the MAY 17 2002, Book No. 34, Page 721.

MIKE CROOK, CHANCERY CLERK

BY: Stacey H. [Signature] D.C.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
FRANK COXE ZIMMERMAN, DECEASED

**FILED**  
CASE NO. 0002-274  
THIS DATE

PROOF OF WILL

MAY 17 2002

STATE OF MISSISSIPPI  
COUNTY OF Hinds

MIKE CROOK  
CHANCERY CLERK  
By: [Signature] D.C.

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Steve Lawrence, 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 Last Will and Testament of Frank Coxe Zimmerman, Deceased;

That the said Frank Coxe Zimmerman signed, published and declared said instrument to be his Last Will and Testament on the 14<sup>th</sup> day of July, 1995, in the presence of this affiant and Debbie Green, the other subscribing witness to said instrument, and

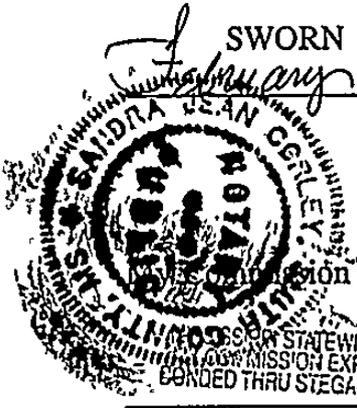
That said Testator was then of sound and disposing mind and memory and over the age of eighteen years;

That this affiant and Debbie Green subscribed and attested said instrument as witnesses to the signature and publication thereof at the special instance and request and in the presence of said Testator and in the presence of each other.

[Signature: Steve Lawrence]  
Steve Lawrence

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 19<sup>th</sup> day of January, 2002.

[Signature: Sandra Jean Colby]  
Notary Public



U:\usr\people\Tabatha\Roger Williams\Frank Zimmerman Estate\Proof of Will.wpd



STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 17<sup>th</sup> day of May, 2002, at 2:00 o'clock P M, and was duly recorded on the MAY 17 2002, Book No 34, Page 723



MIKE CROOK, CHANCERY CLERK BY: [Signature] D.C.

FILED  
THIS DATE

MAY 17 2002

LAST WILL AND TESTAMENT

OF

MARY ELIZABETH JEROME

MIKE CROOK  
CHANCERY CLERK  
By: *[Signature]* D.C.

# 2002-394

I, Mary Elizabeth Jerome, a widow, being of sound and disposing mind and memory and an adult resident and citizen of Madison County, Mississippi, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all other wills and codicils thereto which may have been heretofore made by me;

W I T N E S S E T H:

Item 1. I do hereby give, devise and bequeath all of my real and personal property, of every nature and description whatsoever, including all bank accounts and certificates of deposit, unto my six children, namely: Francis Patrick Jerome, David Wayne Jerome, Nora J. Cole, Carolyn J. McRae, Lillian J. Bergeron, and Eleanor J. Jester, in equal shares, to share and share alike.

Item 2. I do hereby name, constitute and appoint my son, Francis Patrick Jerome, to serve as the Executor of my estate, without bond, and, to the fullest extent allowed by law, I do hereby waive and relieve my said Executor from the requirement of his having to make and file any inventory, accounting, or appraisal with any court in connection with the administration of my estate. Should Francis Patrick Jerome fail, refuse or be unable for any reason to qualify and serve as the Executor of my estate, then in that event I do hereby name, constitute and appoint my daughter, Eleanor J. Jester, to serve as the Executrix of my estate, without

*M.E.J.*

bond, and, to the fullest extent allowed by law, I do hereby waive and relieve my said Executrix from her having to make and file any appraisal, inventory or accounting with any court in connection with the administration of my estate.

WITNESS MY SIGNATURE, this the 30<sup>th</sup> day of September, 1997.

Mary Elizabeth Jerome  
MARY ELIZABETH JEROME

THIS INSTRUMENT, was on the 30 day of September 1997, signed published and declared by Mary Elizabeth Jerome, in our presence, to be her Last Will And Testament; and, on said date, we, at her request and in her presence and in the presence of each other, subscribed our names hereto as witnesses to the execution thereof.

J. M. Ritchey  
J. M. RITCHEY, WITNESS

Te Helms  
TE HELMS, WITNESS

jerome will  
023/093097

STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 17<sup>th</sup> day of May, 2002, at 2:00 o'clock P.M., and was duly recorded on the MAY 17 2002, Book No. 34, Page 724.

MIKE CROOK, CHANCERY CLERK

BY: Stacey D.C.



**FILED**  
THIS DATE

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI MAY 17 2002

IN THE MATTER OF THE  
LAST WILL AND TESTAMENT OF  
MARY ELIZABETH JEROME, DECEASED

MIKE CROOK  
CHANCERY CLERK  
By: [Signature] D.C.

CIVIL ACTION, FILE NO: 2002 - 394

PROOF OF WILL

STATE OF MISSISSIPPI  
COUNTY OF MADISON

PERSONALLY appeared before me, the undersigned Notary Public in and for the jurisdiction aforesaid, J. M. Ritchey , one of the two subscribing witnesses to the foregoing and annexed instrument of writing purporting to be the last will and testament of Mary Elizabeth Jerome, deceased, late of Madison County, Mississippi, who, having been by me first duly sworn, stated that the said Mary Elizabeth Jerome, the testatrix, signed, published and declared said instrument of writing to be her last will and testament on the 30th day of September 1997, in the presence of the deponent and Te Helms; that the said testatrix was then and there of sound and disposing mind and memory and was more than eighteen years of age; that the deponent and Te Helms subscribed and attested said instrument of writing, as witnesses to the testatrix's signature and publication thereof, at the special instance and request of and in the presence of the testatrix, on the day and year of the date thereof; and that the deponent is now and was at the time of said attestation a competent witness under the laws of the State of Mississippi.

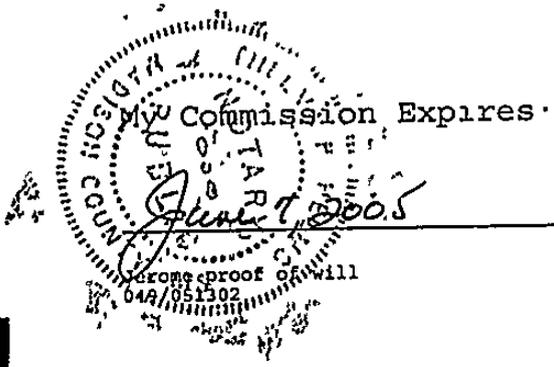
BU0034 727

WITNESS MY SIGNATURE, this the 16 day of May, 2002.

J. M. Ritchey  
J. M. RITCHEY

SWORN TO and subscribed before me, this the 16 day of May, 2002.

Shelma Helms  
NOTARY PUBLIC



STATE OF MISSISSIPPI, COUNTY OF MADISON.



I certify that the within instrument was filed for record in my office this 17th day of May, 2002, at 2:00 o'clock P M., and was duly recorded on the MAY 17 2002, Book No. 34, Page 726.

MIKE CROOK, CHANCERY CLERK

BY: Stanley Hill D.C.

2002-355

**GEORGE SIMES, SR.**

MAY 22 2002

MIKE CROOK  
CHANCERY CLERK  
By: Meado D.C.

I, the undersigned, **GEORGE SIMES, SR.**, being of legal age to make and execute a **LAST WILL AND TESTAMENT**, being of sound and disposing mind and memory, and having a fixed place of residence in the County of Madison, 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 hereby devise and bequeath unto my beloved wife, Sara Simes, all of my right title and interest in the marital residence, 123 Tyson Road, Canton, Madison County, Mississippi. Also, I hereby devise and bequeath unto my beloved wife, Sara Simes, all of my right, title and interest in that certain real property located at 436 Cherry Street, Canton, Madison County, Mississippi; 437 Cherry Street, Madison County, Mississippi; 440 Cherry Street, Canton, Madison County, Mississippi; 444 Cherry Street, Madison County, Mississippi; and 468 Cherry Street, Madison County, Mississippi.

**THIRD:** I further devise and bequeath unto my beloved wife, Sara Simes, all of my right, title and interest in that certain 1991 Chevrolet Van, and 1995 Cadillac, if they exist at the time of my death.

**FOURTH:** I hereby devise and bequeath unto my beloved children, George Simes, Jr., Curtis Simes, Charles Simes, Samuel Simes, Larry Simes, Anthony Simes, Willie Simes, Percy Simes, Jimmy Simes, Phil Terry, James Earl Simes, Edna Simes Kelly, and Pam Simes Bryan, all of my right title and interest in that certain property located at 433 Cherry Street, Canton, Madison County, Mississippi, and 415 Welch Street, Canton, Madison County, Mississippi, to share and share alike

**FIFTH:** All of the remainder of my property, real, personal and mixed of whatsoever nature, character or description and wheresoever located of which I may have the power to dispose at my death I hereby give, devise and bequeath unto my beloved wife, Sara Simes, to have and to hold as her property absolutely.

**SIXTH:** I hereby designate and appoint my beloved wife, Sara Simes to serve as Executrix of this my **LAST WILL AND TESTAMENT**, and that she so serve without bond.

**SIXTH:** It is my desire that **PRIESTER LAW FIRM**, 371 Edgewood Terrace, Jackson, Mississippi 39206, serve as Attorneys for the administration of my estate.

WITNESS MY SIGNATURE on this the 7<sup>th</sup> day of March, 1999.

George Simes  
GEORGE SIMES, SR.

WITNESSES:

Clara T Rhodes  
Annie S. Belton

ATTESTATION AND AFFIDAVIT OF SUBSCRIBING WITNESSES

FILED THIS DATE

MAY 22 2002

STATE OF MISSISSIPPI COUNTY OF HINDS

MIKE CROOK CHANCERY CLERK By: Meador D.C.

THIS DAY personally came and appeared before me, the undersigned authority in and for the aforesaid jurisdiction, the within named Clara T Rhodes and Anne T. Dixon, each of whom, after being by me first duly sworn, on their oaths state that the two (2) of them are the subscribing witnesses to the LAST WILL AND TESTAMENT OF GEORGE SIMES, SR., and that they respectively and jointly certify that said instrument was declared by the said GEORGE SIMES, SR. to be his Last Will and Testament in their presence simultaneously, and that they did, at his request, subscribe their names thereunto as witnesses, in his presence of each other; and, further, that they are adult resident citizens of the State of Mississippi, and that they are competent to testify as to the matters contained herein. That they are acquainted with the said GEORGE SIMES, SR. and they know from their own personal knowledge that said Testator is a resident of the County of Madison, State of Mississippi, of legal age to make a Will, and is of sound and disposing mind and memory and fully capable of appreciating his acts and the consequences thereof on this date and for some time theretofore.

Clara T Rhodes  
WITNESS

3692 James Monroe Dr.  
ADDRESS

Jackson Miss. 39213  
CITY STATE

Annie S. Dixon  
WITNESS

867 Cherry Ridge Dr  
ADDRESS

Canton, MS 39056  
CITY STATE

SWORN TO AND SUBSCRIBED before me this the 17th day of March, 1999.

Katrina Taylor  
NOTARY PUBLIC

My Commission Expires: 6-22-2000



My Commission Expires on June 22, 2000

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF **FILED** CIVIL ACTION  
THIS DATE

GEORGE SIMES, SR., DECEASED

MAY 28 2002

FILE NO 2002-355

MIKE CROOK  
CHANCERY CLERK

By: [Signature] D.C.

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF MADISON

This date personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Clara T Rhodes, who being by me first duly sworn according to law states on oath as follows, to-wit:

(1). That this affiant is one of two subscribing witnesses to an instrument of writing purporting to be the Last Will and Testament of George Simes, Sr., whose signature is affixed to the Last Will and Testament dated March 7, 1999

(2). That on the 7<sup>th</sup> day of March, 1999, the said George Simes, Sr. signed, published and declared the instrument of writing as his Last Will and Testament, in the presence of the affiant and in the presence of Annie Dixon, the other subscribing witness to the instrument.

(3). That George Simes, Sr. was then and there of the sound and disposing mind and memory and well above the age of eighteen (18) years.

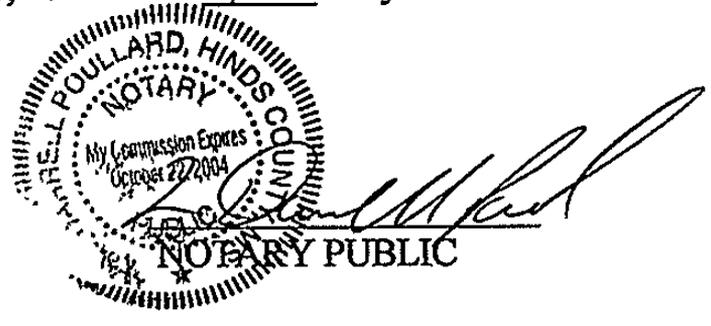
(4). That this affiant, together with Annie Dixon, subscribed and attested said

instrument as witnesses to the signature and publication thereof at the special instance and request, and in the presence of George Simes, Sr. and in the presence of each other.

Witness, my signature on this the 4<sup>th</sup> day of March 2002.

Clara T Rhodes  
Clara T. Rhodes

SWORN to and SUBSCRIBED before me, this the 4<sup>th</sup> day of March, 2002.



(SEAL)  
My commission expires:  
10/22/04

STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 22 day of May, 2002, at 2: o'clock P M., and was duly recorded on the 5/22/02, Book No. 34, Page 728.



MIKE CROOK, CHANCERY CLERK BY: Regina Meadows O.C.

July 16, 2001  
2002-404

For my daughters,

Melissa Lee Gardner and Mary  
Judith Taylor who have been my best my  
reason for living and breathing for forty years  
now. If for some reason things do not  
go well July 17, these are my wishes:

my jewelry which will be all together  
in the top of my chest, my three furs are in  
my chest, my Waterford crystal (and I have  
12 stems in most) is in the kitchen cabinet.  
my two sets of sterling <sup>are</sup> in the silver  
chest and in the knife holder. I  
want these items removed from  
the house before Chuck and Vivian  
get their hands on any of them.

The knife holder are to be included  
the last price list that I saw; they  
were over over \$2,000. My Wedgewood,  
especially the big pieces, will go. Ashton  
is to have my solitaires. I want  
your Daddy to go ahead and give  
it to you before something happens  
to it. I do not want her to have  
it until she is old enough to take  
care of it.

Jashed has gotten a car ahead  
and, my unborn baby, will have my  
vacuum ~~my~~ cleaner and my map. The  
Dustin will be taken care of by one of my small  
ins. Pelcier - Allstate Life Ins. Co. P.O. Box 3580, Ake  
Ohio 44309 acc 64403219, acct # 22222994 36 + 34

FILED  
THIS DATE

MAY 23 2002

Wm. J. Morrison - N.C.

