

2002-554

# Last Will and Testament

OF

MARION IRISH BELL

I, MARION IRISH BELL, a resident citizen of Jackson, Hinds County, Mississippi, being over the age of eighteen (18) years and of sound and disposing mind and memory, do make, declare and publish this my Last Will and Testament, and I hereby expressly revoke any and all wills and codicils to wills heretofore made by me.

FIRST: I direct that all my just debts, which may be probated and allowed against my estate, and all my funeral expenses be first paid out of my estate. From my residuary estate, I direct my Executor to pay all transfer, inheritance, legacy, estate, succession and other taxes, whether federal or state and without apportionment, levied upon or assessed against my estate attributable to property passing hereunder or otherwise. No devisee, legatee, donee, transferee or insurance beneficiary shall be required to pay or contribute to the payment of such taxes. This clause of my Will shall not be construed as creating a trust for the benefit of my creditors.

SECOND: In the event my husband, WARREN NAPIER BELL, shall survive me, I give and bequeath to him all of my household furniture and furnishings, books, pictures, objects of art, silverware, jewelry, clothing and such other personal effects, club memberships and any automobiles which I may own at my death, in fee simple and free of any trust.

In the event my said husband shall survive me, I give and bequeath unto each of my children, PAMELA BELL BARTH, PERI BELL

**FILED**  
THIS DATE

AUG 06 2002

MIKE CROOK  
CHANCERY CLERK  
By: Ruth Benge D.C.

Marion Irish Bell  
MARION IRISH BELL

AKIN and HEATHER BELL INGRAM, the sum of Five Thousand Dollars (\$5,000.00) in cash, and if any of my children be not living at the time of my death, the bequest of cash to a deceased child shall go to the issue, in equal shares per stirpes, of said deceased child, but if there be no such issue living, then the bequest of cash to such child dying without issue shall go to my other children in equal shares if they are then living and to the issue then living, in equal shares per stirpes, of any other deceased child, if another child is also then deceased.

If my said husband predeceases me, I give and bequeath all of the personal property mentioned in the preceding paragraphs of this Article unto my children, PAMELA BELL BARTH, PERI BELL AKIN and HEATHER BELL INGRAM, absolutely and in fee simple, in equal shares, and if any of my children be not living at the time of my death, the share of a deceased child shall go to the issue, in equal shares per stirpes, of said deceased child, but if there be no such issue living, then the share of such child dying without issue shall go to my other children in equal shares if they are then living and to the issue then living, in equal shares per stirpes, of any other deceased child, if another child is also then deceased. For purposes of this Will and its entire interpretation, the term "child", "children", "issue" and other terms of similar meaning and import shall include any and all natural and legally adopted children of the persons referred to in this Will.

THIRD: After the payment of my just debts, expenses and the bequest of personal property, I give, bequeath and devise all the rest, residue and remainder of my property and estate, real and personal, of whatever nature and wherever situated, as follows:

  
MARION IRISH BELL

A.

I give, bequeath and devise to my husband, WARREN NAPIER BELL, to have and to hold during the term of his life, without bond or other security that fraction of my residuary estate of which the numerator shall be a sum equal to the largest amount that can pass free of federal estate tax under this Article of my Will by reason of the unified credit and the state death tax credit allowable to my estate but no other credit and after taking account of property passing outside of this Will which is included in my estate for federal estate tax purposes and which does not qualify for the marital or charitable deduction and after taking account of charges to principal that are not allowed as deductions in computing my federal estate tax and of which the denominator shall be the value of my residuary estate. For the purpose of establishing such fraction, the values finally fixed in the federal estate tax proceedings related to my estate shall be used. From the value of this bequest and devise there shall be subtracted the sum of Fifteen Thousand Dollars which is bequeathed in Article SECOND of this my will.

At my husband's death after mine or if my husband predeceases me, whichever condition applies, I give, bequeath and devise all such property in remainder or as my residuary estate to my children, PAMELA BELL BARTH, PERI BELL AKIN and HEATHER BELL INGRAM, absolutely and in fee simple, in equal shares and if any of my children be not living at the time she is to take as remainderman or as residuary heir, the share of the deceased child shall go to the issue, in equal shares per stirpes, of said deceased child, but if there be no such issue living, then the share of such child dying without issue shall go to my other children in equal shares if they are then living, and to the

  
MARION IRISH BELL

issue then living, in equal shares per stirpes, of any other deceased child, if another child is also then deceased.

My husband shall have the power to sell and convey any assets in my estate in which he holds a life estate, including our residence, in his absolute discretion and invest the proceeds of sale attributable to my legal interest therein. During the term of his life and after any sale or conveyance of assets including our residence, my husband shall be legally entitled to receive all the income annually, or at more frequent intervals, from property in my estate in which he holds a life estate and from reinvestment of sale proceeds of any such assets sold or conveyed, the annual income to be received as his own; he shall have the power to buy, sell, invest and reinvest any life estate assets or proceeds of sale from any such assets in his absolute discretion. In the allocation between principal and income of such investments, the Mississippi Uniform Principal and Income Law, Sections 91-17-1 through 91-17-31, Mississippi Code 1972, as amended, shall apply.

My husband shall be entitled to possession of all property in my estate in which he holds a life estate and shall not be required to furnish any security for any of it. He shall not be liable for the loss or destruction of any property passing under this Article THIRD A. nor for any loss due to investments by him. He shall not be liable for the payment of any encumbrances or assessments on the principal property in which he holds this life estate, all of which shall be paid from principal.

B.

I give, bequeath and devise the balance, if any, of my residuary estate to my husband, WARREN NAPIER BELL, absolutely and in fee simple. In the event my husband predeceases me, all

*Marion Irish Bell*  
MARION IRISH BELL

such property in my estate shall go at my death to my said children, in equal shares, absolutely and in fee simple, and if any of my children be not living at the time of my death, the share of a deceased child shall go to the issue, in equal shares per stirpes, of said deceased child, but if there be no such issue living, then the share of such child dying without issue shall go to my other children in equal shares if they are then living, and to the issue then living, in equal shares per stirpes, of any other deceased child, if another child is also then deceased.

FOURTH: All bonds, bank accounts, saving accounts, building and loan accounts, securities accounts and other similar property that I may own at the time of my death in the name of myself and/or any other person which are in terms payable on or after my death to such other person, shall be the sole property of such other person, and my Executor shall make no claims against such other person on account thereof.

FIFTH: No corporation, creditor, debtor, buyer, seller, agent or other person dealing with my Executor hereunder shall be obliged to examine the terms upon which property is held or any act is done by my Executor; but any such corporation, creditor, debtor, buyer, seller, agent or other person shall be entitled and is expected by me, unless any person dealing with my Executor acts in bad faith or knows that my Executor is acting without authority, to deal with any property to be administered under this instrument and with my Executor as if such Executor were owner of such property, free of any trust, and to rely upon the assurances and representations of my Executor that my Executor is acting within the scope of his authority and within the provisions of this Will.

  
MARION IRISH BELL

SIXTH: In the event my death and that of my husband, WARREN NAPIER BELL, shall occur as the result of a common disaster, or under such circumstances that there shall be insufficient evidence that my said husband and I died otherwise than simultaneously, my said husband shall be considered for purposes of this Article of my Will, and for its entire interpretation, to have predeceased me.

SEVENTH: I hereby nominate, constitute and appoint my said husband, WARREN NAPIER BELL, Executor of this my Last Will and Testament. If my husband does not survive me, or if he fails to qualify as Executor, or having qualified, should die, resign or become incapacitated, then and in that event, I nominate, constitute and appoint my daughter, PERI BELL AKIN, as successor Executrix and convey upon her all the rights, powers, discretions, privileges and exemptions of my original Executor. In the event my daughter PERI BELL AKIN, cannot or is unable to serve, I nominate and appoint my daughter, HEATHER BELL INGRAM, as successor Executrix. At any time during the administration of my estate, the Executor or Executrix then acting shall have power to designate a successor Executrix or Executor, such designation to be made by written instrument duly acknowledged and filed according to law, and if such designation is made by my said husband, then the nomination and appointment of my daughters PERI BELL AKIN and HEATHER BELL INGRAM, as successor Executrices hereinabove made, shall be null and void. I direct that no Executor or Executrix nominated and appointed by me or designated in accordance with the provisions of this Article, shall be required to furnish any bond or other security for the faithful performance of his or her duties, notwithstanding any provision of the law to the contrary; nor shall any inventory, accounting

  
MARION IRISH BELL

or appraisement of my estate be required. My Executor or Executrix hereunder shall not be personally liable for anything he or she in good faith does or fails to do. Further, my Executor or Executrix hereunder is empowered to do anything which he or she is authorized to do under this Will with or without any order of any Court, and in the case of any sales, exchanges, leases, etc., with or without any advertisement, at public or private sales or transactions.