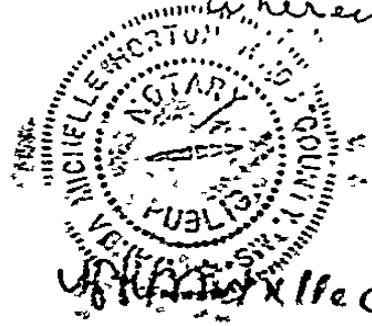
I have some expensive and valuable pieces; ie, oriental lamp in living room, oriental foot bath, antique Amari bowl, antique tea caddy, <sup>antique</sup> Rosewood box, antique table runner (has 14 kt gold threads), \$1,000, Satsuma plates in living room, Satsuma lamp in Dr. Price's room (very old) antique wickerwood lamp in my closet, antique typewriter, antique Chaisone bowl large and rare, oriental palace box (red) on top of corner cabinet antique and quite expensive from The Oriental Shoppe.

I have twelve place settings of Bone + China which I want you, Judith, to have. Melissa, you have your beautiful strawberry. you will have to make a choice on the sterling; I can't do that for you, ok.

I fully expect this to happen - Chuck and all to move in, and, in the event that happens, you are to back a truck up to the door and when you finish you will have left your Daddy's bed, his armoire, the television the recliner in the den, the appliances, and absolutely nothing else. I have sorry pieces of humanity are not to come in and tear up what I worked day and night, summer and winter for. Please do this for me.

If this doesn't happen, try to talk your Daddy into selling this place and buying himself a patio home.

Wherever I go, you two will go with me,



Mama  
Ann L. Day  
February 29, 2002

STATE OF MISSISSIPPI, COUNTY OF MADISON



I certify that the within instrument was filed for record in my office this 23 day of May, 2002, at 2:15 o'clock P.M., and was duly recorded on the 5/23/02, Book No 1034, Page 733  
MIKE CROOK, CHANCERY CLERK BY: R Meador D.C.

## LAST WILL AND TESTAMENT

MAY 24 2002

OF

VOLETA PATE

MIKE CROOK  
CHANCERY CLERKSt. Reneado D.C.

2002-269

I, VOLETA PATE, an adult resident citizen of Hinds County, Mississippi, being of sound mind and body do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all wills and codicils heretofore made by me.

I.

I appoint as Executor of this my Last Will and Testament, ORVILLE D. JARRELL, of Coffeenville, Mississippi. He shall serve without bond and shall not be required to make accounting, inventory or appraisal in connection with my Estate. I direct that he pay all debts registered, probated and allowed against my Estate, and to place a suitable marker over my gravesite.

II.

I hereby give my Executor full power and authority to se any personal property I may own at the time of my death without authority of any Court whatsoever and upon such term and condition as he may see fit. The proceeds of such sale, after expenses, shall be placed in my Estate to pay Estate expense or be distributed as hereinafter set forth.

III.

I hereby will, devise and bequeath to my nephew, JAMES ORVILLE PATE, all of my real property for and during the term of his natural life, with remainder to his son, NATHAN PATE. It is my desire that they take care of all the flowers and shrubs at my old homeplace in Coffeenville.

IV.

All the rest, residue and remainder of my property, real or personal, I hereby will, devise and bequeath to my nephew, JAMES ORVILLE PATE.

In witness whereof, I have signed and declared this to be my Last Will and Testament on this, the 22 day of November, 1995.

Voleta Pate  
VOLETA PATE

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

[Signature]  
WITNESS  
1063 Poplar #3  
Jackson MS 39202  
ADDRESS

[Signature] Nowood  
WITNESS  
244 Swan Lake Dr.  
Jackson, MS 39212  
ADDRESS

PROOF OF WILL

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Personally appeared before me the undersigned authority in and for the aforesaid County and State Allen Tye and Sherry Norwood the subscribing witnesses to the Last Will and Testament of VOLETA PATE which was executed by the said Voleta Pate on the 22 day of November, 1995, in their presence and in the presence of VOLETA PATE and that they subscribed this name to said Will and Testament at the special instance and request of VOLETA PATE in her presence and in the presence of each other.

Affiants state that at the time of the execution of said Will VOLETA PATE was over the age of 18 years and was of sound and disposing mind and memory and that she requested the affiants to witness said execution of said Will.

Allen Tye  
AFFIANT

Sherry Norwood  
AFFIANT

Sworn to and subscribed before me on this 22 day of November, 1995.

Don R. [Signature]  
NOTARY PUBLIC

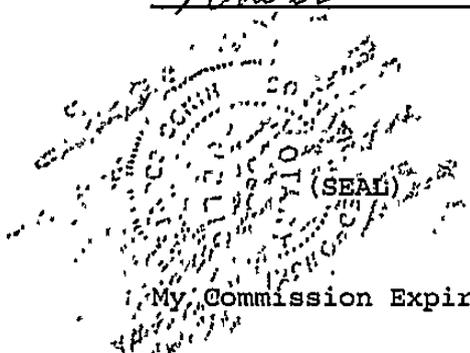


EXHIBIT "B"

STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 24<sup>th</sup> day of May, 2002, at 8:20 o'clock A M, and was duly recorded on the 5/24/02, Book No. 34, Page 735



MIKE CROOK, CHANCERY CLERK

BY: [Signature] D C

2002-267

0034 PAGE 738

**FILED**  
THIS DATE

MAY 13 2002

**Last Will and Testament**  
MIKE CROOK  
CHANCERY CLERK  
By Mike Crook DC

I, MARION T. RUNNELS, maintaining my fixed place of residence in the City of Canton, Madison County, Mississippi, and being over the age of twenty-one (21) years, and of sound mind and disposing memory do hereby make, publish, constitute and declare, this to be my last will and testament hereby expressly revoking any and all wills or codicile heretofore made by me:

I.

I hereby appoint my wife, MARY INEZ RUNNELS as executrix of my last will and testament and direct that she serve as such without being required to post bond or to account to any Court.

II.

I hereby appoint my wife, MARY INEZ RUNNELS as guardian of any of my children who shall be minors at the time of my death.

III.

I hereby will, devise and bequeath all of my property, real, personal and mixed wheresoever situated unto my wife, MARY INEZ RUNNELS, to have and to hold as hers absolutely.

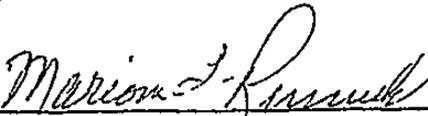
IV.

In the event that my wife, MARY INEZ RUNNELS shall fail to survive me, or in the event of our simultaneous deaths under circumstances which render it uncertain as to which of us survived the other, then in that event:

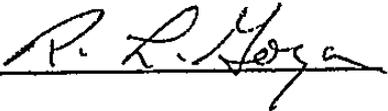
(a) I appoint my son, SIDNEY MARION RUNNELS as executor of my last will and testament and direct that he serve as such without being required to post bond.

(b) I will, devise and bequeath all of my property real, personal and mixed wheresoever situated unto my children, SIDNEY MARION RUNNELS and DAVID THOMAS RUNNELS in equal shares, share and share alike, per stirpes.

IN WITNESS WHEREOF I have hereunto affixed my signature on this the 12<sup>th</sup> day of February, 1972.

  
\_\_\_\_\_  
Marion T. Runnels

ATTESTING WITNESSES:

  
\_\_\_\_\_

  
\_\_\_\_\_

ATTESTATION CLAUSE

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

WITNESS OUR SIGNATURES on this the 12 day of February, 1972.

R. L. Goyen

Phillip B. Bennett

WITNESSES

STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 13th day of May, 2002, at 10:00 o'clock a M, and was duly recorded on the MAY 13 2002, Book No. 34, Page 738.

MIKE CROOK, CHANCERY CLERK

BY: Sharon Hill D.C.



IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
MARION T. RUNNELS, DECEASED

CIVIL ACTION FILE NO. 2002-367

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, R . L. GOZA, one of the subscribing witnesses to a certain instrument in writing purporting to be the Last Will and Testament of Marion T. Runnels, deceased, late of the County of Madison, Mississippi, who having been duly sworn makes oath that the said Marion T. Runnels signed, published and declared said instrument as his Last Will and Testament on the 12th day of February, 1972, the day and date of said instrument, in the presence of this affiant and Phillip Buffington, 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, R L. Goza, the Affiant, and Phillip Buffington, who is also now deceased, 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.

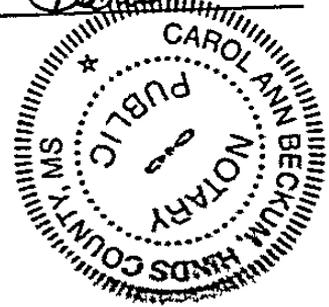
  
R. L. Goza

BOOK 0034 PAGE 742

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

May, 2002.

Carol Ann Beckum  
NOTARY PUBLIC



MY COMMISSION EXPIRES:

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES SEPT. 5, 2003  
(SEAL)

I:\FIRM\WRCPI\ESTATE\RUNNELS\AFFIDAVIT(GOZA) WPD  
3132-4/46,960

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 May, 2002, at 10:00 o'clock AM, and was duly recorded  
on the MAY 13 2002, Book No. 34, Page 741.

MIKE CROOK, CHANCERY CLERK

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

**FILED**  
THIS DATE

MAY 31 2002

11:00 A.M.

MIKE CROOK

CHANCERY CLERK

SF. *[Signature]* DC.

LAST WILL AND TESTAMENT

OF

JAMES N. COOK

#2002-007

I, JAMES N. COOK, resident of Camden, Madison County, State of Mississippi, being over the age of twenty-one (21) years and of sound and disposing mind and memory, do hereby make, publish and declare this as my Last Will and Testament, hereby revoking all other wills and testaments heretofore made by me.

I.

I hereby name and constitute my wife, CHARLINE H. COOK to serve as Executrix of this my Last Will and Testament. Said Executrix aforementioned shall not be required to post any bond as Executrix, make any accounting, appraisals or inventories to the Court.

II.

I direct that my Executrix shall pay all of my just debts which may be probated and allowed, funeral expenses and cost of a suitable monument, as well as all expenses of administration of my estate and any estate and inheritance taxes owed on my estate.

III.

I hereby devise and bequeath all of my estate, whether personal or real, to my wife, CHARLINE H. COOK.

IV.

I, hereby devise and bequeath to my nephews, WILLIAM COOK, JR., Brandon, Mississippi, JAMES DANIEL COOK, Ridgeland, Mississippi, WALTER MCGOWAN COOK, Madison, Mississippi, 180 acres of the old home place situated on Cook Cobb Road, Camden, Mississippi, to be divided equally share and share alike.

V.

I, hereby devise and bequeath to my wife 8 acres and the house situated on Cook Cobb Road, Camden, Mississippi.

VI.

I hereby devise and bequeath all the rest and residue of my estate, whether personal, real or mixed or whatsoever kind or nature, and wheresoever situated to my wife, CHARLINE H. COOK.

VII.

In the event that my wife, CHARLINE H. COOK, should predecease me, I hereby nominate and appoint my nephew WILLIAM C. COOK, JR., 25 Thorngate, Brandon, Rankin County, Mississippi to serve as Executor of this my Last Will and Testament and direct that he shall not be required to post any bond as Executor, make any accounting, appraisals or inventories to the Court.

VIII.

In the event that my wife, CHARLINE H. COOK, should predecease me, I hereby devise and bequeath all of the rest and residue my estate, whether personal, real or mixed or whatsoever kind or nature, and wheresoever

situated to the following, BETTY WHITE WALKER of Cleveland, MS, POLLY COOK ANDERSON of Greenville, MS, EARNEST WAYNE HAMILTON of Jacksonville, FL, CHRISTY PEEK BAILEY of Marion, AR, share and share alike.

IN THE 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 the undersigned witnesses, 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, all know this the 11 day of Dec, 1995.

James N. Cook  
TESTATOR  
JAMES N. COOK

ATTESTING CLAUSE

WITNESSES:

Barbara P. Edwards

Thomas D. Valiga

ADDRESSES:

Route 4, Box 426  
Lexington, MS 39095

Box 10  
Pickens, MS 39146

We, the undersigned, do hereby certify that JAMES N. COOK, declared and published the foregoing instrument to be his Last Will and Testament in our presence and that he signed and subscribed the same as his Last Will and Testament in our presence, especially and expressly requesting us to be the subscribing witnesses, each signing in the presence of the Testator, and in the presence of each other.

Barbara P. Edwards  
WITNESS  
Thomas Olfert  
WITNESS:

This the 11 day of December, 1995.

STATE OF MISSISSIPPI, COUNTY OF MADISON



I certify that the within instrument was filed for record in my office this 31st day of May, 2002, at 11:00 o'clock A. M., and was duly recorded on the 31<sup>st</sup> day of May, 2002 Book No. 34, Page 743.

MIKE CROOK, CHANCERY CLERK

BY: Karen Supp D.C.

Last Will and Testament **FILED**  
THIS DATE

2002-426

OF

JUN 03 2002

DARWIN CHARLES WILSON

MIKE CROOK  
CHANCERY CLERK  
By: *[Signature]* DC.

I, DARWIN CHARLES WILSON, an adult resident citizen of Madison County, Mississippi, being of sound mind 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 direct my Executor to pay my debts and funeral expenses, the expense of my last illness and the expenses of administering my estate.

ARTICLE II.

I hereby nominate and appoint my wife, Nora Nydia Wilson, as Executrix of this 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 Uniform Trustees' Powers Act.

In the event my wife, Noria Nydia Wilson, is unable for any reason to serve as Executrix, then I hereby nominate and appoint my attorney, Fred W. Johnson, Jr., to serve in her stead as Executor and 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 Uniform Trustees' Power Act.

ARTICLE III.

I give all of my tangible property to my wife, Nora Nydia Wilson if she shall survive me. If she shall not survive me, I give all of my tangible property as follows:

a. If my son's former wife, Paula Gail Wilson, has not remarried, the I give to her \$5,000.00. In the eyent that Paula Gail Wilson has remarried, then I give her \$1,000.00.

b. All other cash, insurance proceeds, bonds, certificates of deposit, bank accounts, and stocks and remaining property shall be placed in a trust for my son, Douglas Charles Wilson, and

*[Signature]*  
DCW  
9-3-99

my granddaughter, Amanda Gail Wilson, in equal shares. I appoint my attorney, Fred W. Johnson, Jr., as Trustee of this private Trust. If Fred W. Johnson, Jr. should cease to serve for any reason, I nominate and appoint Harold B. McCarley, Jr. to serve as Trustee, also without the necessity of a surety being required on the bond of my Trustee. I direct that the Trust shall be administered under the following terms and conditions:

c. I request that no surety be required on the bond of my Trustee. This is a private Trust and no accounting to any court of law shall be required except that an annual accounting will be given each of the beneficiaries of this Trust.

I direct that when my granddaughter, Amanda Gail Wilson, obtains the age of the twenty-one (21) years old, she will become a Co-Trustee of this Trust being administered for her and her father.

d. The Trustee is empowered with all of the powers given to Trustees in the Uniform Trustee's Powers Act

e. The Trustee, at his discretion, shall pay or use for the benefit of Amanda Gail Wilson and Douglas Charles Wilson, without regard to equity of distribution, so much of the net income and principal, if income is insufficient, as the Trustee considers necessary to provide for the reasonable health, education and support. The Trustee shall periodically add to the principal of the Trust any income not currently distributed.

f. When Amanda Gail Wilson reaches the age of twenty-five (25) years old of age, the Trustee shall distribute one-half ( $\frac{1}{2}$ ) of the value of the Trust to her outright, if she so desires.

g. The remaining part of the Trust will continue to be held in trust for the use and benefit of my son, Douglas Charles Wilson, as long as he may live. At the time of my son's death, his share of the Trust shall be distributed outright to Amanda Gail Wilson provided she has reached the age of twenty-five (25) years.

h. It is my desire that the mental and physical well being of my son, Douglas Charles Wilson, is taken care of as long as he may live. As long as he is doing well mentally and emotionally, then it is my desire that my Trustee or Co-Trustees give him a monthly distribution from the Trust, but if in the event, he is not fully functioning mentally and emotionally, then it is my

desire that these funds be withheld. However, regardless of the situation, it is my desire that whatever funds are necessary to take care of his mental and physical well being will be expended to insure this.

ARTICLE IV.

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

IN WITNESS WHEREOF, I have hereunto subscribed my name, this the 2<sup>nd</sup> day of September 1999.

Darwin C. Wilson  
DARWIN CHARLES WILSON

This instrument was, on the day shown above, signed, published and declared by Darwin Charles Wilson 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

WITNESS:

John W. Johnson, Jr.  
Walter E. [unclear]

ADDRESS.

357 Town Center Blvd #108  
Ridgeland, MS 39157  
P.O. Box 2728  
Ridgeland, MS 39158

DCW  
DCW  
9-2-99

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 FRED W. JOHNSON, JR., 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 DARWIN CHARLES WILSON, who was personally known to the affiant, and whose signature is affixed to said Last Will and Testament, which Last Will and Testament is dated SEPTEMBER, 1999.

2. That on SEPTEMBER 2, 1999, the said DARWIN CHARLES WILSON 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 HAROLD B McCARLEY, JR. the other subscribing witness to said instrument.

3. That the said DARWIN CHARLES WILSON 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 HAROLD B McCARLEY, JR. subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of said DARWIN CHARLES WILSON, and in the presence of each other.

Fred W. Johnson

SWORN TO AND SUBSCRIBED BEFORE ME, this the 2<sup>nd</sup> day of September, 1999.

Jane S. Duvivier  
NOTARY PUBLIC



Alcar  
DCW  
9-2-99

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 HAROLD B. McCANLEY, JR., 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 DARWIN CHARLES WILSON, who was personally known to the affiant, and whose signature is affixed to said Last Will and Testament, which Last Will and Testament is dated SEPTEMBER 2, 1999.

2. That on SEPTEMBER 2, 1999, the said DARWIN CHARLES WILSON 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 FRED W. JOHNSON, JR., the other subscribing witness to said instrument.

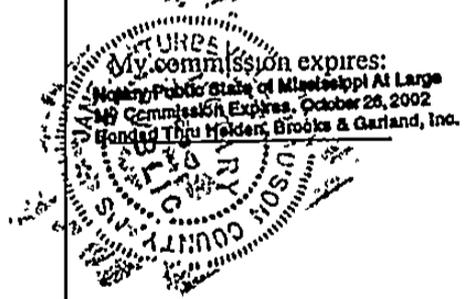
3. That the said DARWIN CHARLES WILSON was then and there of sound and disposing mind and memory, and well above the age of twenty-one (21) years

4. That this affiant, together with FRED W. JOHNSON, JR. subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of said DARWIN CHARLES WILSON, and in the presence of each other.

[Signature]

SWORN TO AND SUBSCRIBED BEFORE ME, this the 2<sup>nd</sup> day of September, 1999.

[Signature]  
NOTARY PUBLIC



[Signature]  
DCW  
9-2-99

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 June, 2002, at 9:00 o'clock a M., and was duly recorded on the JUN 3 2002, Book No. 34, Page 747



MIKE CROOK, CHANCERY CLERK

BY: [Signature] DC

**FILED**

THIS DATE

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

JUN 03 2002

IN THE MATTER OF THE ESTATE OF  
DARWIN CHARLES WILSON, DECEASED

MIKE CROOK  
CHANCERY CLERK

CAUSE NO. 2002-426

By: SCOTT TOLSON DC.

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI  
COUNTY OF MADISON

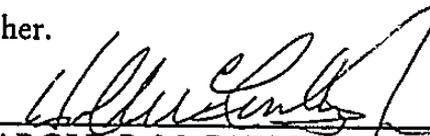
This date personally appeared before me, the undersigned authority at law in and for the jurisdiction aforesaid, the within named Harold B. McCarley, Jr., who being by me first duly sworn according to law, says on oath:

1. That this affiant is one of the subscribing witness to an instrument of writing purporting to be the Last Will and Testament of Darwin Charles Wilson, deceased, who was personally known to the affiant, and whose signature is affixed to the Last Will and Testament, dated the 2<sup>nd</sup> day of September, 1999.

2. That on the 2<sup>nd</sup> day of September, 1999, said Darwin Charles Wilson signed, published and declared the instrument of writing as his Last Will and Testament, in the presence of this affiant and in the presence of Fred W. Johnson, Jr., the other subscribing witness to the instrument.

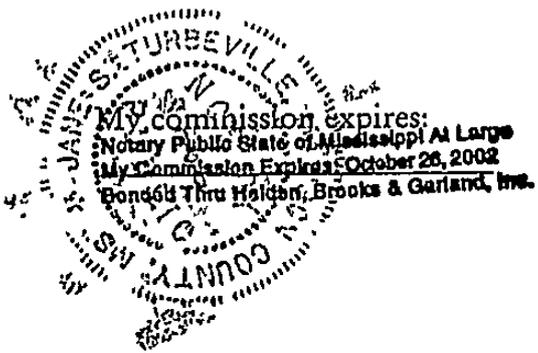
3. That Darwin Charles Wilson, was then and there of sound and disposing mind and memory, and above the age of twenty-one (21) years.

4. That this affiant, subscribed and attested said instrument as witness to the signature and publication thereof, at the special instance and request, and in the presence of said Darwin Charles Wilson, and in the presence of each other.

  
\_\_\_\_\_  
HAROLD B. McCARLEY, JR.

SWORN TO AND SUBSCRIBED before me, this the 20<sup>th</sup> day of May, 2002.

Jane S. Turbeville  
NOTARY PUBLIC



STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 3rd day of June, 2002, at 9:00 o'clock a M., and was duly recorded on the JUN 3 2002, Book No. 34, Page 752



MIKE CROOK, CHANCERY CLERK BY: Jacey Tolen D.C.

**FILED**

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

~~THIS DATE~~

JUN 03 2002

IN THE MATTER OF THE ESTATE OF

DARWIN CHARLES WILSON, DECEASED

MIKE CROOK  
CHANCERY CLERK

CAUSE NO. 2002-426

By: Sharon Tolson JUDGE

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI  
COUNTY OF MADISON

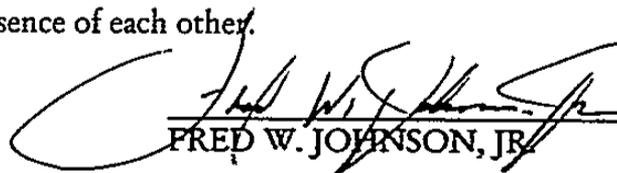
This date personally appeared before me, the undersigned authority at law in and for the jurisdiction aforesaid, the within named Fred W. Johnson, Jr., who being by me first duly sworn according to law, says on oath:

1. That this affiant is one of the subscribing witness to an instrument of writing purporting to be the Last Will and Testament of Darwin Charles Wilson, deceased, who was personally known to the affiant, and whose signature is affixed to the Last Will and Testament, dated the 2<sup>nd</sup> day of September, 1999.

2. That on the 2<sup>nd</sup> day of September, 1999, said Darwin Charles Wilson signed, published and declared the instrument of writing as his Last Will and Testament, in the presence of this affiant and in the presence of Harold B. McCarley, Jr., the other subscribing witness to the instrument.

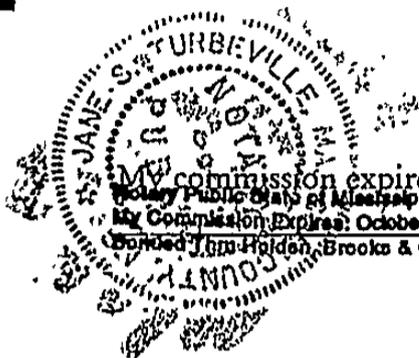
3. That Darwin Charles Wilson, was then and there of sound and disposing mind and memory, and above the age of twenty-one (21) years.

4. That this affiant, subscribed and attested said instrument as witness to the signature and publication thereof, at the special instance and request, and in the presence of said Darwin Charles Wilson, and in the presence of each other.

  
FRED W. JOHNSON, JR.

SWORN TO AND SUBSCRIBED before me, this the 29<sup>th</sup> day of May, 2002

Jane S. Incheville  
NOTARY PUBLIC



STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 3rd day of June, 2002, at 9:00 o'clock a M., and was duly recorded on the JUN 13 2002, Book No. 34, Page 754

MIKE CROOK, CHANCERY CLERK

BY: Jacey Toton D.C.



# Last Will and Testament **FILED** THIS DATE

2002-427

OF

JUN 03 2002

NORA NYDIA WILSON

MIKE CROOK  
CHANCERY CLERK  
By: S. J. WILSON DC.

I, NORA NYDIA WILSON, an adult resident citizen of Madison County, Mississippi, being of sound mind 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 direct my Executor to pay my debts and funeral expenses, the expense of my last illness and the expenses of administering my estate.

### ARTICLE II.

I hereby nominate and appoint my husband, Darwin Charles Wilson, as Executor of this 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 Uniform Trustees' Powers Act.

In the event my husband, Darwin Charles Wilson, is unable for any reason to serve as Executor, then I hereby nominate and appoint my attorney, Fred W. Johnson, Jr., to serve in his stead as Executor and 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 Uniform Trustees' Power Act

### ARTICLE III.

I give all of my tangible property to my husband, Darwin Charles Wilson if he shall survive me. If he shall not survive me, I give all of my tangible property as follows:

a. If my son's former wife, Paula Gail Wilson, has not remarried, the I give to her \$5,000 00 In the event that Paula Gail Wilson has remarried, then I give her \$1,000.00.

b All other cash, insurance proceeds, bonds, certificates of deposit, bank accounts, and stocks and remaining property shall be placed in a trust for my son, Douglas Charles Wilson, and

my granddaughter, Amandá Gail Wilson, in equal shares I appoint my attorney, Fred W Johnson, Jr., as Trustee of this private Trust. If Fred W. Johnson, Jr. should cease to serve for any reason, I nominate and appoint Harold B. McCarley, Jr. to serve as Trustee, also without the necessity of a surety being required on the bond of my Trustee. I direct that the Trust shall be administered under the following terms and conditions:

c. I request that no surety be required on the bond of my Trustee. This is a private Trust and no accounting to any court of law shall be required except that an annual accounting will be given each of the beneficiaries of this Trust

I direct that when my granddaughter, Amanda Gail Wilson, obtains the age of the twenty-one (21) years old, she will become a Co-Trustee of this Trust being administered for her and her father.

d. The Trustee is empowered with all of the powers given to Trustees in the Uniform Trustee's Powers Act.

e. The Trustee, at his discretion, shall pay or use for the benefit of Amanda Gail Wilson and Douglas Charles Wilson, without regard to equity of distribution, so much of the net income and principal, if income is insufficient, as the Trustee considers necessary to provide for the reasonable health, education and support. The Trustee shall periodically add to the principal of the Trust any income not currently distributed.

f. When Amanda Gail Wilson reaches the age of twenty-five (25) years old of age, the Trustee shall distribute one-half ( $\frac{1}{2}$ ) of the value of the Trust to her outright, if she so desires.

g. The remaining part of the Trust will continue to be held in trust for the use and benefit of my son, Douglas Charles Wilson, as long as he may live. At the time of my son's death, his share of the Trust shall be distributed outright to Amanda Gail Wilson provided she has reached the age of twenty-five (25) years.

h. It is my desire that the mental and physical well being of my son, Douglas Charles Wilson, is taken care of as long as he may live. As long as he is doing well mentally and emotionally, then it is my desire that my Trustee or Co-Trustees give him a monthly distribution from the Trust, but if in the event, he is not fully functioning mentally and emotionally, then it is my

desire that these funds be withheld. However, regardless of the situation, it is my desire that whatever funds are necessary to take of his mental and physical well being will be expended to insure this.

ARTICLE IV.

If my husband 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 I shall be deemed to have survived my husband. By this Article IV, I modify all provisions of this Will, notwithstanding any law or rule of construction to the contrary.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this the 2nd day of September 1999.

Nora Nydia Wilson  
NORA NYDIA WILSON

This instrument was, on the day shown above, signed, published and declared by Nora Nydia Wilson 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.

WITNESS:

Paul W. Johnson Jr.  
Halder Conley

ADDRESS:

351 1/2 W. Court Blvd. #103  
Edgehill, MS 39157  
P.O. Box 2728  
Ridgeland, MS 39158

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 FRED W. JOHNSON, JR 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 NORA NYDIA WILSON, who was personally known to the affiant, and whose signature is affixed to said Last Will and Testament, which Last Will and Testament is dated SEPTEMBER 2, 1999.

2. That on SEPTEMBER 2, 1999, the said NORA NYDIA WILSON signed, published and declared said instrument of writing as her Last Will and Testament, in the presence of this affiant and in the presence of HAROLD B. MCCARLEY, JR the other subscribing witness to said instrument.

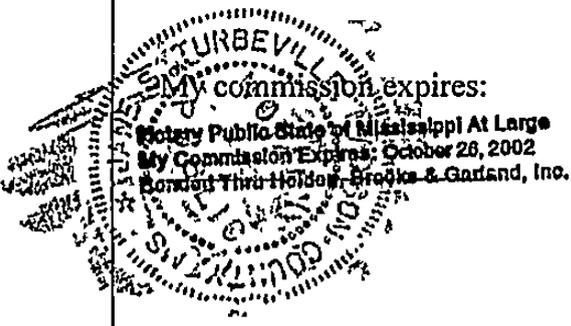
3. That the said NORA NYDIA WILSON was then and there of sound and disposing mind and memory, and well above the age of twenty-one (21) years.

4. That this affiant, together with HAROLD B. MCCARLEY, JR subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of said NORA NYDIA WILSON, and in the presence of each other

Fred W. Johnson, Jr

SWORN TO AND SUBSCRIBED BEFORE ME, this the 2<sup>nd</sup> day of September, 1999.