EIGHTH: I hereby confer upon my Executor under this Will and upon any successor Executrix or Executor, all those powers enumerated in the Mississippi Uniform Trustees' Powers Law, Section 91-9-101 through 91-9-119, Mississippi Code 1972, as amended; where appropriate for interpretation as related to my Executor, the word "estate" and related words shall be substituted for the word "trust" and related words in such statutory provisions.

NINTH: Whenever all or any part of my estate shall be distributable to a person who is then under the age of twenty-one (21) years, my Executor or Executrix is hereby granted a power in trust, without bond or other undertaking, to hold and administer such property for the benefit of such person during the years of his or her minority, to invest or reinvest such property, to collect the income therefrom, and, after deducting all charges properly allocable thereto, to pay to or apply to the use of such person so much of the net income as he or she, in his or her discretion, deems appropriate and to accumulate for the benefit of such person any income not so paid or applied. In addition, my Executor or Executrix is authorized to pay to or apply to the use of such person so much of the principal amount of such person's property and accumulation as he or she, in his or her

  
MARION IRISH BELL

discretion, deems appropriate. Any remaining principal and accumulated income shall be paid to such person when he or she attains the age of twenty-one (21) years, and thereupon such power in trust hereby granted shall terminate with respect to such person.

TENTH: I hereby direct that the validity, construction, effect and administration of the testamentary dispositions made in this Will shall be determined by the laws of the State of Mississippi and that the Courts of the State of Mississippi shall have jurisdiction over the administration of my estate and each and every trust created hereunder or resulting by reason of any of the provisions of this Will, regardless of where any assets or property, or all of the assets or property, of the estate or trust may be located or situated.

IN WITNESS WHEREOF, I have hereunto set my hand to this my Last Will and Testament, appearing on this and the preceding seven (7) pages each written on one side only, and at the bottom of each of which I have signed my name, in the presence of Laura A. Cash and Wayne E. Nix, whom I have requested to act as subscribing witnesses hereto on this the 5 day of August, 1986.

Marion Irish Bell  
MARION IRISH BELL

We, Laura A. Cash and Wayne E. Nix,  
at the request of MARION IRISH BELL, in her presence and in the presence of each other have signed this instrument as attesting

Marion Irish Bell  
MARION IRISH BELL

witnesses, MARION IRISH BELL, having signed, published and declared the said instrument as and for her Last Will and Testament in our presence; and at the time of execution of said Will, said testatrix was over the age of eighteen (18) years, was of sound and disposing mind, memory and understanding, and was under no improper influence or restraint to the best of our knowledge and belief.

WITNESS OUR SIGNATURES, this the 5<sup>th</sup> day of August, 1986.

Laura G. Cosh

Address: 2233 Belvedere Dr.  
Jackson, Ms 39204

Wayne E. Nix

Address: 155-H Woodway Drive  
Jackson, Mississippi 39206

STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 6<sup>th</sup> day of August, 2002, at 2:40 o'clock P M., and was duly recorded on the 6<sup>th</sup>, Book No. 0035, Page 101.

MIKE CROOK, CHANCERY CLERK BY: Ruth Berger D.C



Marion Irish Bell  
MARION IRISH BELL

**FILED**  
THIS DATE

AUG 06 1986

MIKE CROOK  
CHANCERY CLERK

By: Ruth B. [Signature] D.C.

STATE OF MISSISSIPPI  
COUNTY OF HINDS

AFFIDAVIT OF SUBSCRIBING WITNESS TO  
THE LAST WILL AND TESTAMENT OF  
MARION IRISH BELL  
DATED August 5, 1986

Personally appeared before me, the undersigned authority in and for the above named county and state, Laura A. Cash, one of the subscribing witnesses to a certain instrument of writing purporting to be the Last Will and Testament of MARION IRISH BELL of the County of Hinds, State of Mississippi, who, having by me first been duly sworn on oath, stated on oath as follows:

That he/she signed, attested and subscribed the instrument of writing attached hereto purporting to be the Last Will and Testament of MARION IRISH BELL; that said instrument was signed, made, declared, published and executed by MARION IRISH BELL on the 5th day of August, 1986, in his/her presence and the presence of Wayne E. Nix, as subscribing and attesting witnesses, and signed, attested and subscribed by each of them in the presence of the said MARION IRISH BELL, and in the presence of each other; and MARION IRISH BELL declared the said instrument of writing dated August 5, 1986, to be his/her Last Will and Testament to each of them and

specifically requested that they act as subscribing and attesting witnesses thereto; and on said occasion MARION IRISH BELL was known to him/her to be above the age of eighteen (18) years and was of sound and disposing mind and memory, was mentally capable of recognizing and was actually conscious of the act of making, executing, declaring, attesting and publishing said instrument of writing, and he/she was under no duress or undue influence perceptible to affiant, and that affiant signed as a subscribing and attesting witness to said instrument of writing dated August 5, 1986, at the request of MARION IRISH BELL in his/her presence and in the presence of Wayne E. Nix and that affiant was at such time a competent witness under the laws of the State of Mississippi.

Laura G. Cash  
AFFIANT

SWORN to and subscribed before and certified by me  
this the 5<sup>th</sup> day of August, 1986.

Bruce Norton  
NOTARY PUBLIC

My commission expires:

January 12, 1988

**FILED**  
THIS DATE

BOOK **0035** PAGE **112**

AUG 06 2002

MIKE CROOK  
CHANCERY CLERK  
By Keith B. [unclear] D.C.

FIRST CODICIL TO THE LAST WILL AND TESTAMENT

OF

MARION IRISH BELL

I, MARION IRISH BELL, being over eighteen (18) years of age, of sound and disposing mind and memory, and not acting under fraud, duress or undue influence of any kind whatsoever, do hereby make, publish and declare this to be the first codicil to my Last Will and Testament dated August 5, 1986.

1. I direct that the words "and the state death tax credit" appearing on lines 6 and 7 of paragraph THIRD A. on page 3 be deleted.

2. As amended by this codicil, I hereby ratify, confirm and republish my Will dated August 5, 1986.

IN WITNESS WHEREOF, I have hereunto set my hand to this the first codicil to my Last Will and Testament, appearing on this page only, at the bottom of which I have signed my name in the presence of Delois G. Joyner and Ann E. Mesaner, whom I have requested to act as subscribing witnesses hereto on this the 21 day of February, 1994.

Marion Irish Bell  
MARION IRISH BELL

We, Delois G. Joyner and Ann E. Mesaner, at the request of MARION IRISH BELL, in her presence and in the presence of each other, have signed this instrument as attesting witnesses, MARION IRISH BELL having signed, published and declared

Marion Irish Bell  
MARION IRISH BELL

the said instrument as the first codicil to her Last Will and Testament in our presence; and at the time of execution of said codicil, said testatrix was over the age of eighteen (18) years, was of sound and disposing mind, memory and understanding, and was under no improper influence or restraint to the best of our knowledge and belief.

WITNESS OUR SIGNATURES, this the 21st day of February,  
1994.

Delois G. Soyner

Address: 309 Lionel Road  
Pearl, MS 39208

Ann E. Messner

Address: 143 Glenwood Dr.  
Madison MS 39110

P04-0222.M04

Marion Irish Bell  
MARION IRISH BELL

**FILED**  
THIS DATE

STATE OF MISSISSIPPI

AUG 06 2002

COUNTY OF HINDS

MIKE CROOK  
CHANCERY CLERKBy: Richard B. [Signature] D.C.AFFIDAVIT OF SUBSCRIBING WITNESS TO  
THE FIRST CODICIL TO  
THE LAST WILL AND TESTAMENT OF  
MARION IRISH BELL  
DATED AUGUST 5, 1986

Personally appeared before me, the undersigned authority in and for the above named county and state, Ann E. Messner, one of the subscribing witnesses to a certain instrument of writing purporting to be the First Codicil to the Last Will and Testament of MARION IRISH BELL, dated August 5, 1986, who, having by me first been duly sworn on oath, stated on oath as follows:

That he/she signed, attested and subscribed the instrument of writing attached hereto purporting to be the First Codicil to the Last Will and Testament of MARION IRISH BELL, that said instrument was signed, made, declared, published and executed by MARION IRISH BELL, on the 21 day of February, 1994, in his/her presence and the presence of Delois G. Joyner, as subscribing and attesting witnesses, and signed, attested and subscribed by each of them in the presence of the said MARION IRISH BELL, and in the presence of each other; and MARION IRISH BELL, declared the said instrument of writing dated February 21st, 1994, to be the First Codicil to her Last Will and Testament dated August 5, 1986, to each of them and specifically requested that they act as subscribing and attesting witnesses thereto; and on said occasion MARION IRISH BELL was known to him/her to be above the age of eighteen (18) years and was of sound and disposing mind and memory, was mentally capable of recognizing and was actually conscious of the act of making, executing, declaring, attesting and publishing said instrument of writing, and she was under no duress or

undue influence perceptible to affiant, and that affiant signed as a  
subscribing and attesting witness to said instrument of writing dated  
February 21, 1994, at the request of MARION IRISH BELL, in  
her presence and in the presence of Delois G. Joyner and  
that affiant was at such time a competent witness under the laws of the  
State of Mississippi.