Jane S. Turbeville  
NOTARY PUBLIC



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 HAROLD B. McCARLEY, JR. 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 NORA NYDIA WILSON, who was personally known to the affiant, and whose signature is affixed to said Last Will and Testament, which Last Will and Testament is dated SEPTEMBER 2, 1999

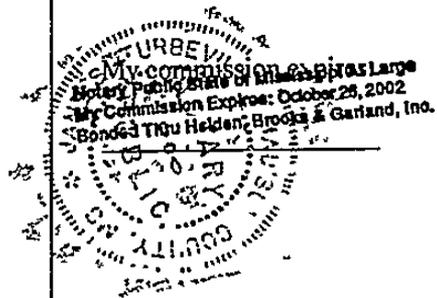
2 That on SEPTEMBER 7, 1999, the said NORA NYDIA WILSON signed, published and declared said instrument of writing as her Last Will and Testament, in the presence of this affiant and in the presence of FRED W. JOHNSON, JR. the other subscribing witness to said instrument

3 That the said NORA NYDIA WILSON 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 FRED W. JOHNSON, JR. subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of said NORA NYDIA WILSON, and in the presence of each other.

SWORN TO AND SUBSCRIBED BEFORE ME, this the 2nd day of September, 1999

[Signature]  
NOTARY PUBLIC



9-299 NNW  
NNW

STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 3rd day of June, 20 02, at 9:00 o'clock a M, and was duly recorded on the JUN 3 2002, Book No 34, Page 756



MIKE CROOK, CHANCERY CLERK BY: [Signature] D.C.

**FILED**

THIS DATE

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

JUN 03 2002

IN THE MATTER OF THE ESTATE OF  
NORA NYDIA WILSON, DECEASEDMIKE CROOK  
CHANCERY CLERKCAUSE NO 2002-427By: [Signature] DC.AFFIDAVIT OF SUBSCRIBING WITNESSSTATE OF MISSISSIPPI  
COUNTY OF MADISON

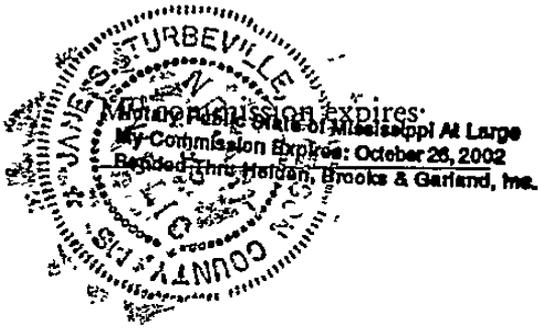
This date personally appeared before me, the undersigned authority at law in and for the jurisdiction aforesaid, the within named Fred W. Johnson, Jr, who being by me first duly sworn according to law, says on oath:

1. That this affiant is one of the subscribing witness to an instrument of writing purporting to be the Last Will and Testament of Nora Nydia Wilson, deceased, who was personally known to the affiant, and whose signature is affixed to the Last Will and Testament, dated the 2<sup>nd</sup> day of September, 1999.
2. That on the 2<sup>nd</sup> day of September, 1999, said Nora Nydia Wilson 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 Harold B. McCarley, Jr., the other subscribing witness to the instrument.
3. That Nora Nydia Wilson, was then and there of sound and disposing mind and memory, and above the age of twenty-one (21) years.
4. That this affiant, subscribed and attested said instrument as witness to the signature and publication thereof, at the special instance and request, and in the presence of said Nora Nydia, and in the presence of each other.

[Signature]  
FRED W. JOHNSON, JR

SWORN TO AND SUBSCRIBED before me, this the 29<sup>th</sup> day of May, 2002.

James S. Inkevicee  
NOTARY PUBLIC



STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 3rd day of June, 2002, at 9:00 o'clock a M., and was duly recorded on the JUN 13 2002, Book No. 34, Page 761.

MIKE CROOK, CHANCERY CLERK

BY: Jacey Tolson D.C.



**FILED**

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

JUN 03 2002

IN THE MATTER OF THE ESTATE OF  
NORA NYDIA WILSON, DECEASED

MIKE CROOK  
CHANCERY CLERK

CAUSE NO. 2002-427

By: [Signature] D.C.

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 Harold B. McCarley, Jr., who being by me first duly sworn according to law, says on oath:

1. That this affiant is one of the subscribing witness to an instrument of writing purporting to be the Last Will and Testament of Nora Nydia Wilson, deceased, who was personally known to the affiant, and whose signature is affixed to the Last Will and Testament, dated the 2<sup>nd</sup> day of September, 1999.

2. That on the 2<sup>nd</sup> day of September, 1999, said Nora Nydia Wilson 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 Fred W. Johnson, Jr., the other subscribing witness to the instrument.

3. That Nora Nydia Wilson, was then and there of sound and disposing mind and memory, and above the age of twenty-one (21) years.

4. That this affiant, subscribed and attested said instrument as witness to the signature and publication thereof, at the special instance and request, and in the presence of said Nora Nydia Wilson, and in the presence of each other.

[Signature]  
HAROLD B. McCARLEY, JR

SWORN TO AND SUBSCRIBED before me, this the 29<sup>th</sup> day of May, 2002.

Jane L. Inchevlee  
NOTARY PUBLIC



Notary Public for Mississippi At Large  
My Commission Expires: October 28, 2002  
Bonded thru Hildgett, Brooks & Garland, Inc.

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 June, 2002, at 9:00 o'clock a.M., and was duly recorded  
on the JUN 13 2002, Book No. 34, Page 763.

MIKE CROOK, CHANCERY CLERK

BY: Stacey Tolson D.C.



0034 765

**FILED**

THIS DATE  
9:15 A.M.  
JUN 07 2002

LAST WILL AND TESTAMENT

OF

JAMES M. SPAIN

By: MIKE CROOK  
CHANCERY CLERK  
*[Signature]*

#2002-432

I, JAMES M. SPAIN, an adult resident of Jackson, Hinds County, Mississippi, make this my Will and revoke all prior Wills and Codicils.

ITEM I.

My wife's name is DORIS TISDALE SPAIN, and she is herein referred to as "my wife." I have three (3) adult children now living, as follows:

- WILLIAM AMBROSE SPAIN;
- CHARLES NORMAN SPAIN; and
- ELIZABETH SPAIN YOUNG.

The words "child," "children," "grandchild," or "grandchildren" as used herein shall include any children hereafter born to any of the three named children and "descendants" shall include any person hereafter born to any of my descendants. Each of the words "child," "children," and "descendants" shall not be deemed to include an adopted child or adopted children, irrespective of any provisions of law establishing a contrary presumption.

ITEM II.

I appoint DORIS TISDALE SPAIN, as Executor of my estate under this Will. In the event my wife is or becomes unable or unwilling to serve, I appoint WILLIAM AMBROSE SPAIN, CHARLES NORMAN SPAIN and ELIZABETH SPAIN YOUNG to serve jointly as Executor. In the event any of WILLIAM AMBROSE SPAIN, CHARLES NORMAN SPAIN and ELIZABETH SPAIN YOUNG is or becomes unable or unwilling to serve, the other or others shall serve as Executor of my estate.

FOR IDENTIFICATION:

*James M. Spain*

## ITEM III.

My Executor shall pay all funeral expenses, costs of administration and other proper claims against my estate. My Executor may, in my Executor's discretion, pay all or any portion of the administration expenses out of the income and/or principal of the estate during the period of administration and may elect in accordance with applicable federal tax laws, to deduct such expenses either for federal estate tax purposes or federal income tax purposes, or partly for one and partly for the other, irrespective of the source of payment, and without reimbursement or adjustment of the estate accounts or the amounts to which the beneficiaries of my estate may otherwise be entitled. However, my Executor shall not exercise this discretion in a manner that will result in loss of, or decrease in, the marital deduction otherwise allowable in determining the federal estate tax due by my estate.

## 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.

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

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.

FOR IDENTIFICATION:

*James M. [Signature]*

## ITEM V.

To my wife, DORIS TISDALE SPAIN, if she survives me, I devise and bequeath my interest in our family residence, subject to any indebtedness thereon, any automobiles and other vehicles which I own at my death, and any club memberships, clothing, jewelry and other personal effects.

If my wife does not survive me, I devise and bequeath my interest in the family residence to the Trustee of the "James M. Spain Family Trust," provided in this Will, to be held, administered and distributed under the provisions of that trust. I give and bequeath the other items mentioned to my children in substantially equal shares, to be divided among them as they agree, or in the absence of such agreement, as the Chancery Court administering my estate may determine.

## ITEM VI.

To my wife, DORIS TISDALE SPAIN, if she survives me, I give, devise and bequeath, for her lifetime, my interest in the furniture, furnishings, decorations, silverware, china, pictures, linens, glassware and the like located in our home.

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

FOR IDENTIFICATION:

*James M. Spain*

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.

Upon the death of my wife, I give and bequeath the property conveyed to her by this ITEM of my Will, in whatever form it may then exist, to my children in substantially equal shares, to be divided among them as they agree, or in the absence of such agreement, as the Chancery Court administering my estate may determine.

ITEM VII.

If my wife survives me, I give, devise and bequeath to my wife, outright, an amount of property determined as follows:

First, ascertain the maximum marital deduction allowable in determining the federal estate tax payable by reason of my death.

Second, deduct therefrom the value of any insurance and other property which passes or has passed to my wife either outside of this Will or under another ITEM of this Will in such manner as to qualify as a part of the marital deduction under the federal estate tax law.

Third, compute the amount of my taxable estate, which will result in no federal estate tax liability on my estate, after allowing the unified credit and the state death tax credit allowable to my estate, which does not cause an increase in state death taxes. The amount of this bequest to my wife shall be reduced by the amount necessary to leave my taxable estate at the

FOR IDENTIFICATION:

*James M. Green*

amount that results in zero federal estate tax liability in order to fully utilize these credits in determining the federal estate tax on my estate.

Fourth, the amount then remaining shall be the amount bequeathed to my wife in this ITEM.

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 be used.

My Executor shall have full power and discretion to satisfy this bequest wholly or partly in cash or in kind and to select the assets which shall constitute this bequest. All property so selected shall be valued at the value thereof as of the date or dates of distribution to my wife.

ITEM VIII.

I give, devise and bequeath to WILLIAM AMBROSE SPAIN, CHARLES NORMAN SPAIN, and ELIZABETH SPAIN YOUNG, to serve jointly as Trustee under the terms set forth in this Will, the rest and residue of my estate, real and personal, of whatsoever kind or character and wheresoever situated, including any bequest that may lapse or be renounced or disclaimed or that may otherwise be ineffective for any reason. This trust shall be for the benefit of my wife, my children, and my grandchildren. If property passes to this trust which any beneficiary (other than my wife) has disclaimed under Section 2518 that beneficiary shall be treated as if deceased on the day before the date of my death and shall not be a beneficiary of this trust, but the children of that beneficiary shall continue as beneficiaries.

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, any expenses of my estate not deducted for federal estate tax purposes and any

FOR IDENTIFICATION:

*James M. Spain*

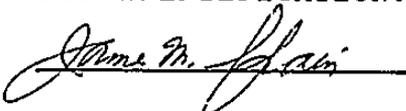
other expenses deducted but not allowed as deductions in finally determining the Federal estate taxes payable by reason of my death. I recognize the possibility that the amount so disposed of may be affected by the action of my Executor in exercising certain tax elections. As provided in Sections 2206, 2207, 2207A, and 2207B, my Executor shall have the right to recover the appropriate amount of estate taxes from the recipient or recipients of property which is included in my gross estate for federal estate tax purposes, and no provision herein shall be construed to waive such right of recovery.

The Trustee shall hold, administer and distribute the assets of the trust under the following provisions.

A. The Trustee shall pay to and among my wife, my children, and my grandchildren (but not necessarily in equal shares) as much of the net income as the Trustee, in the Trustee's discretion, deems advisable for the education, support, maintenance, and health, including any hospital or other institutional care, of these beneficiaries, and for the maintenance of their accustomed standard of living. These distributions shall be made in proportions and amounts and at such intervals as the Trustee determines. Any income not distributed shall be added to principal and distributed in accordance with subsequent provisions.

B. In addition to the income distributions the Trustee shall pay to or for the benefit of these beneficiaries, or any of them, (but not necessarily in equal shares) as much principal as the Trustee, in the Trustee's discretion, deems advisable for the education, support, maintenance and health, including any hospital or other institutional care, of my beneficiaries or for the maintenance of their accustomed standard of living at the time of my death. In making principal distributions, the Trustee shall

FOR IDENTIFICATION:



consider the needs of the beneficiaries and the funds available to them from other sources.

In making distributions of income and principal, I direct the Trustee to consider my wife as the primary beneficiary and consider her needs above those of my children and my grandchildren. The Trustee shall see that my wife has sufficient funds to enable her to continue, if possible, her accustomed standard of living at the time of my death. Before making distributions of income or principal to my children or my grandchildren, the Trustee shall counsel with my wife to determine the needs of these beneficiaries, but the decision of the Trustee shall be final as to the amounts and recipients of such distributions.

C. Upon my wife's death, the Trustee shall divide this trust into separate equal shares. There shall be a separate share for each of my then living children and one share for the then living children, collectively, of each deceased child of mine (being my grandchildren by that deceased child). The shares for my then living children shall be distributed to them outright at this time. The shares for the then living children of a deceased child of mine shall remain in trust and each share shall be managed and invested as a separate and distinct trust. The Trustee shall hold, administer and distribute the funds of each trust under the following provisions.

(1) The Trustee shall distribute, at least annually, to each beneficiary of each trust (but not necessarily in equal shares) as much of the net income of that trust as the Trustee, in the Trustee's discretion, deems advisable for the beneficiary's education, support, maintenance and health, including any hospital or other institutional care, and for the maintenance of the beneficiary's accustomed standard of living. Any income not distributed shall be added to

FOR IDENTIFICATION:



principal and distributed in accordance with subsequent provisions.

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

(3) The assets of a trust for the children of a deceased child (being my grandchildren by that deceased child) shall be distributed, in equal shares, to the children of such deceased child when the oldest living child of such deceased child attains the age of thirty (30) years, except that the then living descendants of a deceased grandchild of mine shall take, per stirpes, the share the grandchild would have taken if living.

D. Notwithstanding any provision herein to the contrary, the Trustee shall retain in trust for the benefit of any beneficiary, any distribution otherwise required to be made to such beneficiary, if in the Trustee's sole discretion such beneficiary is, at the time the distribution would otherwise be required, involved in a lawsuit, addicted to alcohol, drugs, or other chemical substances, is a party to a pending divorce or marital separation proceeding, is in bankruptcy, or is currently under suit or collection proceedings by creditors, whether or not such beneficiary is in bankruptcy proceedings. The Trustee shall make reasonable inquiries before making distributions of principal to the beneficiaries to ascertain whether any beneficiary is then under any of the above described conditions. In making a

FOR IDENTIFICATION:

*James M. Jones*

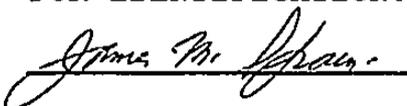
determination that a beneficiary is addicted to alcohol, drugs, or other chemical substances, the Trustee may rely upon the opinion of a physician who has examined the beneficiary. The Trustee may request that the beneficiary be examined by a physician designated by the Trustee and if the beneficiary refuses to be examined by such physician, the Trustee shall not make any distributions to the beneficiary until such time as the beneficiary agrees to be examined by such physician. As and when the beneficiary whose distribution was delayed has recovered from, has resolved, or has been relieved of such condition, the Trustee may then make distribution to such beneficiary of the distribution which was delayed by the Trustee in accordance with this provision.

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, one-half of the trust assets shall be distributed to the persons, if then living, who were married to my children at the time of the death of each of my children and the other one-half to First Baptist Church of Jackson, Mississippi.

F. A Trustee who is a beneficiary hereunder shall not be authorized to distribute any amount, either income or principal, to himself or herself. Furthermore, the Trustee may not distribute to or on behalf of any other beneficiary when such distribution would relieve the Trustee of the support obligation owed a minor child by his or her parent or when such distribution would satisfy any legal obligation of the Trustee. Any decision or exercise of discretion in distributing income or principal to a beneficiary who is also a Trustee, or if such distribution would relieve the Trustee of any obligations, shall be made solely by the other Trustee or Trustees.

G. The Trustee shall permit each beneficiary to elect by written direction to the Trustee, at the time all or any portion of his or her trust is to be distributed to him or her, to have

FOR IDENTIFICATION:



such property remain in trust under the terms and provisions hereof for the balance of his or her life or until such time as such beneficiary shall request that the trust assets, or any part thereof, be distributed to him or her outright. In the event of the death of a beneficiary during the period in which the trust is so continued, the Trustee shall make immediate distribution of that beneficiary's trust assets to his or her estate.

H. If at any time, in following the provisions of this Will, the Trustee is required to distribute all or any part of the principal of any trust herein created outright to a person who has not attained thirty (30) years of age, the trust principal shall vest in such person but the Trustee shall be authorized to continue to hold the share of such person in trust for that person's benefit until he or she attains age thirty (30). Until such time the Trustee is authorized and directed to expend such part of the income and/or principal of the trust belonging to such person as the Trustee in the Trustee's discretion deems necessary to provide for the proper education, support, maintenance and health of said person.

I. Upon distribution of the entire trust estate to the beneficiary or beneficiaries of any trust created under this ITEM of my Will, such Trust shall terminate.

J. My wife shall continue as a beneficiary of this trust, notwithstanding her remarriage subsequent to my death.

K. This trust shall be designated and known as the "James M. Spain Family Trust."

ITEM IX.

In making distributions for beneficiaries from any trust created under this Will and especially where such beneficiaries are minors, or incapable of transacting business due to illness,

FOR IDENTIFICATION:

*James M. Spain*

the Trustee, in the Trustee's discretion, may make distributions either (a) directly to the beneficiary, (b) to the legal or natural guardian of the beneficiary, (c) to a relative or guardian of the person of the beneficiary who has custody and care of the beneficiary, or (d) by applying the distributions 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 requisite to assure and enforce the application of such distributions for the exclusive benefit of the beneficiary.

None of the principal or income of any trust created under this Will or any part of same, shall be liable for debts of any beneficiary or be subject to seizure by creditors of any beneficiary. No beneficiary shall have the power to sell, assign, transfer, encumber or in any manner to anticipate or dispose of any part of his or her interest in the trust assets or the income produced from the assets.

ITEM X.

The Trustee of any trust created herein shall have the authority to distribute income or principal 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 and may select assets to be allocated or distributed without regard to the income tax basis of the property.

The Trustee shall not be required to make physical division of the trust property comprising the "James M. Spain Family Trust," except when necessary for the purposes of distribution,

FOR IDENTIFICATION:



but may, in the Trustee's discretion, keep the trusts in one or more consolidated funds. As to each consolidated fund, the division into the various shares comprising such fund need be made only on the Trustee's books of account, in which case each trust shall be allotted its proportionate part of the principal and income of the fund and charged with its proportionate part of expenses thereof.

## ITEM XI.

Notwithstanding any provision of this Will to the contrary, the interest of every beneficiary of any trust created by this Will shall vest within the period prescribed by the Rule against Perpetuities or any statute pertaining thereto. Upon such vesting, any trust property then held by the Trustee shall be distributed immediately, free and clear of any trust, to the beneficiary or beneficiaries of this trust (or to his or her legal guardian or other personal representative) as though each such beneficiary had reached the date at which final distribution to him or to her were required pursuant to the provisions hereof.

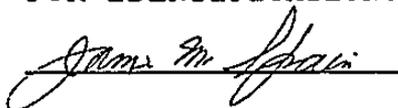
## ITEM XII.

During the administration of my estate and until a trust created herein is funded, I authorize the Trustee, in the Trustee's discretion, to request that my Executor, in which case my Executor may comply with that request, make payments out of my estate to the beneficiaries of such trust. These payments shall be an amount which in the judgment of the Trustee and the Executor, jointly, equals the distributions which the beneficiaries would receive from the trust had it been established and funded at my death.

## ITEM XIII.

Any trust created by this Will is a private trust. The Trustee shall not be required to obtain the order or approval of

FOR IDENTIFICATION:



any court for the exercise of the Trustee's powers and discretions.

No Trustee hereunder shall be required to enter into any bond or to file with any court a formal accounting of the Trustee's administration. The Trustee shall render annual accounts to the income beneficiaries of each trust. No persons paying money or delivering property to the Trustee shall be required to see to its application.

ITEM XIV.

A Trustee may resign and cease to act at any time by giving written notice specifying the effective date of such resignation, by personal delivery or by registered mail, to those persons who are income beneficiaries of each trust at that particular time.

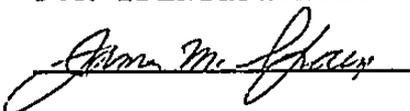
In the event any of WILLIAM AMBROSE SPAIN, CHARLES NORMAN SPAIN and ELIZABETH SPAIN YOUNG is or becomes unable or unwilling to serve as Trustee, the other or others shall serve as Trustee.

The resigning Trustee shall deliver all trust assets to the successor Trustee on the effective date of the resignation, and shall, within sixty (60) days of such date, submit a full and final accounting to the successor Trustee and to the income beneficiaries of the trust. Any successor Trustee shall be vested with all the rights, powers, duties and discretions conferred on the original Trustee.

ITEM XV.

Unless otherwise provided, the administration and management of any trust created herein, the sale and conveyance of the trust assets, the investment and reinvestment of trust assets and the rights, powers, duties and liabilities of the Trustee shall be governed by the terms and provisions of the Uniform Trustees' Powers Law of Mississippi as it now exists or may hereafter be

FOR IDENTIFICATION:



amended. In addition to the powers contained in that Law, the Trustee shall have full power and authority:

A. To determine the allocation of receipts and expenses between income and principal. However, such allocation shall not be inconsistent with the beneficial enjoyment of trust property accorded to a life tenant or remainderman under the general principles of the laws of trusts. Further, all rights to subscribe to new or additional stocks or securities and all liquidating dividends shall be deemed to be principal.

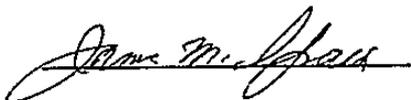
B. To place, in the discretion of the Trustee, trust funds in a checking, savings or other types of accounts or certificates of deposit in any successor Trustee bank.

C. To receive, invest in, and retain in the trust all types of property and, especially, to receive, invest in, and retain in the trust shares of stock in closely held corporations, partnership interests in general and limited partnerships, oil, gas, and other mineral interests, standing timber, and unimproved 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 trust law.

D. To consolidate and merge any trust created hereunder with any other trust created by me or any other person, whether inter vivos or by Will, if the beneficiaries are the same and the terms of that other trust are substantially the same as this trust.

E. To invest trust assets in a common fund established by a corporate Trustee pursuant to the Uniform Common Trust Fund Law of Mississippi.

FOR IDENTIFICATION:



F. To surrender, disclaim, release, relinquish or amend, after providing written notice to the income beneficiaries, all or any portion of any administrative provision of any trust created herein which causes or may cause adverse or unanticipated tax liability to my estate, the trust, the Trustee, or the beneficiaries.

G. To take out, apply for, and maintain, paying premiums from income or principal, health, hospitalization, medical or similar insurance covering any beneficiary of the trust.

H. To hold for the benefit of any minor beneficiary of a trust or for an adult beneficiary who is incapable of handling his or her property, any personal effects, automobiles, jewelry and other objects, particularly household contents, antiques, silver, crystal and the like, that are bequeathed to any such beneficiary of a trust until the beneficiary attains the age of twenty-one (21) years or in the case of an adult beneficiary incapable of handling his or her property until such time as, in the sole discretion of the Trustee, that beneficiary is capable of handling his or her property. The Trustee may permit such items to remain in the residence in which the beneficiary resides or in such other storage facility as the Trustee deems appropriate for such items and shall pay all costs of maintaining, storing and insuring the items. The Trustee shall have the authority to give the Executor, or other personal representative of the estate of a decedent a receipt for such objects on behalf of such beneficiary.

I. To retain any interest in oil, gas or other mineral resources received from any source and to acquire and retain other interests in oil, gas or mineral resources; to execute as to those interests any agreements, assignments, contracts, deeds, grants, leases for any term (even though the term may extend beyond the termination of the trust) and any other instruments or documents; to manage, control, operate, explore, mine, develop or take any

FOR IDENTIFICATION:



action for the production, recovery, sale, treatment, storage or transportation of any interest in oil, gas or other mineral resources; to drill, rework or recomplete wells of any type; to conduct or participate in secondary recovery operation; to enter into agreements for pooling or unitization; and to install, operate or participate in the operation of any plant, mine or other facilities. Interests in oil, gas and other mineral resources may be retained and acquired without liability for any loss and without application to any court.

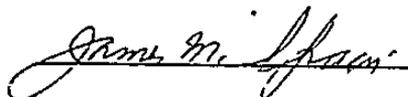
## ITEM XVI.

If my wife and I die simultaneously, or under circumstances which make it difficult to determine which died first, I direct that I shall 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 XVII.

Any recipient of property or beneficiary of a trust 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 Chancery Court in which my Will is probated and shall also be delivered to my Executor. If my wife or any other person or a Trustee disclaims any portion of a bequest, I give, devise and bequeath the property disclaimed to the Trustee of the

FOR IDENTIFICATION:



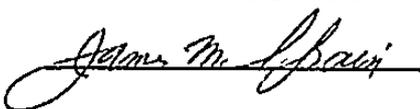
"James M. Spain Family Trust" created by ITEM VIII of this Will, to be held, administered and distributed as provided therein.

## ITEM XVIII.

In addition to the powers and authorities specifically granted to my Executor under this Will, I expressly confer upon my Executor all rights, powers, duties, and authorities conferred upon a Trustee under the Uniform Trustees' Powers Law of Mississippi as it now exists or may hereafter be amended. I authorize my Executor to exercise any such powers and authorities granted in this Will or by the Uniform Trustees' Powers Law of Mississippi without the necessity of attaining court approval. All rights, powers, duties and discretion 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 or any other 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.

FOR IDENTIFICATION:



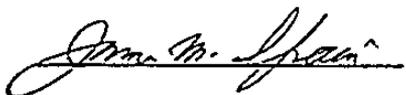
I specifically authorize my Executor to allocate any of my available generation-skipping tax exemptions from the federal generation-skipping tax as allowed by Section 2631 to any property of which I am deemed to be the transferor under Section 2652(a), including any property not in my probate estate and any property transferred by me during life as to which no allocation of the exemption was made prior to my death.

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 sell, without the necessity of court approval, any stock or partnership interest held by my estate under the terms of any stock agreement or partnership agreement to which I was a party during my lifetime.

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,

FOR IDENTIFICATION:



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 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 7 day of Dec., 1993.

James M. Spain  
James M. Spain

This instrument was, on the day and year shown above, signed, published and declared by JAMES M. SPAIN 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.

James K. Possett Jr Jackson, Mississippi  
Address

Lou L. Mabe Madison, Mississippi  
Address

STATE OF MISSISSIPPI, COUNTY OF MADISON



I certify that the within instrument was filed for record in my office this 6th day of June, 2002, at 9:15 o'clock A. M., and was duly recorded on the 6<sup>th</sup> day of June, 2002, Book No 34, Page 765.

MIKE CROOK, CHANCERY CLERK BY: [Signature] D.C.

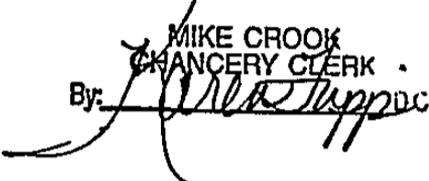
IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

NO. 2002 432

**FILED**  
THIS DATE

JUN 07 2002

IN THE MATTER OF THE  
LAST WILL AND TESTAMENT  
OF JAMES M. SPAIN, DECEASED

MIKE CROOK  
CHANCERY CLERK  
By: 

STATE OF MISSISSIPPI )

AFFIDAVIT OF SUBSCRIBING WITNESS

COUNTY OF HINDS )

Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, James K. Dossett, Jr., who being first duly sworn, makes oath to the following

That he was personally acquainted with James M. Spain, late of Madison County, Mississippi; that the said James M. Spain owned real and personal property in Madison County, Mississippi; that affiant, in the presence of Lori L. Miksa, subscribing witness, and at the special instance and request of the said James M. Spain did, on the 7<sup>th</sup> day of December, 1993, sign and subscribe an instrument of writing represented to be the Last Will and Testament of the said James M. Spain, Deceased, that said instrument, the original of which is attached hereto, was signed by James M. Spain as Testator, and the said Testator declared in the presence of affiant and in the presence of the said Lori L. Miksa, that said instrument constituted his Last Will and Testament and thereupon affiant, in the presence of the said James M. Spain and in the presence of Lori L. Miksa, the other subscribing witness thereto, signed and subscribed the said instrument as one of the attesting witnesses thereto, both of the witnesses signing said Last Will and Testament in the presence of the said Testator and in the presence of each other; that at the time of the said attestation and signing of said instrument the said James M. Spain was above the age of eighteen years, was then of sound and disposing mind and memory, and in full possession of all of his mental faculties.

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

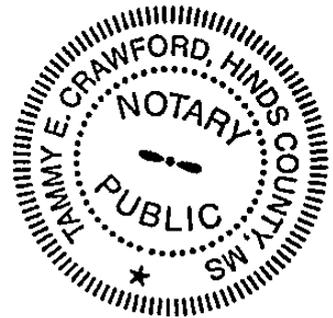
James K. Dossett, Jr.  
JAMES K. DOSSETT, JR.

SWORN TO AND SUBSCRIBED before me, this the 29<sup>th</sup> day of May, 2002.

Tammy E. Crawford  
NOTARY PUBLIC

My Commission Expires

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES MAY 13, 2005  
BONDED THRU STEGALL NOTARY SERVICE  
\*\*ODMA\MHODMA\Jackson,621352,1



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 June, 2002, at 9:15 o'clock A. M., and was duly recorded on the 7<sup>th</sup> day of June, 2002, Book No 34, Page 784.  
MIKE CROOK, CHANCERY CLERK BY: Ann Tapp D.C.