Ann E. Messner  
AFFIANT

SWORN to and subscribed before and certified by me this the 21<sup>st</sup> day  
of February, 1994.

Viki Nell Phillips  
NOTARY PUBLIC

My commission expires:

MY COMMISSION EXPIRES JANUARY 12, 1997

**FILED**  
THIS DATE

AUG 06 2002

STATE OF MISSISSIPPI  
COUNTY OF HINDS

MIKE CROOK  
CHANCERY CLERK  
By: *Richard Joyner* D.C.

AFFIDAVIT OF SUBSCRIBING WITNESS TO  
THE FIRST CODICIL TO  
THE LAST WILL AND TESTAMENT OF  
MARION IRISH BELL  
DATED AUGUST 5, 1986

Personally appeared before me, the undersigned authority in and for the above named county and state, Delois G. Joyner, one of the subscribing witnesses to a certain instrument of writing purporting to be the First Codicil to the Last Will and Testament of MARION IRISH BELL, dated August 5, 1986, who, having by me first been duly sworn on oath, stated on oath as follows:

That he/she signed, attested and subscribed the instrument of writing attached hereto purporting to be the First Codicil to the Last Will and Testament of MARION IRISH BELL, that said instrument was signed, made, declared, published and executed by MARION IRISH BELL, on the 21 day of February, 1994, in his/her presence and the presence of Ann E. Messner, as subscribing and attesting witnesses, and signed, attested and subscribed by each of them in the presence of the said MARION IRISH BELL, and in the presence of each other; and MARION IRISH BELL, declared the said instrument of writing dated February 21st, 1994, to be the First Codicil to her Last Will and Testament dated August 5, 1986, to each of them and specifically requested that they act as subscribing and attesting witnesses thereto; and on said occasion MARION IRISH BELL was known to him/her to be above the age of eighteen (18) years and was of sound and disposing mind and memory, was mentally capable of recognizing and was actually conscious of the act of making, executing, declaring, attesting and publishing said instrument of writing, and she was under no duress or

undue influence perceptible to affiant, and that affiant signed as a  
subscribing and attesting witness to said instrument of writing dated  
February 21, 1994, at the request of MARION IRISH BELL, in  
her presence and in the presence of Ann E. Messner and  
that affiant was at such time a competent witness under the laws of the  
State of Mississippi.

Delois D. Soyner  
AFFIANT

SWORN to and subscribed before and certified by me this the 21<sup>st</sup> day  
of February, 1994.

Vicki Ann Phillips  
NOTARY PUBLIC

My commission expires:

MY COMMISSION EXPIRES JANUARY 12, 1997

STATE OF MISSISSIPPI, COUNTY OF MADISON

I certify that the within instrument was filed for record in my office this 6<sup>th</sup> day  
of Aug., 2002, at 2:40 o'clock P M., and was duly recorded  
on the 10<sup>th</sup>, Book No. 35, Page 116.

MIKE CROOK, CHANCERY CLERK

BY: Ruth Barger D.C



P-2002-45543

BOOK ~~131~~ PAGE ~~120~~

**FILED**  
THIS DATE

BOOK **0035** PAGE **118**

AUG 09 2002

LAST WILL AND TESTAMENT

**FILED**  
JUL 25 2002

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

OF  
MARIE M. HEMPHILL

L. GLYNN PEPPER, CHANCERY CLERK  
BY: [Signature] D.C.

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

ITEM I.

I have two (2) adult children now living, MARILYN DAVIS HEMPHILL SMITH and ANN ELIZABETH STEWART.

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

ITEM II.

I appoint my daughter, MARILYN DAVIS HEMPHILL SMITH, as Executor of my estate under this Will. In the event my Executor is or becomes unable or unwilling to serve, I appoint LEM O. SMITH, III to serve as successor Executor.

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

FOR IDENTIFICATION:

[Signature]

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.

ITEM V.

I give, devise and bequeath to my granddaughter, ANN ELIZABETH SMITH, the proceeds from that certain GNA LIFE INSURANCE COMPANY Annuity that I have previously purchased having an effective date of April 24, 1989, being policy #02-00173806 and bearing contract #02-00173806.

ITEM VI.

I give, devise and bequeath to my grandson, LEMUEL OWEN SMITH, IV, the proceeds from that certain GNA LIFE INSURANCE COMPANY Annuity that I have previously purchased having an

FOR IDENTIFICATION:

M. M. H.

effective date of May 11, 1989, being policy #02-00170697 and bearing contract #02-00170697.

ITEM VII.

I give, devise and bequeath one-half of the rest and residue of my entire estate, real and personal, of whatsoever kind or character and wheresoever situated to my daughter, MARILYN DAVIS HEMPHILL SMITH, if she survives me. In the event my daughter, MARILYN DAVIS HEMPHILL SMITH does not survive me, then such bequest shall be distributed to DEPOSIT GUARANTY NATIONAL BANK for the benefit of my two grandchildren, ANN ELIZABETH SMITH and LEMUEL OWEN SMITH, IV, to hold, administer and distribute in accordance with the provisions set forth herein. The Trustee shall divide the trust into equal shares. There shall be a separate trust for my granddaughter, ANN ELIZABETH SMITH, and my grandson, LEMUEL OWEN SMITH, IV, and one trust for the then living children, collectively, of each deceased grandchild of mine (being my great-grandchildren by that deceased grandchild).

A. 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 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

FOR IDENTIFICATION:

M. M. J.

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) As and when each grandchild attains the age of twenty-five (25) years, the Trustee shall distribute to that grandchild one-half (1/2) of that grandchild's trust estate at that date. Thereafter when each grandchild attains age thirty (30) years, the Trustee shall distribute to such grandchild the remainder of that grandchild's trust estate. If at the time of my death, any grandchild of mine has attained the age required herein for distribution of part or all of the principal of his or her trust, such part or all of that principal shall be distributed to that grandchild at that time.

The assets of a trust for surviving children of a deceased grandchild of mine (being my great-grandchildren by that deceased child) shall be distributed, in equal shares, to the children of such deceased grandchild when the youngest living child of such deceased grandchild of mine attains the age of twenty-five (25) 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.

(4) In the event of death of any grandchild after division of this trust into separate trusts and prior to receipt by that grandchild of his or her entire trust estate, the balance in the trust of my deceased

FOR IDENTIFICATION:

M. M. J.

grandchild shall be retained in trust for the benefit of such grandchild's then living children (being my great-grandchildren by that deceased grandchild). The net income and principal shall be distributed among such surviving great-grandchildren as the Trustee determines in accordance with the directions and standards previously set forth in subparagraphs (1) and (2) above. The trust estate for the children of a deceased grandchild of mine (being my great-grandchildren by that deceased grandchild) shall be distributed, in equal shares, to the children of such deceased grandchild when the youngest living child of such deceased grandchild attains the age of twenty-five (25) 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. If at the death of a grandchild of mine, he or she leaves no surviving descendants, that deceased grandchild's trust estate shall be distributed to the trusts created for the other grandchild or his or her descendants to be held, administered and distributed in accordance with the provisions of such trusts or shall be distributed outright to a beneficiary who had previously reached the age to have received a distribution of his or her trust estate.

B. In the event all of the persons and classes designated as beneficiaries of this trust die prior to the distribution of all trust assets, the trust assets shall be distributed to PEAR ORCHARD PRESBYTERIAN CHURCH, PCA, Ridgeland, Mississippi.

C. 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.

FOR IDENTIFICATION:

M. M. H.

D. This trust shall be designated and known as the "Marie M. Hemphill Family Trust."

VIII.

I give, devise and bequeath one-half (1/2) of the rest and residue of my entire estate, real and personal, of whatsoever kind or character and wheresoever situated to my daughter, ANN ELIZABETH STEWART. In the event my daughter, ANN ELIZABETH STEWART, is deceased, then her share shall pass to my daughter, MARILYN DAVIS HEMPHILL SMITH, or if she is deceased, then to the "Marie M. Hemphill Family Trust" as set forth in ITEM VII of this Will.

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, 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.

FOR IDENTIFICATION:

M. M. H

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 "Marie M. Hemphill Family Trust," except when necessary for the purposes of distribution, 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.

FOR IDENTIFICATION:

Jm. M. H.

## 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 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 of any trust created in this Will may resign at any time by giving written notice, specifying the effective date of resignation, to the persons who are income beneficiaries of the trust at that particular time. The notice may be made by personal delivery or sent by registered mail.

The Trustee or any successor Trustee of any trust created by this Will may be removed by and a successor Trustee appointed by my daughter, MARILYN DAVIS HEMPHILL SMITH in the event that this trust is funded during her lifetime. Upon the death of MARILYN DAVIS HEMPHILL SMITH, the Trustee may be removed by a Successor Trustee appointed by all of the adult income beneficiaries of such

FOR IDENTIFICATION:

M. M. H.

trust. In the event an income beneficiary is a minor, then the legal guardian of such minor shall have the right to remove and/or appoint a successor trustee. However, if there is more than one income beneficiary of a trust, then a decision to remove and/or appoint a successor trustee shall be made by unanimous consent of all of the adult income beneficiaries and/or the legal guardian or guardians of a minor income beneficiary. In any event, the successor trustee shall be a bank possessing trust powers or a trust company.

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 upon 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 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.

FOR IDENTIFICATION:

M. M. J.

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 the DEPOSIT GUARANTY NATIONAL BANK, Jackson, Mississippi, or 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.

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.

FOR IDENTIFICATION:

M. M. H.

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.

ITEM XVI.

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

FOR IDENTIFICATION:

M. M. J.

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. 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.

FOR IDENTIFICATION:

M. M. St.

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, 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 24 day of December, 1992.

Marie M. Hemphill  
Marie M. Hemphill

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

James A. Pettis III

Madison, Mississippi  
Address

Ausan A. Pettis

Madison, Mississippi  
Address

**FILED**  
THIS DATE

IN THE CHANCERY COURT  
OF THE FIRST JUDICIAL DISTRICT  
OF HINDS COUNTY, MISSISSIPPI

AUG 09 2002

MIKE CROOK  
CHANCERY CLERK

By: *Pettis* D.C.

BOOK **0035** PAGE **131**

ESTATE OF MARIE M. HEMPHILL,  
DECEASED

NO. 2002634

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF HINDS

This date personally appeared before me, the undersigned authority at law and for the jurisdiction aforesaid, the within named James L. Pettis, III, 105 Fawn Lane, Madison, Mississippi 39110, 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 Marie M. Hemphill, 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 24<sup>th</sup> day of December, 1992.

B. That on the 24<sup>th</sup> day of December, 1992, the said Marie M. Hemphill, 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 Susan F. Pettis, the other subscribing witness to said instrument.

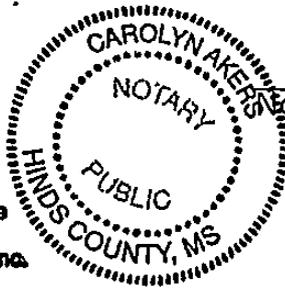
C. That the said Marie M. Hemphill was then and there of sound and disposing mind and memory, and well above the age of twenty-one (21) years.

D. That this affiant, together with Susan F. Pettis, 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 Marie M. Hemphill, and in the presence of each other.

James L. Pettis, III  
James L. Pettis, III

SWORN TO AND SUBSCRIBED BEFORE ME, this the 16<sup>th</sup> day of July, 2002.



Carolyn Akers  
Carolyn Akers  
Notary Public

My Commission Expires:

Notary Public State of Mississippi At Large  
My Commission Expires: July 27, 2004  
—Bonded Thru Heiken, Brooks & Garland, Inc.

James L. Pettis, III, MSB #4151  
Jason P. Loden, MSB #100121  
ARMSTRONG ALLEN, PLLC  
2525 Lakeward Drive, Suite 200  
Jackson, Mississippi 39216  
(601) 713-1192

ATTORNEYS

K:\JLP\HEMPHILL\wit2.aff

**FILED**  
THIS DATE

IN THE CHANCERY COURT  
OF THE FIRST JUDICIAL DISTRICT  
OF HINDS COUNTY, MISSISSIPPI

AUG 09 2002

BOOK **0035** PAGE **133**

MIKE CROOK  
CHANCERY CLERK

By: [Signature] D.C.

ESTATE OF MARIE M. HEMPHILL,  
DECEASED

NO. 2002 634

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 Susan F. Pettis, 105 Fawn Lane, Madison, Mississippi 39110, 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 Marie M. Hemphill, 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 24<sup>th</sup> day of December, 1992.

B. That on the 24<sup>th</sup> day of December, 1992, the said Marie M. Hemphill, 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 James L. Pettis, III, the other subscribing witness to said instrument.

C. That the said Marie M. Hemphill 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 James L. Pettis, III, subscribed and attested said instrument as witnesses to the signature and publication thereof, at the

special instance and request, and in the presence of said Marie M. Hemphill, and in the presence of each other.

Susan F. Pettis  
Susan F. Pettis

SWORN TO AND SUBSCRIBED BEFORE ME, this the 16<sup>th</sup> day of July, 2002.

Carolyn Jewell Akers  
Notary Public

My Commission Expires:  
Notary Public State of Mississippi At Large  
My Commission Expires: July 27, 2004  
~~Bonded Thru Holden, Brooks & Garland, Inc.~~



James L. Pettis, III, MSB #4151  
Jason P. Loden, MSB #100121  
ARMSTRONG ALLEN, PLLC  
2525 Lakeward Drive, Suite 200  
Jackson, Mississippi 39216  
(601) 713-1192

ATTORNEYS

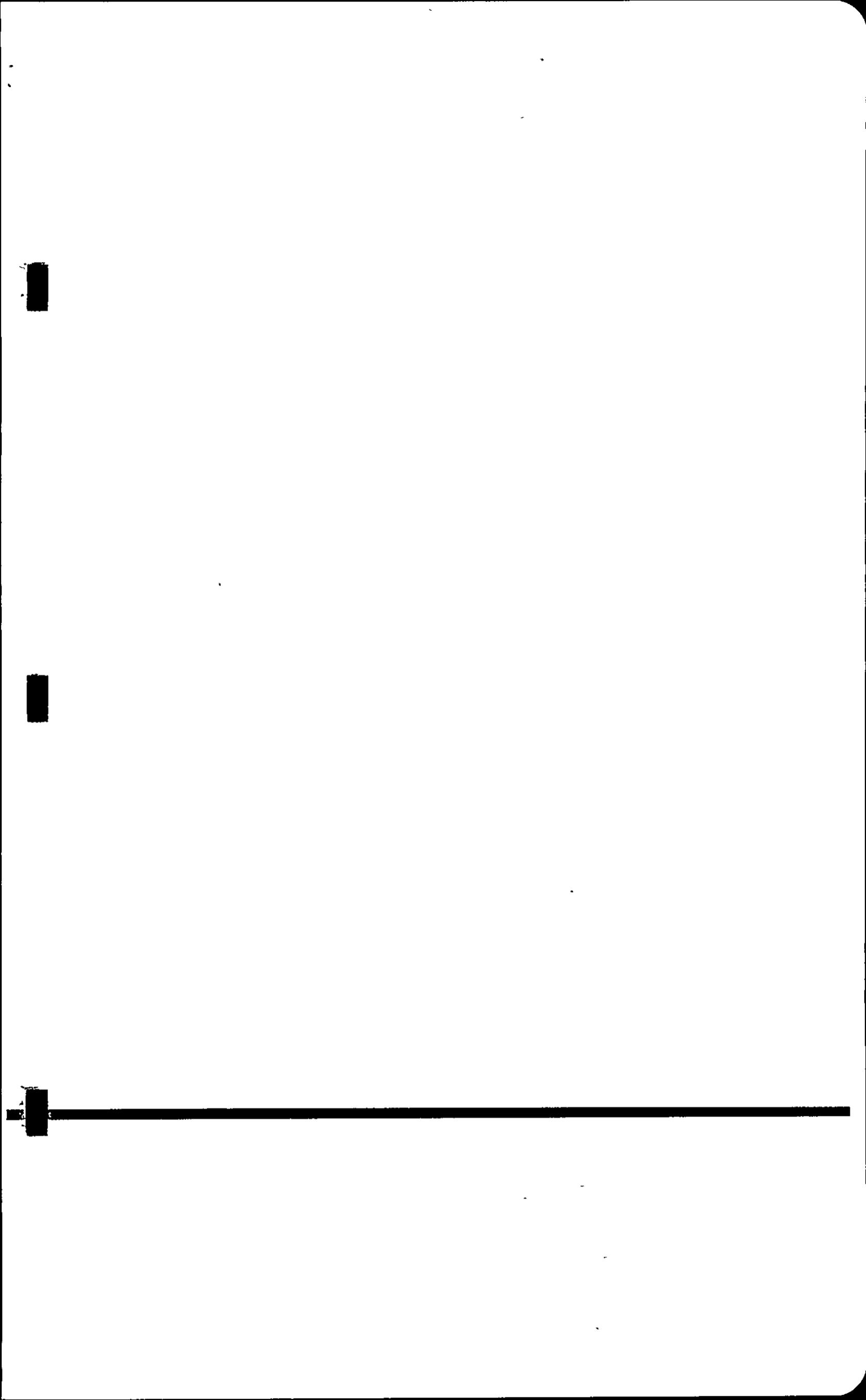
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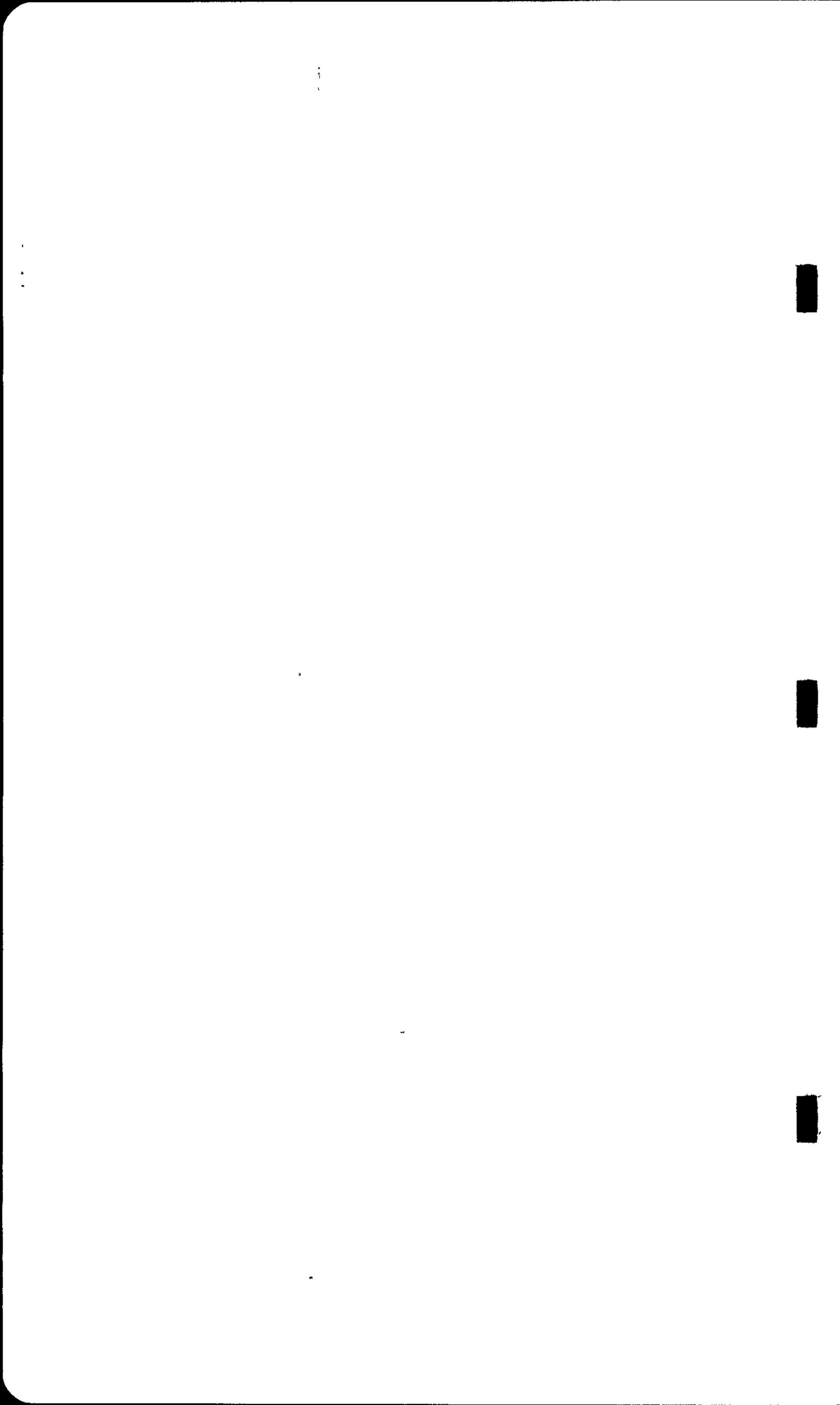
STATE OF MISSISSIPPI, COUNTY OF MADISON