2002-405

# Last Will and Testament

**FILED**  
THIS DATE

OF

JUN 14 2002

RALPH FITZGERALD CLARKE

By: *[Signature]*  
MIKE CROOK  
CHANCERY CLERK

I, RALPH FITZGERALD CLARKE, of Jackson, Mississippi, being of sound and disposing mind and memory and of lawful age, do hereby make, publish and declare this as and for my Last Will and Testament, and I hereby specifically revoke any and all former wills and codicils which I have heretofore made.

ITEM I. I hereby appoint my wife, MARIA NEISSER CLARKE, as Executrix

of this my Last Will and Testament and my estate. If my said wife is unable or unwilling to serve in such capacity, I appoint my son, ERIC JOHN CLARKE, as Executor of my Last Will and Testament and my estate. In any event, I direct that no bond, appraisal, inventory or accounting be required of my Execturix(or) insofar as the same may be legally waived.

A.

I hereby direct that my Executrix(or) shall, out of the property and estate coming into her (his) hands which is subject to the payment of debts, pay all of my just debts which are properly probated and allowed as claims against my estate and all expenses, of my last illness and funeral.

B.

I hereby direct that my Executrix(or) 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 her (his) discretion may sell only so much of my property as is necessary to obtain adequate cash (in addition to the cash which I leave at the time of my death) to pay taxes, debts, and the costs of the administration of my estate.

C.

I hereby direct that my Executrix(or) shall have with reference to my estate all of the powers during the administration of my estate as are granted to trustees under the Uniform Trustees Powers Law, all to be exercised without court order.

D.

I hereby authorize my Executrix(or) to acquire any necessary cemetery lot for my burial and any appropriate marker for my grave, the expense of such to be paid for out of my estate.

ITEM II.

I give, devise and bequeath unto my beloved wife, MARIA

NEISSER CLARKE, all of my property and estate of every kind and character and wheresoever situated, whether real, personal or mixed. If my said wife should predecease me, then and in that event, I give, devise and bequeath all of my property and estate of every kind and character and wheresoever situated, whether real, personal or mixed, unto my children, share and share alike, the children of a deceased child taking per stirpes the share to which their deceased

parent would have been entitled had he or she survived.

ITEM III.

The term "children"  
as used in this Will  
includes any child or

children hereafter born to or adopted by me, as well as the  
children, Eric John Clarke, Janet Josephine Clarke, Arlen  
Ronald Clarke and Bruce Gerald Clarke, that I now have.

IN TESTIMONY WHEREOF, I have hereunto set my hand,  
on this the 6 day of September, 1979.

*Ralph F. Clarke*  
RALPH FITZGERALD CLARKE

WITNESSES:

*Lerna Clement*  
*Judy M. Ford*  
*Phyllis K. Searcy*

FILED  
THIS DATE

JUN 14 2002

MIKE CROOK  
CHANCERY CLERK  
By: [Signature] D.C.

ATTESTATION

We, the undersigned subscribing witnesses to the within and foregoing Last Will and Testament of RALPH FITZGERALD CLARKE, do hereby acknowledge and attest that the same was exhibited to us by the said RALPH FITZGERALD CLARKE as his Last Will and Testament, that he signed the same in our presence and in the presence of each of us, and that at his request and in his presence and in the presence of each other, we signed the same as subscribing witnesses thereto.

This the 6th day of September, 1979.

[Signature]  
[Signature]  
[Signature]

STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 14th day of June, 2002, at 1:00 o'clock P M, and was duly recorded on the 14th day of June, 2002, Book No 34, Page 786.

MIKE CROOK, CHANCERY CLERK BY: [Signature] D.C.



FILED  
THIS DATE

JUN 14 2002

STATE OF COLORADO  
COUNTY OF BOULDERBy *[Signature]*  
MIKE CROOK  
CHANCERY CLERKAFFIDAVIT OF SUBSCRIBING WITNESS

THIS DATE PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority at law in and for the jurisdiction aforesaid, the within named **Judy M. Ford**, who being by me first duly sworn according to law, says on oath:

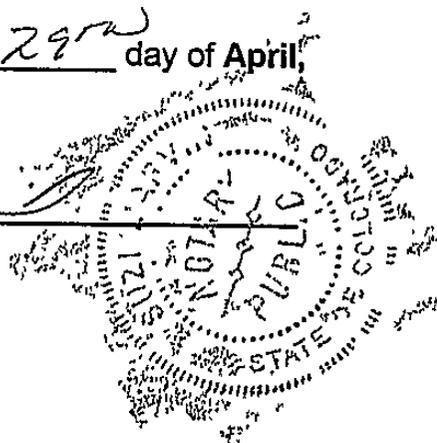
1. That I am one of the subscribing witnesses to an instrument of writing purporting to be the Last Will and Testament of **RALPH FITZGERALD CLARKE**, whose signature is affixed to said Last Will and Testament, which is dated September 6, 1979, and a copy of which is attached hereto as Exhibit "A".
2. That on the 6<sup>th</sup> day of September, 1979, **RALPH FITZGERALD CLARKE** signed, published and declared said instrument of writing as his Last Will and Testament, in the presence of me and the other two subscribing witnesses, Lenna Clement and Phyllis K. Searcy.
3. That the said **RALPH FITZGERALD CLARKE** was then and there of sound and disposing mind and memory, and above the age of twenty-one (21) years.
4. That I and the other two subscribing witnesses, Lenna Clement and Phyllis K. Searcy, subscribed and attested said instrument as witnesses

to the signature and publication thereof, and in the presence of RALPH FITZGERALD CLARKE, and in the presence of each other.

Judy M. Ford  
Judy M. Ford  
1640 Rockview Circle  
Superior, Colorado 80027

SWORN TO AND SUBSCRIBED before me on this, the 29<sup>th</sup> day of April, 2002.

[Signature]  
NOTARY PUBLIC



My Commission Expires: 5-21-04

Prepared by:  
Robert H. Pedersen, Esquire, MSB #4084  
WATKINS & EAGER PLLC  
400 East Capitol Street, Suite 300  
P. O. Box 650 (39205)  
Jackson, MS 39201  
Telephone: (601) 948-6470  
ATTORNEY FOR MARIA NEISSER CLARKE

L:\1926\19203.Maria Neisser Clarke\M001.Affidavit of Subscribing Witness wpd

STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 14<sup>th</sup> day of June, 2002, at 1:00 o'clock P. M., and was duly recorded on the 14<sup>th</sup> day of June, 2002, Book No. 34, Page 790.

MIKE CROOK, CHANCERY CLERK BY: [Signature] D.C.



2002-363

BOOK 0034 PAGE 792

LAST WILL AND TESTAMENT  
OF  
RANDOLPH H. HOPKINS

**FILED**  
THIS DATE

JUN 14 2002

MIKE CROOK  
CHANCERY CLERK  
By: Stanley [Signature] DC.

I, RANDOLPH H HOPKINS, 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 all former wills and codicils heretofore executed by me

My wife, Linda D Hopkins, and our children, Randy D. Hopkins (born July 3, 1975), Stephen L. Hopkins (born June 5, 1980) and Stephanie L. Hopkins (born June 5, 1980), are living at the time of my execution of this instrument.

I.

I do hereby appoint Linda Johnson as Executrix of this my Last Will and Testament. Should she be unable to serve due to death, sickness, or any other reason, Marilyn D James is hereby designated to serve in place of my said wife as Executrix of this Last Will and Testament I do hereby direct that Linda Johnson as Executrix, or Marilyn D. James serving as Executrix in her stead, shall serve without bond and shall not be required to make or file any inventory, appraisalment or accounting in, with or to any court, and I vest my Executrix with full power and authority during the administration of my estate to sell, transfer and convey any property, real or personal, which I may own at the time of my death, at such time and price and upon such terms and

RHH  
RHH

conditions as she may determine (without court order) and to do every other act and thing necessary or appropriate for the complete administration of my estate. This appointment is conditioned upon the Executrix accepting such position without compensation and with the understanding that no fee shall be allowed to her for the administration of my estate; however, my said Executrix shall be authorized to be reimbursed for all reasonable and necessary expenses incurred in connection with the administration of my estate.

## II

I direct my Executrix to pay all my just debts which shall be probated, registered and allowed against my estate, all funeral expenses, and the cost of administration of my estate as soon after my death as can be conveniently done

## III

If my beloved wife, Linda D Hopkins, survives me, I do hereby give, devise and bequeath unto her all my property, including my real, personal and mixed property of every description and kind and wheresoever located, to be hers *in fee simple*.

## IV.

If I am not survived by my beloved wife, Linda D. Hopkins, I do hereby give, devise and bequeath my entire estate, whether real, personal or mixed property, tangible or intangible, of whatsoever nature and wheresoever situated unto my children, Randy D. Hopkins, Stephen L. Hopkins and Stephanie L. Hopkins, and Springhill M. B. Church, in equal parts, *per stirpes*. I direct that the share of any individual who is a minor at the time of my death be held in trust according to the provisions set out hereinbelow at Article VI.

V.

If I am not survived by my beloved wife, children or descendants, then I hereby give, devise and bequeath my estate in the following manner:

- a 50% to Springhill M. B Church, Kewanee, Mississippi
- b 50% to my surviving family members of the closest degree, share and share alike, *per capita*.

VI.

In the event a minor child shall be entitled to any portion of my estate in accordance with the provisions of Article IV hereinabove, then I do hereby give, devise and bequeath the share of any individual who is a minor unto Linda Johnson as Trustee, IN TRUST, nevertheless for the benefit of such minor child or children according to the following terms and conditions, and said Trustee is hereby granted all the rights, powers and discretion to act in such capacity.

A. The Trustee shall receive, hold, manage, invest and reinvest such trust estate/estates according to the Trustee's sole discretion until each respective beneficiary thereof attains the age of twenty-one (21) years, subject, however, to the provisions set out hereinbelow for invading the principal or income

B. The Trustee shall be empowered to invade the principal or income of a trust estate of a beneficiary in order to provide funds necessary for the maintenance, health and education of such beneficiary; however, the Trustee shall first consider the availability of other funds from other sources, and in all instances, the decision of the Trustee shall be

conclusive and binding on all interested parties and for all sums so disbursed the Trustee shall have full acquittance.

C. Upon each beneficiary's attaining the age of twenty-one (21) years, I direct that the Trustee convey, transfer and pay said beneficiary's entire trust estate, including whatever income is present therein, unto said beneficiary.

D. No beneficial interest under any trust/trusts created hereby, whether income or principal, shall be subject to anticipation, assignment, pledge, sale or transfer in any manner nor shall any beneficiary have the power to anticipate, encumber or charge such interest, nor shall such interest, while in the possession of the Trustee, be liable for or subject to the debts, contracts, obligations, liabilities or torts of any beneficiary.

E. The Trustee shall maintain accurate accounts and records and shall render annual statements to each beneficiary showing receipts and disbursements of principal and income.

F. The Trustee (including any successor Trustee) shall not be required to post bond in order to serve in such capacity and shall not be required to obtain any order or approval of any court to exercise the power and discretion herein given

G. The Trustee shall be reimbursed for all reasonable costs and expenses which the Trustee incurs in connection with Trustee's duties hereunder.

H. Should the Trustee be unable, or become unable at any time, to serve in such capacity for any reason, or should the Trustee choose to resign such position, I hereby designate and appoint Marilyn D. James as successor Trustee. Said Trustee or successor Trustee shall, in addition to the specific powers, rights and discretions set out

heremabov<sup>e</sup> in this article, be vested with all powers conferred under the *Uniform Trustees' Powers Law of Mississippi*.

VII.

If anyone entitled to benefit under this my Last Will and Testament shall in any way contest this will, then that person shall receive nothing hereunder and shall be treated as though that person did not exist for the purpose of distributing my estate.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this the 8  
day of May, 2000.

Randolph H. Hopkins  
RANDOLPH H. HOPKINS

The foregoing instrument, consisting of this and five preceding typewritten pages, was signed, published and declared by RANDOLPH H HOPKINS 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

WITNESSES:

Thomas Duane White residing at 308 Water Oak Rd.  
Brandon, Ms 39047

Beverly G Wince residing at 222 Powell Road  
Ridgeland Ms 39157

Charlotte Brooks Flanagan residing at 200 Aspen Grove  
Brandon, Ms 39042

RHH  
RHH

STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 14th day of June, 2002, at 2:30 o'clock P M., and was duly recorded on the JUN 14 2002, Book No 34, Page 792.

MIKE CROOK, CHANCERY CLERK

BY: Stacey Toter D.C.



AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF Mississippi  
COUNTY OF Hinds

PERSONALLY came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the undersigned Charlotte Brooks Flanagan,  
(print name of person signing affidavit)  
who being by me first duly sworn, stated on oath as follows

That the undersigned is one of three (3) subscribing witnesses to the *Last Will and Testament of Randolph H Hopkins*, that the undersigned has examined the foregoing instrument consisting of seven (7) pages including this page, and that said instrument was executed by Randolph H Hopkins, in the presence of the undersigned affiant and the other subscribing witnesses, who signed their names along with affiant as witnesses at the instance and request of Randolph H Hopkins, in his presence and in the presence of each other; and that at the time of the execution of said *Last Will and Testament of Randolph H. Hopkins*, he was of sound and disposing mind and memory and above the age of eighteen (18) years.

Charlotte Brooks Flanagan  
AFFIANT

SWORN TO AND SUBSCRIBED before me, this the 8th day of May, 2000.

Spencer Webster Allen  
NOTARY PUBLIC



Page 7 of 7

RHH  
RHH

STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 14th day of June, 2002, at 2:30 o'clock P M., and was duly recorded on the JUN 14 2002, Book No. 34, Page 798.



MIKE CROOK, CHANCERY CLERK

BY: Stacey Totten D.C.



with the said North margin of said Paved Public Road in a Northeasterly direction to the East boundary line of the SE1/4 of the SW1/4 of Section 11, Township 9 North, Range 19 West; thence run North 458.5 feet, more or less, to a line fence between my own land and lands now owned or heretofore owned by Robert V. Riley; thence run North 73 degrees and 28 minutes West along and with said line fence for a distance of 333.0 feet, more or less, to a fence corner; thence run West to the West boundary line of the E1/2 of the NE1/4 of the SW1/4 of said Section 11, Township 9 North, Range 19 West; thence run South to the North boundary line of the SE1/4 of the SW1/4 of said Section 11, Township 9 North, Range 19 West; thence run in a Southwesterly direction to the Northwest corner of the S1/2 of the SE1/4 of the SW1/4 of said Section 11, Township 9 North, Range 19 West; thence run South to the Point of Beginning. Containing 40 acres, more or less, and being situated in the NE1/4 of the NW1/4 of Section 14, Township 9 North, Range 19 West, and the E1/2 of the SW1/4 of Section 11, Township 9 North, Range 19 West.

And ALSO.