I certify that the within instrument was filed for record in my office this 9 day of August, 2002, at 9 o'clock A M, and was duly recorded on the AUG 09 2002, Book No 0035, Page 118.

MIKE CROOK, CHANCERY CLERK BY: C. Nichols D.C.





FILED 9/27/01 TO  
 JOHN A. CLARKE, CLERK  
 BY *[Signature]* DEPUTY

RF065695

LAST WILL  
 OF  
 ELSIE H. HOBSON

I, ELSIE H. HOBSON, a resident of Los Angeles County, California, declare this to be my Last Will and revoke all former Wills and Codicils.

FIRST: I declare that I am married to JAMES HOBSON and that I have no children or issue of any deceased children. While some provisions of this Will and my husband's Will are reciprocal, I do not intend that such Wills are to be contractual. My husband shall be free to modify his Will in any manner he deems appropriate.

SECOND: I give to my sister, MARY ANN CORTRIGHT, the following assets:

A. My diamond ring worn by me as an engagement ring, the stone of which previously belonged to my mother.

B. That undivided one-tenth interest in those properties comprising the "C. E. Holmes Estate," consisting of real estate in Leflore and Yazoo Counties, Mississippi, and which I received under the Wills of my father, J. G. HOLMES, or my mother, ELSIE E. HOLMES.

In the event that my sister does not survive me by thirty (30) days, I give my diamond ring, described in Paragraph A, above, to my niece, ELSIE GRAY CORTRIGHT HENDRICKSON, and, should she not survive me, I give said ring to my niece, MARY NELL CORTRIGHT PRICHARD. Should neither survive me, I give said ring to my nephew EDWARD GREENFIELD CORTRIGHT, III. In the event my sister does not survive me by thirty days, I give my interest in the "C. E. Holmes Estate" properties to my brother-in-law, EDWARD GREENFIELD CORTRIGHT, JR., and, in the event that he should not survive me, I give said interest to the issue of my sister who do so survive me, to be divided among such issue upon the principle of representation. In the event that my sister does not leave any issue who so survive me, such property shall augment the residue of my estate.

THIRD: I give the rest and residue of my estate, real and personal, wherever located, to my husband, JAMES HOBSON, provided that he survives me by thirty (30) days. In the event that my husband does not so survive me, I give such rest and residue as follows:

A. All real or personal property, title to which is in my name alone, and which is either property I inherited from my father or my mother, or is traceable thereto, including, but not limited to, should I still own it at the time of my death, that condominium property located at #60 Breakers Lane, Jackson, Mississippi, and oil, gas and mineral rights and leases located in the state of Mississippi, along with all my jewelry, clothing, furs and personal effects, I give to my sister, MARY ANN CORTRIGHT, provided that she survives me by thirty (30) days, and in the event that she does not so survive me, then to her issue who do so survive me, to be divided among the issue upon the principle of representation. In the event that my sister does not leave any issue who do so survive me, all of such assets shall augment the remainder disposed of under the provisions of paragraph B below.

B. The remainder of such rest and residue shall be divided and distributed as follows:

1. One-half thereof shall be distributed to my sister, MARY ANN CORTRIGHT, provided that she survives me by thirty (30) days, and in the event that she does not so survive me, then to her issue who do so survive me, to be divided among the issue, upon the principle of representation. In the event that my sister does not leave any issue who do so survive me, all of such one-half shall augment the other one-half disposed of under the provisions of subparagraph 2. below.

2. One-half thereof shall be distributed to my brother-in-law, JOHN S. HOBSON, JR., provided that he survives me by thirty (30) days, and in the event that he does not so survive me, then to his issue who do so survive me, to be divided among the issue upon the principle of representation. In the event that my brother-in-law does not leave any issue who do so survive me, all of such one-half shall augment the other one-half disposed of under the provisions of subparagraph 1. above.

FOURTH: Except as provided herein, I have intentionally and with full knowledge omitted to provide for my heirs, including any persons who may claim to be an issue of mine.

FIFTH: I direct that all taxes occasioned or payable by reason of my death, whether or not such taxes

are attributable to assets passing under this Will or to outside transfers, shall be paid out of the residue of my estate disposed of under the provisions of Article THIRD, without proration, apportionment, deduction, or reimbursement thereof among the beneficiaries sharing in such residue.

SIXTH: I nominate and appoint my husband, JAMES HOBSON, as Executor of my Will. In the event that he is unable or unwilling to act as such or shall fail to complete the administration of my estate, then I nominate and appoint my sister, MARY ANN CORTRIGHT and my brother-in-law, JOHN S. HOBSON, JR. as Co-Executors. Should my sister, MARY ANN CORTRIGHT, be unable to act as such, I then appoint my brother-in-law, EDWARD G. CORTRIGHT, JR., to serve as Co-Executor in her place. Should my brother-in-law be unable to act in such capacity, I appoint my brother-in-law, JOHN S. HOBSON, JR., to serve as sole Executor. Should JOHN S. HOBSON, JR., be unable or unwilling to act as Co-Executor with my sister, then she shall serve as the sole Executor.

No bond shall be required of any person appointed as a personal representative of my estate. Except for those properties included in the "C. E. Holmes Estate" described above, the personal representative of my estate shall have full power and authority to lease, sell, exchange or encumber the whole or any part of my estate, at public or private sale, with or without notice, subject only to such confirmation of court as may be required by law.

The personal representative of my estate is further empowered to invest and reinvest surplus monies of my estate in such types of investments, both real and personal, as may be selected in the discretion of my personal representative, including corporate obligations of every kind, preferred or common stocks and common trust funds subject only to such confirmation of court as may be required by law.

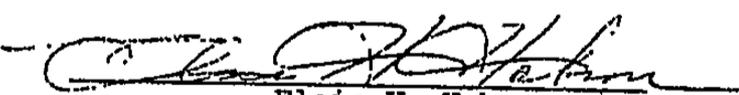
IN WITNESS WHEREOF, I have hereunto set my hand this 26<sup>th</sup> day of September, 1983.

ADMITTED TO PROBATE

OCT 29 2001

JOHN A. CLARKE, CLERK

DEPUTY

  
Elsie H. Hobson

On the date written below, ELSIE H. HOBSON, declared to us, the undersigned, that this instrument, consisting of four (4) pages including the page signed by us as witnesses, was her Will and requested us to act as

witnesses to it. She thereupon signed this Will in our presence, all of us being present at the same time.

At this time ELSIE H. HOBSON is over eighteen years of age and appears to be of sound mind. We have no knowledge of any facts indicating that this instrument, or any part of it, was procured by duress, menace, fraud or undue influence. Each of us is now over eighteen years of age. We now, in her presence and in the presence of each other, subscribe our names as witnesses.

Executed on Sept 21, 1983,  
at Los Angeles, California.

We declare under penalty of perjury that the foregoing is true and correct.

Wm. C. S. Holm Residing at 10865 Savona Road

Los Angeles, Calif 90079

Julie C. Hopkins Residing at 4092 Kraft Avenue

Studio City, CA 91604

Greg M. Bando Residing at 19723 Superior Street

Chatsworth, Calif. 91311

STATE OF MISSISSIPPI  
COUNTY OF YAZOO

I, Noreene E. Girard, Clerk of the Chancery Court in and for the State and County aforesaid, hereby certify that the foregoing is a true and correct photograhic copy of the authenticated copy of the Last Will of Elsie H. Hobson proven according to the laws of the State of California in Cause # BP069695 in the Superior Court of the State of California and which authenticated copy has been file in my office in Cause #02-0014.

Given under my hand and official seal this the 16th day of January, 2002.

NOREENE E. GIRARD, Chancery Clerk

*Noreene E. Girard*

PROOF OF WILL

STATE OF CALIFORNIA

LOS ANGELES COUNTY

In the matter of a certain instrument of writing, purporting to be the Last Will and Testament of Elise H. Hobson, Deceased of Los Angeles County, California.

Personally appeared before me the undersigned notary public in and for Los Angeles County, California, Ronald E. Gather, one of the subscribing witnesses to the original of the foregoing and annexed instrument of writing, purporting to be the Last Will and testament of Elise H. Hobson, Deceased, late of Los Angeles County, California who, having been first duly sworn, says that the said Elise H. Hobson signed, published and declared said instrument as her Last Will and Testament on the 26<sup>th</sup> day of September, 1983, A. D., the day of the date of said instrument, in the presence of this deponent and in the presence of Greg N. Barrick and Julie C. Hopkins, the other subscribing witnesses thereto, and that the said testatrix was then of sound and disposing mind and memory, was more than twenty-one years of age and that this deponent and Greg N. Barrick and Julie C. Hopkins, the other subscribing witnesses, subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request and in the presence of the testatrix, and in the presence of each other, on the day and year of the date thereof.

*Ronald E. Gather*  
RONALD E. GATHER

SWORN to and subscribed before me, this 22<sup>nd</sup> day of January, 2002.

*Elke M. Mapes*  
NOTARY PUBLIC

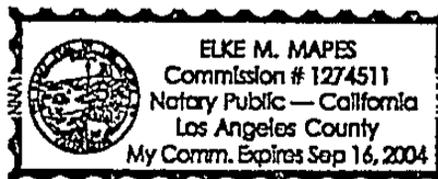
My Commission Expires:

9/16/04

(SEAL)

FILED Feb. 7, 2002

NORENE E. GRARD, Chancery Clerk

By *Shirley Hawthorn*

## IN THE CHANCERY COURT OF YAZOO COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
ELSIE H. HOBSON, DECEASED

CIVIL ACTION,  
FILE NO. 02-0014

ORDER ADMITTING WILL  
TO PROBATE AND GRANTING OTHER RELIEF

This day this cause came on for hearing on petition of James Hobson and the Court being fully advised in the premises finds as follows:

1. James Hobson is an adult resident of Los Angeles, California whose address in 984 Bel Air Road, Los Angeles, California 90077.

2. Elsie H. Hobson, deceased, departed this life wholly testate July 11, 2001 having at the time of her death a fixed place of residence in Los Angeles, California but owning real property in Mississippi located in the counties of Yazoo, Leflore and Madison.

3. Said decedent left an instrument of writing purporting to be her Last Will and Testament dated September 26, 1983, a copy of which was annexed to said petition as Exhibit "A" and incorporated therein by reference. At the time of the execution of said instrument the Testatrix was of sound and disposing mind and

1.

memory, over the age of 21 years and under no disabilities. By order dated October 29, 2001, entered in case number BP 069695 in the Superior Court of Los Angeles County, California, the original of said instrument of writing was admitted to probate as decedent's Last Will and by order dated December 10, 2001 said probate was confirmed by said Superior Court and Petitioner was appointed as executor. There has been filed with the Clerk of this Court duly authenticated copies of decedent's Last Will as probated in said Superior Court and the order for probate entered by said Superior Court. In addition there has been presented proof of said Will as require by Mississippi law and made through affidavit of one of the subscribing witnesses. Said instrument of writing having been duly proven as decedent's Last Will and Testament it is entitled to be probated as such.

4. As provided by Item 6 of said Last Will and Testament, James Hobson was named as executor without the requirement of bond and he as beneficiary and husband of the decedent is a fit and proper person to act as such. The decedent had no children born to her or adopted by her during her lifetime.

5. It is necessary, desirable and in the best interest of said estate that an administration thereof be had and that said Petitioner should be appointed as Executor of said Will, without the requirement of bond.

IT IS THEREFORE ORDERED AND ADJUDGED that said instrument of writing dated September 26, 1983, be and the same hereby is admitted to probate and record as the true Last Will and Testament of Elsie H. Hobson, Deceased and James

Hobson be and hereby is, appointed executor of said estate and upon taking the oath required by statute, letters testamentary shall be issued to James Hobson without the requirement of bond.

ORDERED AND ADJUDGED this 7<sup>th</sup> day of Feb. 2002

FILED Feb. 7, 2002  
NOREENE E. GIRARD, Chancery Clerk

By Shirley Northcote

Recorded February 7, 2002  
Min. Book 145, Page 698

Recorded February 7, 2002  
Will Book II, Page 109

[Signature]  
CHANCELLOR

STATE OF MISSISSIPPI  
COUNTY OF YAZOO

I, Noreene E. Girard, Clerk of the Chancery Court in and for the State and County aforesaid, hereby certify that the foregoing are true and correct copies of the following:

1. Authenticated copy of the Last Will and Testament of Elsie H. Hobson duly admitted to probate in Cause #02-0014 in said Chancery Court of Yazoo County, Mississippi and which has been filed in my office in said cause;
2. Proof of Will of the said Elsie H. Hobson filed in said Cause #02-0014;
3. Order admitting said Will to probate in the Chancery Court of Yazoo County, Mississippi and filed in Cause #02-0014;

Given under my hand and official seal this the 12<sup>th</sup> day of August, 2002.

NOREENE E. GIRARD  
Chancery Clerk

[Signature]

FILED  
THIS DATE

97-456

LAST WILL AND TESTAMENT

OF

AUG 29 2002

ELIZABETH M. SCHUBERT

MIKE CROOK  
CHANCERY CLERK  
By: Mike Crook D.C.

I, ELIZABETH M. SCHUBERT, a resident of the County of Hamilton, Cincinnati, Ohio, and being of full age, sound mind and memory, and not acting under any duress, menace, fraud or undue influence of any person whomsoever, do make, publish and declare this my Last Will and Testament, revoking all other wills and codicils made and executed heretofore by me.

ITEM I. I direct that all inheritance, estate and succession taxes (including interest and penalties thereon) payable by reason of my death, whether or not arising out of property which is part of my probate estate, shall be paid out of the residue of my probate estate without reimbursement from any person.

ITEM II. I hereby give and bequeath the sum of Twenty-five Thousand Dollars (\$25,000.00) to my brother, DAVID SCHUBERT but, in the event that he predeceases me, this bequest shall lapse and become a part of my residuary estate. This bequest shall be paid from my residuary estate or from funds available to my said Executor from the hereinafter set forth ELIZABETH M. SCHUBERT TRUST.

ITEM III. I give to my sister-in-law, JIMMY ANN SCHUBERT, all of my tangible personal property including, but

not limited to, automobiles, household goods, furnishings, furniture, equipment, clothing, jewelry, paintings, works-of-art, silverware, crystal and china. If my sister-in-law fails to survive me this bequest shall lapse and shall pass as part of the residue of my estate.