A tract or parcel situated in and being a part of the W1/2 of the SE1/4 of Section 11, Township 9 North, Range 19 West lying North of the Paved Public Road and described as: Begin at the Point of Intersection of the North margin of the Paved Public Road with the West boundary line of the W1/2 of the SE1/4 of said Section 11, Township 9 North, Range 19 West; and run thence North 458.4 feet, more or less, to a line fence between my own land and lands now owned or heretofore owned by Robert V Riley; thence run in a Southeasterly direction along and with said line fence to the North margin of said Paved Public Road; thence run in a Southwesterly direction along and with the said North margin of said Paved Public Road back to the Point of Beginning. Containing .6 acre, more or less.

And ALSO:

All that part of the NW1/4 of the NW1/4 of Section 14, Township 9 North, Range 19 West, lying and being situated south of the Paved Public Road; the N1/2 of the NE1/4 of Section 14, Township 9 North, Range 19 West; all that part of the NE1/4 of the NW1/4 of Section 14, Township 9 North, Range 19 West, lying and being situated South of the Paved Public Road and now owned by me; and all that part of the SE1/4 of the SW1/4 and the SW1/4 of the SE1/4 of Section 11, Township 9 North, Range 19 West, lying and being situated South of the Paved Public Road and now owned by me; and all that part of the E1/2 of the SE1/4 of Section 11, Township 9 North, Range 19 West, lying and being situated East of Mississippi Highway No. 13 and South of the Newhebron and Mt. Carmel public road, less and except 2 acres in the Northwest corner previously conveyed. Containing 123 acres, more or less

LESS AND EXCEPT THEREFROM ALL OF THE OIL, GAS AND MINERALS IN, ON AND UNDER ALL OF THE ABOVE DESCRIBED LANDS.

III.

I hereby will, devise and bequeath unto my Sister, MARY MARGARET ROBINSON, the following described real estate situated in Madison County, Mississippi, to-wit:

My residence located at 105 Hollenden Lane, Madison, Mississippi 39110, a more complete description of which may found in the Office of the Chancery Clerk of Madison County, Mississippi, at Canton, Mississippi.

IV.

I hereby will, devise and bequeath unto my Sister, MARY MARGARET ROBINSON, all of the oil, gas and mineral rights now owned by me; all of the oil, gas and mineral royalty interests now owned by me and any and all oil, gas and mineral production and/or income received from said production now owned by me, wheresoever the same shall be situated I further will, devise and bequeath to MARY MARGARET ROBINSON all of my stocks, bonds, annuities or any other investment of any kind or character and wherever situated.

V.

I hereby, will, devise and bequeath unto my Mother, HILDA MIKELL BERRY, my 2000 Cadillac Deville automobile.

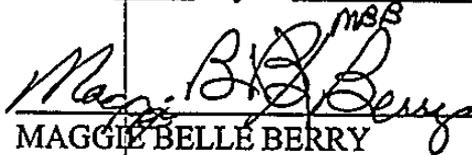
VI.

I hereby, will, devise and bequeath unto LANELLE BERRY my gold cross. Further, I will, devise and bequeath unto CHERRIE STEVENS my diamond and emerald ring. I further, hereby will, devise and bequeath unto ANDY BERRY my father's diamond ring.

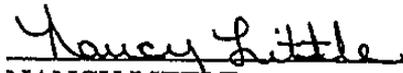
## VII.

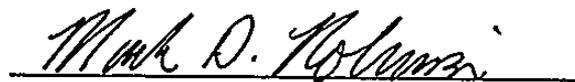
All the rest, residue and remainder of my estate, consisting of both real and personal property, and wheresoever the same shall be situated, I hereby, will, devise and bequeath unto my Mother, HILDA MIKELL BERRY and my Sister, MARY MARGARET ROBINSON, in equal shares.

IN WITNESS WHEREOF I have hereunto affixed my signature and I do hereby publish and declare this instrument as my true Last Will and Testament, in the presence of the undersigned disinterested, credible witnesses on the 6 day of June, 2002.

  
MAGGIE BELLE BERRY

## WITNESSES:

  
NANCY LITTLE  
170 Beverly Circle  
ADDRESS  
Jackson, MS 39209

  
MARK D ROBINSON  
230 CEDAR RIDGE DR.  
ADDRESS  
MADISON, MS. 39110

  
JOHN R. McNEAL, JR.  
405 Tom Highway 57.  
ADDRESS  
JACKSON, MS - 39201

ATTESTATION CLAUSE

We, each of the subscribing witnesses to the foregoing LAST WILL AND TESTAMENT OF MAGGIE BELLE BERRY, do hereby certify that said instrument was signed by Maggie Belle Berry, in our presence and in the presence of each of us, and that the said Maggie Belle Berry declares the same to her LAST WILL AND TESTAMENT in the presence of each of us, and that we each signed as subscribing witnesses to said will at the request of the said Maggie Belle Berry, in her presence and in the presence of each other.

WITNESS our signatures this the 6 day of June, 2002

Nancy Little  
NANCY LITTLE

Mark D. Robinson  
MARK D. ROBINSON

John R. McNeal, Jr.  
JOHN R. McNEAL, JR.

Page Five of Five Pages

MBB MBB

STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 19th day of June, 2002, at 11:45 o'clock a M., and was duly recorded on the JUN 19 2002, Book No 34, Page 799

MIKE CROOK, CHANCERY CLERK

BY: Stacey Toton D.C



IN THE CHANCERY COURT OF HADISON COUNTY, MISSISSIPPI

**FILED**  
THIS DATE

JUN 19 2002

IN THE MATTER OF THE  
LAST WILL AND TESTAMENT OF  
MAGGIE BELLE BERRY, DECEASED

MIKE CROOK  
CHANCERY CLERK CAUSE NO.: 2002-473

By: Sharon T. Crook D.C.

MARY MARGARET ROBINSON AND  
HILDA MIKELL BERRY, PETITIONERS

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF HINDS

This date personally appeared before me, the undersigned authority at law in and for the jurisdiction aforesaid, the within named JOHN R. McNEAL, JR., who being by me first duly sworn according to law, says on oath as follows, to-wit

(1) That this Affiant is one of the subscribing witnesses to an instrument of writing purporting to be the Last Will and Testament of Maggie Belle Berry, Deceased, who was personally known to the Affiant, and whose signature is affixed to the Last Will and Testament, dated the 6<sup>th</sup> day of June, 2002.

(2) That on the 6<sup>th</sup> day of June, 2002, the said Maggie Belle Berry 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 Nancy Little and Mark D. Robinson, the other subscribing witnesses to the instrument.

(3) That Maggie Belle Berry 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 Nancy Little and Mark D. Robinson, subscribed

EXHIBIT  
" B "

and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of said Maggie Belle Berry, and in the presence of each other.

*[Handwritten Signature]*

JOHN R. McNEAL, JR.

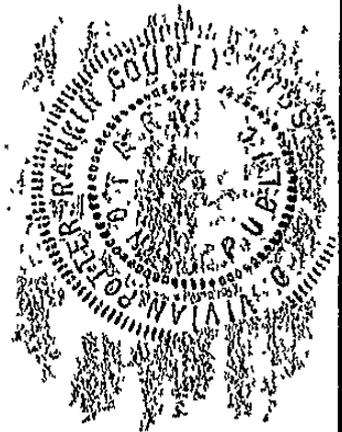
SWORN TO AND SUBSCRIBED BEFORE ME, this the 17<sup>th</sup> day of June, 2002.

*[Handwritten Signature]*

NOTARY PUBLIC

My Commission Expires:

12/14/2002



STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 19<sup>th</sup> day of June, 2002, at 11:45 o'clock a M., and was duly recorded on the JUN 19 2002, Book No. 34, Page 804

MIKE CROOK, CHANCERY CLERK

BY: [Handwritten Signature] D.C.



IN THE CHANCERY COURT OF HINDS COUNTY, MISSISSIPPI  
**FILED**  
THIS DATE

JUN 19 2002

IN THE MATTER OF THE  
LAST WILL AND TESTAMENT OF  
MAGGIE BELLE BERRY, DECEASED

MIKE CROOK  
CHANCERY CLERK

CAUSE NO.: 2002-473

By Secy J. D. D.

MARY MARGARET ROBINSON AND  
HILDA MIKELL BERRY, PETITIONERS

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF HINDS

This date personally appeared before me, the undersigned authority at law in and for the jurisdiction aforesaid, the within named MARK D. ROBINSON, who being by me first duly sworn according to law, says on oath as follows, to-wit:

(1) That this Affiant is one of the subscribing witnesses to an instrument of writing purporting to be the Last Will and Testament of Maggie Belle Berry, Deceased, who was personally known to the Affiant, and whose signature is affixed to the Last Will and Testament, dated the 6<sup>th</sup> day of June, 2002.

(2) That on the 6<sup>th</sup> day of June, 2002, the said Maggie Belle Berry 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 Nancy Little and John R. McNeal, Jr., the other subscribing witnesses to the instrument

(3) That Maggie Belle Berry 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 Nancy Little and John R. McNeal, Jr. subscribed

EXHIBIT  
" C "

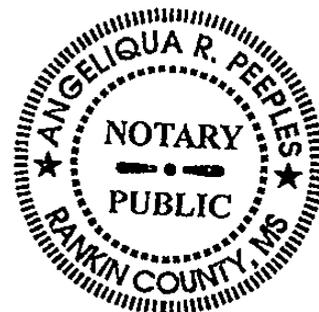
and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of said Maggie Belle Berry, and in the presence of each other.

Mark D. Robinson  
MARK D. ROBINSON

SWORN TO AND SUBSCRIBED BEFORE ME, this the 17 day of June, 2002.

Angeliqua R. Peoples  
NOTARY PUBLIC

My Commission Expires  
MY COMMISSION EXPIRES:  
DECEMBER 12, 2004



STATE OF MISSISSIPPI, COUNTY OF MADISON



I certify that the within instrument was filed for record in my office this 19th day of June, 2002, at 11:45 o'clock a M., and was duly recorded on the JUN 19 2002, Book No. 34, Page 806.

MIKE CROOK, CHANCERY CLERK

BY: Stacey Toton D.C.

JUL 01 2002

LAST WILL AND TESTAMENT OF MAYFIELD HOWARD

MIKE CROOK  
CHANCERY CLERK  
D.C.

I, Mayfield Howard of 157 Mackey Drive, Madison, Mississippi, being over the age of eighteen (18) years and of sound and disposing mind and memory, do hereby make, ordain, declare and publish this to be MY LAST WILL AND TESTAMENT, and do hereby revoke all other wills and/or codicils heretofore made by me.

ITEM 1. I hereby devise and bequeath my house and lot situated in the County of Madison, State of Mississippi, being more particularly described as follows, to-wit:

Lot Seven (7), STEVENS ADDITION, a subdivision according to a map or plat on file in the office of the Chancery Clerk of Madison County, Mississippi, as now recorded in Plat Book 4 at Page 11 thereof, reference to which map or plat is here made in aid of and as a part of this description

to my wife, Lela Howard during her lifetime or widowhood. After her death or remarriage, which ever occurs first, then I devise and bequeath this house and lot above described to my son, Billy Frank Howard. I also devise and bequeath all of my furniture, household goods and furnishings to my wife, Lela Howard. I further devise and bequeath unto my wife, Lela Howard, my Ford ~~Car~~, ~~Mercury~~ Boat and checking account in the Bank of Madison, Branch Office of Trustmark National Bank, Canton, Mississippi.

ITEM 2. The remainder of my property I devise and bequeath to my wife, Lela Howard, and son, Billy Frank Howard, each to share alike.

ITEM 3. I hereby appoint my wife, Lela Howard, executrix of my estate without bond, waiving all requirements whatever of bond from her as such executrix. I hereby waive an inventory and an appraisalment of my estate as required by statute, and relieve my said executrix of all duty to account to the court for her acts and doings as such, do hereby waive all court proceedings whatever in the administration of my estate, save the probate of this, MY LAST WILL AND TESTAMENT.

PUBLISHED, SIGNED AND DECLARED as this, MY LAST WILL AND TESTAMENT, THIS 6 day of Nov., 1986.

*Mayfield Howard*  
MAYFIELD HOWARD

*W. J. ...*  
(WITNESS)

*Marion ...*  
(WITNESS)

A T T E S T A T I O N C L A U S E

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

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

**FILED**  
THIS DATE

JUN 27 2002

MIKE CROOK  
CHANCERY CLERK

By: *M. Crook* D.C.

**FILED**  
THIS DATE

JUL 01 2002

MIKE CROOK  
CHANCERY CLERK

By: *M. Crook* D.C.

IN THE MATTER OF THE ESTATE OF  
MAYFIELD HOWARD, DECEASED

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the

state and county aforesaid, the within named **MARION MASSEY**, one of the subscribing witnesses of that certain instrument of writing being dated November 6, 1986 and purporting to be the Last Will and Testament of **MAYFIELD HOWARD**, now deceased, who having been by me first duly sworn, did state on her oath that the said **MAYFIELD HOWARD**, did, on the 6th day of November, 1986, in the presence of Affiant, and in the presence of **WILLIAM MASSEY**, the other subscribing witness to said instrument, did sign his name thereon, and publish and subscribe and declare said instrument to be his Last Will and Testament, this affidavit being attached to the original of said Last Will and Testament; and

That at the signing of said Last Will and Testament, the said **MAYFIELD HOWARD** was of sound disposing mind and memory and above the age of 21 years, and fully capable of executing and competent to execute the said Last Will and Testament.

Affiant herein, and the other subscribing witness, **WILLIAM MASSEY**, did

subscribe and attest said Last Will and Testament, as witnesses to the subscription and publication thereof at the special instance and request of the said MAYFIELD HOWARD in his presence and in the presence of each other.

WITNESS MY HAND this the 6-20 day of June, 2002.

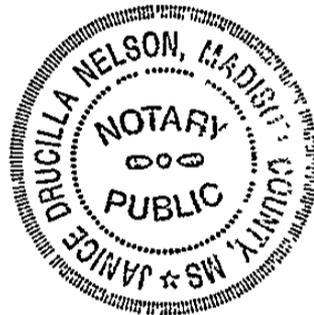
Marion Massey  
MARION MASSEY

SWORN TO AND SUBSCRIBED BEFORE ME, this the 20<sup>th</sup> day of June, 2002.

Janice Drucilla Nelson  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES SEPT. 21, 2002  
BONDED THRU STEGALL NOTARY SERVICE



Phillip M. Nelson  
Attorney at Law  
1220 Highway 51 North  
Madison, MS 39110  
1-601-856-8869  
M.S.B.# 3810

STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 1<sup>st</sup> day of July, 2002, at 9:00 o'clock a M., and was duly recorded on the JUL 11 2002, Book No. 34, Page 809.

MIKE CROOK, CHANCERY CLERK

BY: Stacey Tolson D.C.



2002-490

# Last Will and Testament **FILED**

THIS DATE

JUL 01 2002

OF

LOUISE WARD DENTON

 MIKE CROOK  
 CHANCERY CLERK  
 By: S. J. Tolson, D.C.

I, LOUISE WARD DENTON, of Marks, Mississippi, in Quitman County, being of lawful age and of sound and disposing mind hereby make, publish and declare this to be my last will and testament and revoke any will or codicil which I have heretofore made.