ITEM IV. All of the rest and residue of my property, of whatsoever kind and character, and wheresoever situated, which I may own or have the right to dispose of at the time of my death, I give, devise and bequeath to the then acting trustee of a certain inter vivos trust, known as the ELIZABETH M. SCHUBERT TRUST, of which I am the Grantor and JAMES R. MARLOW is currently the Trustee under the ELIZABETH M. SCHUBERT TRUST executed prior to this Will on the 21<sup>TH</sup> day of January, 1993 (or as the same may thereafter be amended) to be held, administered and disposed of pursuant to the terms of said Trust Agreement and any amendments thereto.

ITEM V. I simply intend to identify the inter vivos trust named in ITEM IV, not to incorporate it by reference into this Will nor to create a testamentary trust. However, if for any reason the inter vivos trust does not exist at the time of my death, or if for any reason a court of competent jurisdiction definitively declares a gift made hereunder to the inter vivos trust to be ineffective or invalid, then I give all of the property that would have passed to the inter vivos trust to JAMES R. MARLOW, or his successor, as Trustee, to serve

without bond and to administer said property exactly as described in the above-referenced Trust Agreement, as amended, which only under these circumstances I hereby incorporate by reference into this Will to be administered as a testamentary trust.

ITEM VI. I nominate and appoint my attorney, JAMES R. MARLOW, to be the Executor of this, my Last Will and Testament, and request that no bond be required of him for the faithful performance of his duties as such Executor.

In the event that my said attorney, JAMES R. MARLOW, predeceases me, or for any other reason is unable to serve as Executor of this, my Last Will and Testament, I then nominate and appoint THE FIFTH THIRD BANK to serve as alternate/successor Executor of this, my Last Will and Testament. I request that no bond be required of it for the faithful performance of its duties as such alternate/successor Executor.

ITEM VII. With respect to the administration of the estate hereunder, my Executor shall have the power and is authorized to:

(a) Enter upon and take possession of the estate property and invest and reinvest the same in real or personal assets or securities, of any kind and nature whatsoever, that yield a high rate in income, not being limited by any present or future investment law, all without regard to

the proportions that any such investment may bear to the value of such Estate, the relation it may bear to the type or character or other investments in such Estate or the effect such investment may have upon the diversification of the investments in such Estate, and even though such investment or reinvestment shall be unproductive of income or speculative when made or shall thereafter become unproductive of income or speculative;

(b) Retain for as long as may be deemed desirable, all property in the form in which the same shall be acquired by such Estate, without regard to any trust investment rules of any kind or to the proportion that any one asset or class of assets may bear to the whole and without liability for any loss that may be incurred thereby;

(c) Sell (either in cash or partly for cash and partly on credit for any period, with or without security), option, convey, exchange (whether or not of like kind or similar use), lease for any length of time regardless of the possible or actual prior termination of the estate administration, partition, plat, subdivide, improve and develop, repair, manage, operate or otherwise enter upon contracts or agreements regarding, deal with or dispose of any part or all of the said property, whether real or personal, at any time or times, for any purpose or purposes, in any manner, either public or private, and upon any terms and with any

party, including any, who may be, directly or indirectly, a beneficiary.

(d) Grant or release easements or charges of any kind, with or without consideration, effect and carry insurance (protecting against such hazards and liabilities as may be deemed advisable), renew or extend, amend, change or modify leases, grant options to lease and options to renew leases, all on such terms and conditions as may be deemed advisable, and to pay any and all expenses in connection therewith;

(e) Exercise or not exercise or otherwise deal with any and all options of any kind;

(f) Vote, deal or consent, in person or by proxy (with or without power of substitution), with respect to any securities;

(g) Enforce, abandon, adjust, arbitrate, compromise, sue on or defend, and otherwise deal with and settle, on such terms as may be deemed advisable, any and all claims in favor of or against such Estate, including those relating to tax matters;

(h) Borrow money for the payment of taxes, the exercise of options or for any other purpose or purposes whatsoever, from any source on the general credit of any trust property, and to pledge or mortgage any or all of said property as security for the repayment of such loans, and to pay

interest on and to renew, extend, modify, reduce and pay off, from time to time, any such indebtedness incurred by the fiduciary, or any predecessor in interest;

(i) Employ or consult with such agents, advisors and legal counsel as may be deemed advisable in connection with the performance of fiduciary duties hereunder, and determine and pay such persons, firms or corporations the reasonable value of their services;

(j) Employ a licensed real estate broker or brokers in connection with the sale of any real estate held as an estate asset, and pay a real estate brokerage commission for services rendered by the broker or brokers effecting such sale, or the reasonableness of such commission or compensation may be determined by reference to the schedule of fees and commissions generally charged for such services by licensed real estate brokers of the area in which any such real estate is located;

(k) Fix and determine the value of any property, securities or investments and adopt any appraisement or valuation made by others for the purpose of making distribution or division thereof, and any value so determined shall be final, binding and conclusive on all persons whomsoever;

(l) Make, execute and deliver any and all such instruments in writing as shall be necessary and proper to carry out any disposition whatever of any property;

(m) Carry in the fiduciary's name, or in the name of the fiduciary's nominee or nominees, and with or without designation of fiduciary capacity, or unregistered, or in such forms as will pass by delivery, securities or other properties requiring or permitting of registration or recording;

(n) Claim as income tax deductions, all or any portion of the expenses of administration of my estate, expenses for my medical care which are paid out of my estate during the first year after the date of my death, and any other payments which my Executor may elect to claim either as income tax deductions or as estate tax deductions, and also elect the alternative valuation dates for the items included in my gross estate for estate tax purposes, and my Executor is directed to do so whenever any such election may appear to my Executor to bring about less aggregate income and estate taxes imposed upon my estate, on the income therefrom, or on the income received by the beneficiaries from my estate, and my Executor is further directed not to make any adjustments between income and principal or in the amount of any bequest passing to any beneficiary of my estate as a result of such election; and

(o) Exercise, in general, all such control and power over the property as an individual might exercise with respect to her own property.

The foregoing powers, as well as those now or hereafter conferred upon executors generally, may be

exercised by my Executor in such manner as he, in his judgment and discretion, deems appropriate, in a general sense, to carry out the terms of this Will, all without obtaining authority therefor from any court. No person dealing with my Executor shall be bound to see to the application or disposition of cash or property transferred to or upon his order, or to inquire into the authority, validity or propriety of any action taken by him. Throughout this instrument, the masculine gender shall be deemed to include the feminine and neuter, and the singular, the plural, and vice versa, where the context so requires.

IN WITNESS WHEREOF, I, ELIZABETH M. SCHUBERT, have hereunto set my hand to this, my Last Will and Testament, this 29<sup>th</sup> day of January, 1993.

Elizabeth M. Schubert  
ELIZABETH M. SCHUBERT

The foregoing instrument was, at the date hereof, by the said ELIZABETH M. SCHUBERT signed and acknowledged by her as and for her Last Will and Testament, in our presence, and we, at her request and in her presence and in the presence of each other, have hereunto subscribed our names as attesting witnesses on the day last above written.

James R. Merlino residing at \_\_\_\_\_

Steven F. Day residing at \_\_\_\_\_

JRM:995

AUG 29 2002

W I L L

MIKE CROOK  
CHANCERY CLERK  
By: *M. Crook* D.C.

I, Estelle Philips Furr, of the city of Tupelo, state of Mississippi being of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, and hereby revoke all Wills and Codicils by me at any time heretofore made.

First: I direct that all my just debts, funeral and testamentary expenses be paid by the executor hereinafter named as soon as conveniently may be after my decease.

Second: All the rest, residue and remainder of my estate, both real and personal, of whatsoever kind and nature, and wheresoever the same may be situate, of which I shall be seized or possessed, or to which I may in any way be entitled at the time of my death, I give, devise and bequeath unto my beloved husband, Archie Marvin Furr, to be his absolutely.

In the event that my said husband shall predecease me, or that we shall die in the same accident, then in either of such events, I hereby give, devise and bequeath my entire residuary estate to my two children, Mrs. Elizabeth Ann Furr Kimbriel, of the city of Jackson, Mississippi and Philip Marvin Furr, of Tupelo, Mississippi, share and share alike.

In the event that my said husband shall predecease me, or that we shall die by the same accident, and in the event also that Elizabeth Furr Kimbriel and Philip Marvin Furr shall not survive me, then I give devise and bequeath my entire residuary estate as aforesaid to my brother, John Revel Philips of the city of Salt Lake, state of Utah.

Third: I hereby nominate and appoint my husband, Archie Marvin Furr, to be executor of this, my Will, and I direct that he be permitted to qualify as such without the giving of a bond or other security, in any jurisdiction. In the event that my husband, Archie M. Furr, shall fail to qualify, or cease to act as such executor, then I nominate and appoint my children, Elizabeth Furr Kimbriel and Philip Marvin Furr to be executors of this my Will, they also to be permitted to act without bond or other security.

In witness whereof, I have hereunto subscribed my name This 15 day of September in the year one thousand nine hundred and 72.