## ARTICLE I

Payment of debts

I authorize, empower and direct my Executrix to pay my debts and funeral expenses as soon after my death as is reasonable, and in case that any claim is made against my estate, I authorize her to settle the same in her absolute discretion.

## ARTICLE II

Stock

I give and bequeath any stock which I own at my death of the Citizens' Bank and Trust Company, Marks, Mississippi, and of the Marks Insurance Agency, Inc., Marks, Mississippi, and also any dividends payable on such stock to Ira C. Denton, Jr. and Margaret C. Khayat, share and share alike.

## ARTICLE III

Money

I bequeath the following sums of money to the following persons on the conditions set out below:

- 1) I give Joesphine Booth Kelly the sum of Three Thousand Dollars (\$3,000.00).
- 2) I give B.H. Booth, Jr. the sum of Three Thousand Dollars (\$3,000.00).
- 3) I give Frances Parks the sum of Three Thousand Dol-

Louise W. Denton

lars (\$3,000.00).

4) I give Catherine Clare Pinkston the sum of Three Thousand Dollars (\$3,000.00).

5) I give Clara Parks Booth Pinkston the sum of Three Thousand Dollars (\$3,000.00).

6) I give Grace Parks the sum of Three Thousand Dollars (\$3,000.00).

7) I give Bruce Parks, Jr. the sum of Three Thousand Dollars (\$3,000.00).

8) I give my nephew, Bill Denton, the sum of Five Thousand Dollars (\$5,000.00).

9) I give Emma Saddler the sum of Five Hundred Dollars (\$500.00).

In the event that any of the legatees above-named predecease me leaving issue, such issue shall take the deceased parent's share, in equal parts if more than one. If any legatee predecease me without issue, then the share of the predeceased legatee without issue, will go to the siblings of such deceased in equal parts if more than one.

In the event that there is not sufficient money in my estate after the payment of my debts to satisfy the total of the above bequests, the sum of all of them, then the above bequests are void and the money in my estate will pass to the beneficiaries of the residuary clause as set out below, and the above legatees will have no claim against my estate.

#### ARTICLE IV

##### Devise of Farm Land

I give and devise to the children of my brother-in-law, C. William Denton, deceased, who survive me my undivided one-eighth interest in the property commonly known as the "Partee Place," located in Quitman County, Mississippi, to share and share alike.

The description of the property is as follows:

That part of Lot 2 of Section 25, Township 28 North, Range 2 West, particularly described as follows:

BEGINNING at an iron stake in the intersection of the South

line of the public road running from the Village of Belen to the Town of Jonestown, Coahoma County, Mississippi, with the East line of said Lot 2 of said Section 25, and from this beginning point run West 178 feet to an iron stake; thence South 250 feet to an iron stake; thence East 178 feet to an iron stake; thence North 250 feet to the point of beginning; together with all improvements thereon AND ALSO,

That part of Lot 1 of Section 25, Township 28 North, Range 2 West, which is bounded on the West by the West line of said lot, and on the South by the south line of said lot, and on the North and East by the public road running from Belen to Jonestown, Mississippi, AND ALSO,

Lots 2,3,4,5,6,9,10,11,12,13 and 14 in Section 25; the East half of the Southeast Quarter (SE 1/4) of Section 26, Lot 1 in Section 36; Lot 2 in Section 36, all lying and being in Township 28, Range 2 West, Quitman County, Mississippi, AND ALSO

Block E of the Partee Addition to the Village of Belen, Quitman County, Mississippi, as shown on the plat of said Addition on file in Book H, Page 508, of the land records of Quitman County, Mississippi, in the Office of the Chancery Clerk.

#### ARTICLE V

##### Residuary Clause

All of the rest, residue and remainder of the property in my estate, real or personal, of whatsoever kind and wheresoever situated of which I shall die possessed or to which I shall be entitled at my death, I give, devise and bequeath to my sisters, Frances W. Parks and Jo W. Booth, share and share alike. If either or both of my sisters predecease me and leave issue surviving them, such issue shall take the share of my residuary estate herein bequeathed and devised to such deceased sister or sisters, per stirpes or each deceased sister's issue taking the deceased parent's share in equal parts.

#### ARTICLE VI

##### Definitions

As used in this will the terms "child", "children", "issue" are intended to include any person adopted by any legatee or devisee.

#### ARTICLE VII

##### Appointment of Executrix

I nominate and appoint my sister, Jo Ward Booth, to be the Executrix of this will and I direct that she serve without

bond, security, inventory, or accounting to any court, and I authorize her to sell any of my personal property, according to her own discretion, at public or private sale, without permission of the Court or accounting to the Court, and that she be paid \$1,000.00.

I further authorize her to sell my residence in Marks, Mississippi, without permission of the Court or accounting to the Court, according to her own discretion, if I own my residence at the time of my death, and I direct her to divide the proceeds of such sale between herself and Frances W. Parks, devisees through the Residuary Article of my estate. If she has not sold my residence at the time my estate is closed then I direct that it go to her and Frances W. Parks in equal parts.

I, LOUISE WARD DENTON, have signed this Will which consists of four pages on this the 15<sup>th</sup> day of January, 1985, in the presence of JAMES O. GOLDMAN and PEARL E. TRAYWICK who attested the same at my request.

Louise Ward Denton  
LOUISE WARD DENTON

The above and foregoing will of LOUISE WARD DENTON was declared by her in our presence to be her Will and was signed by the said LOUISE WARD DENTON in our presence; and, at her request and in her presence and in the presence of each other, we, the undersigned witnessed and attested the due execution of the will of LOUISE WARD DENTON.

WITNESS our signatures on this the 15<sup>th</sup> day of January, 1985.

ATTESTING WITNESS: James O. Goldman

ADDRESS: Marks, Miss.

ATTESTING WITNESS: Pearl E. Traywick

ADDRESS: 407 9<sup>th</sup> St. Marks, Miss.

STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 1<sup>st</sup> day of July, 2002, at 9:00 o'clock a.M., and was duly recorded on the JUL 1 2002, Book No. 34, Page 811.

MIKE CROOK, CHANCERY CLERK

BY: Sacey Tolen D.C.



**FILED**  
THIS DATE

BOOK 0034 PAGE 815

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
LOUISE WARD DENTON, DECEASED

MIKE CROOK  
CHANCERY CLERK  
By: Stacey Tolen D.C.

NO. 2002-490

JUL 01 2002

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF QUITMAN

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

(1). That this Affiant is one of the subscribing witnesses to an instrument of writing purporting to be the Last Will and Testament of Louise Ward Denton, deceased, who was personally known to the Affiant, and whose signature is affixed to her Last Will and Testament which is dated January 15, 1985.

(2). That on the 15<sup>th</sup> day of January, 1985, Louise Ward Denton 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 Pearl E Traywick, the other subscribing witness to the document.

(3). That Louise Ward Denton 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 Pearl E Traywick, subscribed and attested the instrument of writing as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of Louise Ward Denton, and in the presence of each other.

James O. Goldman

JAMES O. GOLDMAN

SWORN TO AND SUBSCRIBED before me this the 2<sup>nd</sup> day of August, 2001.

Christine Richardson D.C.

NOTARY PUBLIC

My Commission expires:

My Commission Expires Jan. 5, 2004

This document was prepared by  
Robert C. Travis  
P.O. Box 1452  
Madison, MS 39130  
Telephone #: (601) 713-3363  
Mississippi State Bar #: 08266

STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 1<sup>st</sup> day of July, 2002, at 9:00 o'clock a M., and was duly recorded on the JUL 1 2002, Book No. 34, Page 815.

MIKE CROOK, CHANCERY CLERK

BY: Stacey Tolen D.C.



2002-497

# Last Will and Testament

OF

RUTH CARR QUEEN

I, RUTH CARR QUEEN, a resident of 504 Virililia Road, Canton, Madison County, Mississippi, and being over the age of twenty-one (21) years and of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, expressly revoking all other wills and codicils thereto heretofore made by me.

### ITEM I.

I direct my Executor, hereinafter named, to pay all just debts that I may owe at the time of my death which may be legally probated against my estate and that he provide me with a respectable burial.

### ITEM II.

I give, devise and bequeath unto the following persons who are the widow and children of my deceased son, Richard Eugene Queen, the specific bequests hereafter set out:

- |    |                                |            |
|----|--------------------------------|------------|
| 1. | Mary Grace Queen, widow        | \$2,000.00 |
| 2. | Richard Eugene Queen, Jr., son | \$2,000.00 |
| 3. | Benjamin David Queen, son      | \$2,000.00 |
| 4. | Gregory Earl Queen, son        | \$2,000.00 |
| 5. | Lisa Selena Queen, daughter    | \$2,000.00 |

### ITEM III.

I give, devise, and bequeath all my remaining cash, checking accounts, savings accounts, stocks, bonds, <sup>R.C.S.</sup> or other personal property to the following persons in the following portions:

- |     |   |        |
|-----|---|--------|
| 1.  | James R. Queen  | 1/6th  |
| 2.  | William W. Queen                                      | 1/6th  |
| 3.  | Mary Queen Donnelly                                   | 1/6th  |
| 4.  | <sup>R.C.S.</sup> Mary Elizabeth (Betty) Queen Monroe | 1/6th  |
| 5.  | Esther Queen Sherberger                               | 1/6th  |
| 6.  | Mary Grace Queen                                      | 1/30th |
| 7.  | Richard Eugene Queen, Jr.                             | 1/30th |
| 8.  | Benjamin David Queen                                  | 1/30th |
| 9.  | Gregory Earl Queen                                    | 1/30th |
| 10. | Lisa Selena Queen                                     | 1/30th |

## ITEM IV.

I devise and bequeath that tract of land which I own and on which my residence is located, including my residence and contents thereof equally unto my five surviving children, namely:

1. James R. Queen
2. William W Queen
3. Mary Queen Donnelly
4. Elizabeth (Betty) Queen Monroe
5. Esther Queen Sherberger

In the event that any of these beneficiaries pre-deceases me then his or her interest will pass to the child or children of the above named beneficiary

## ITEM V.

I hereby name, constitute, and appoint my son, James R. Queen as the Executor of this my Last Will and Testament I hereby direct that the Executor not be required to give bond, make inventory, appraisement, or accounting and to the extent such requirements may be waived, I hereby waive for my Executor the requirements of bond, inventory, appraisal and accounting In the event he is unable to so serve as Executor, then I nominate, constitute and appoint my eldest living child to so serve under the same terms and conditions as granted to James R Queen

## ITEM VI.

In the event that any beneficiary named in this Will should challenge this Will, said beneficiary will be precluded from receiving any financial benefit hereunder and his or her share shall pass to the remaining beneficiaries.

## ITEM IV.

This Last Will and Testament consists of four (4) typewritten pages on each of which I have for greater security and identification signed my initials thereto

WITNESS MY SIGNATURE, this the 11 day of Aug. 1997, in the presence

Ruth Carr Queen  
RUTH CARR QUEEN

This instrument was, on the day shown above, signed, published and declared by RUTH CARR QUEEN 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.

WITNESSES:

Lloyd G. Spivey Jr  
SIGNATURE

LLOYD G. SPIVEY JR.  
PRINTED NAME

P. O. Box 8  
ADDRESS

CANTON, MISS. 39046

Kelley A. Caughen  
SIGNATURE

Kelley A. Caughen  
PRINTED NAME

P. O. Box 8  
ADDRESS

Canton, MS 39046

AFFIDAVIT OF WITNESSES

STATE OF MISSISSIPPI

COUNTY OF Madison

THIS DAY PERSONALLY APPEARED BEFORE ME, the undersigned duly commissioned and qualified Notary Public, acting within and for the State and County, \_\_\_\_\_ Lloyd L. Spivey and Kelley A. Cauten, respectively, whose names appear as subscribing witnesses to the foregoing and attached instrument of writing who after having been duly sworn, say on oath that on the 11<sup>th</sup> day of August, 1997, RUTH CARR QUEEN, in their presence, signed her name thereto, and in their presence declared the same to be her Last Will and Testament, that at her request, in their presence, and in the presence of each other, the said Affiants subscribed their names thereto as witnesses to its execution and publication, that the said RUTH CARR QUEEN, on the 11<sup>th</sup> day of August, 1997, was of lawful age, was of sound and disposing mind and memory, and there was no evidence of undue influence

Lloyd L. Spivey

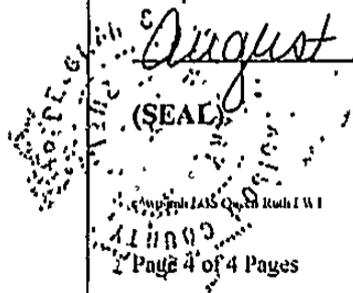
Kelley A. Cauten

SWORN TO AND SUBSCRIBED BEFORE ME, this the 11<sup>th</sup> day of August, 1997

Diliana McShaw  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

August 14, 1999



R.C.Q.  
RCQ

STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 1<sup>st</sup> day of July, 2002 at 9:00 o'clock a M, and was duly recorded on the JUL 1 2002, Book No 34, Page 816



MIKE CROOK, CHANCERY CLERK

BY: Stacey Teleno c

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
RUTH CARR QUEEN, DECEASED

CIVIL ACTION FILE  
NO. 2002-497

PROOF OF WILL

STATE OF MISSISSIPPI  
COUNTY OF MADISON

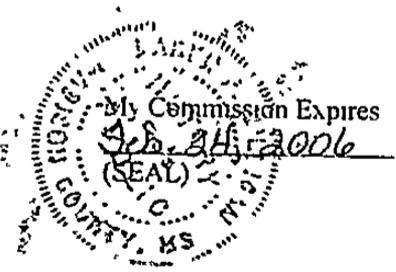
Personally appeared before me, the undersigned authority in and for said county and state, **KELLEY A. CAUTHEN**, subscribing witness to a certain instrument of writing purporting to be the Last Will and Testament of Ruth Carr Queen, deceased, and who, being by me first duly sworn, deposed and said that the said Ruth Carr Queen signed, published and declared said instrument as her Last Will and Testament on August 11, 1997, the date of said instrument, in the presence of this deponent, and that the said Testatrix was then of sound and disposing mind and memory, more than twenty-one years of age, and had her usual place of residence in Madison County, Mississippi, and the said Kelley A. Cauthen subscribed and attested said instrument, as witness to the signature and publication thereof, at the special instance of the said testatrix, in the presence of the said Ruth Carr Queen and in the presence of Lloyd G. Spivey, Jr, the other subscribing witness, 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 Testatrix.

Kelley A. Cauthen  
KELLEY A. CAUTHEN

SWORN TO AND SUBSCRIBED before me, this the 7<sup>th</sup> day of June, 2002

Karen P. Brillion  
NOTARY PUBLIC



STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 1st day of July, 2002, at 9:00 o'clock A.M. and was duly recorded on the JUL 11 2002 Book No. 34 Page 820.



WINE CROOK, CHANCERY CLERK

BY: Sandy Tatum