Witnesses:

*Wilma White*  
*Rosemary Larkin*  
*Ann Smith* (Deceased Feb, 1996)

*Estelle Philips Furr*  
Estelle Philips Furr

The foregoing instrument was subscribed by the abovenamed testator, Estelle Philips Furr, at the city of Tupelo, county of Lee, state of Mississippi on this 15 day of September, in the year one thousand nine hundred and 72 in our presence, and was at the same time and place published and declared by her to us to be her Last Will and Testament, and thereupon we, at her request, and in her presence, and in the presence of each other, did subscribe our names thereto as attesting witnesses, this attestation clause having first been read aloud to us in the presence of said testator.

Names:

*Wilma White*  
*Rosemary Larkin*  
*Ann Smith* Deceased Feb. 1996

Residences

*1132 Bryson Drive, Tupelo, Miss.*  
*Rt 1 Box 202, Sallis, Miss.*  
*608 North St Lumbago, Miss.*

## IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

**FILED**

THIS DATE

IN THE MATTER OF THE ESTATE  
OF ESTELLE PHILIPS FURR,

AUG 29 2002

CAUSE NO 99-061

DECEASED.

MIKE CROOK  
CHANCERY CLERK  
By: *mkatley* D.C.

## AFFIDAVIT OF WITNESS TO PROVE WILL

STATE OF MISSISSIPPI

COUNTY OF LEE

The undersigned, after being duly sworn according to law, deposes and says:

1. That all times hereinafter mentioned, I am more than twenty-one (21) years of age and a resident of Tupelo, Mississippi.

2. That I was acquainted with Estelle Philips Furr on September 15, 1972, the date of the instrument on file herein, purporting to be the Last Will and Testament of the said Estelle Philips Furr, deceased, of which a copy is hereunto attached, marked Exhibit A

3. That I have examined said Exhibit A and the signatures of myself and the other witnesses, and I recognize the signatures purporting to have been respectively signed by us as our signatures, and the signature purporting to have been signed by Estelle Philips Furr, as her signature.

4. That said instrument, of which Exhibit A is a true and correct copy, was signed by the said Estelle Philips Furr at Lee County, Mississippi, on September 15, 1972, the date it bears, and in the presence of myself and the other witnesses, Rosemary Larkin and Dorothy Smith, thereupon declared to us, all present at the same time, that the said instrument was her Last Will and Testament. That the other witnesses and the undersigned then and there, at the request of the said Estelle Philips Furr, and in her presence, and in the presence of each other, subscribed our names as witnesses thereto.

5. That at the time of the signing of said instrument, the said Estelle Philips Furr was over the age of eighteen (18) years, and in my opinion, appeared to be of sound and disposing mind and memory.

*Wilma White*  
\_\_\_\_\_  
Wilma White

MADISON  
IN THE CHANCERY COURT OF HINDS COUNTY, MISSISSIPPI

**FILED**

THIS DATE

IN THE MATTER OF THE ESTATE  
OF ESTELLE PHILIPS FURR,

AUG 29 2002

CAUSE NO. 99-064

DECEASED.

MIKE CROOK  
CHANCERY CLERK

By: [Signature] D.C.

AFFIDAVIT OF WITNESS TO PROVE WILL

STATE OF MISSISSIPPI

COUNTY OF LEE

The undersigned, after being duly sworn according to law, deposes and says:

1. That all times hereinafter mentioned, I am more than twenty-one (21) years of age and a resident of Saltills, Mississippi.
2. That I was acquainted with Estelle Philips Furr on September 15, 1972, the date of the instrument on file herein, purporting to be the Last Will and Testament of the said Estelle Philips Furr, deceased, of which a copy is hereunto attached, marked Exhibit A.
3. That I have examined said Exhibit A and the signatures of myself and the other witnesses, and I recognize the signatures purporting to have been respectively signed by us as our signatures, and the signature purporting to have been signed by Estelle Philips Furr, as her signature.
4. That said instrument, of which Exhibit A is a true and correct copy, was signed by the said Estelle Philips Furr at Lee County, Mississippi, on September 15, 1972, the date it bears, and in the presence of myself and the other witnesses, Wilma White and Dorothy Smith thereupon declared to us, all present at the same time, that the said instrument was her Last Will and Testament. That the other witnesses and the undersigned then and there, at the request of the said Estelle Philips Furr, and in her presence, and in the presence of each other, subscribed our names as witnesses thereto.
5. That at the time of the signing of said instrument, the said Estelle Philips Furr was over the age of eighteen (18) years, and in my opinion, appeared to be of sound and disposing mind and memory.

Mrs Rosemary Larkin  
Rosemary Larkin

SWORN to and subscribed before me this 30<sup>th</sup> day of Nov, 1998

Virginia Bishop  
Notary Public

My Commission Expires:

4-14-99

I, Estelle Philips Funn, of the City of Tupelo, County of Lee State of Mississippi, having made my last Will and Testament bearing date the 15<sup>th</sup> Day of September in the year One thousand nine hundred and ~~eighty~~ seventy-two, do now make and publish this Codicil thereto which is to be taken as an addition to and a part of my last Will and Testament.

First: Since my husband, Archie Marvin Funn, named Executor in my will, has predeceased me, I hereby nominate and appoint my children, Elizabeth Funn Kimbriel and Philip Marvin Funn to be executors of this my will, they also to be permitted to act without bond or other security.

Second: In the event my children, Elizabeth Funn Kimbriel of the City of Jackson, Mississippi and Philip Marvin Funn, Memphis Tenn. shall predecease me, I devise and bequeath my entire residuary estate to my granddaughter, Elizabeth Kyle Kimbriel of Jackson, Mississippi and any unborn grandchildren of Elizabeth of Elizabeth Funn Kimbriel and Philip Marvin Funn. And I hereby ratify and confirm my last Will and Testament in every respect save so far as any part of the same is inconsistent with this Codicil.

This the 28<sup>th</sup> Day of April, 1985.

**FILED**  
THIS DATE

AUG 29 2002

MIKE CROOK  
CHANCERY CLERK  
By: MK D.C.

Estelle Philips Funn

MADISON  
IN THE CHANCERY COURT OF MISSISSIPPI COUNTY, MISSISSIPPI

**FILED**

THIS DATE

IN THE MATTER OF THE ESTATE  
OF ESTELLE PHILIPS FURR,

AUG 29 2002

CAUSE NO. 99-001

DECEASED.

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

AFFIDAVIT OF WITNESS TO PROVE CODICIL

STATE OF MISSISSIPPI  
COUNTY OF LEE

The undersigned, after being duly sworn according to law, deposes and says:

1. That all times hereinafter mentioned, I am more than twenty-one (21) years of age and a resident of Lee County, Mississippi.
2. That I was acquainted with Estelle Philips Furr on April 28, 1983, the date of the instrument on file herein, purporting to be the Codicil to the Last Will and Testament of the said Estelle Philips Furr, deceased, of which a copy is hereunto attached, marked Exhibit A and I am familiar with the handwriting of Estelle Philips Furr.
3. That I have examined said Exhibit A and the handwriting and the signature of Estelle Philips Furr, and I recognize the handwriting and the signature purporting to have been that of Estelle Philips Furr.
4. That said instrument, of which Exhibit A is a true and correct copy, was written entirely in the handwriting of and was signed by the said Estelle Philips Furr.
5. That at the time of the signing of said instrument, the said Estelle Philips Furr was over the age of eighteen (18) years, and in my opinion, appeared to be of sound and disposing mind and memory.

[Signature: Rosemary Larkin]  
Rosemary Larkin

SWORN to and subscribed before me this 30<sup>th</sup> day of November 1998.

[Signature: Virginia Bishop]  
Notary Public

My Commission Expires:

4-14-99

## IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

**FILED**

THIS DATE

IN THE MATTER OF THE ESTATE  
OF ESTELLE PHILIPS FURR,

AUG 29 2002

CAUSE NO. 99-061

DECEASED.

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

## AFFIDAVIT OF WITNESS TO PROVE CODICIL

STATE OF MISSISSIPPI  
COUNTY OF LEE

The undersigned, after being duly sworn according to law, deposes and says:

1. That all times hereinafter mentioned, I am more than twenty-one (21) years of age and a resident of Lee County, Mississippi.
2. That I was acquainted with Estelle Philips Furr on April 28, 1983, the date of the instrument on file herein, purporting to be the Codicil to the Last Will and Testament of the said Estelle Philips Furr, deceased, of which a copy is hereunto attached, marked Exhibit A and I am familiar with the handwriting of Estelle Philips Furr.
3. That I have examined said Exhibit A and the handwriting and the signature of Estelle Philips Furr, and I recognize the handwriting and the signature purporting to have been that of Estelle Philips Furr.
4. That said instrument, of which Exhibit A is a true and correct copy, was written entirely in the handwriting of and was signed by the said Estelle Philips Furr.
5. That at the time of the signing of said instrument, the said Estelle Philips Furr was over the age of eighteen (18) years, and in my opinion, appeared to be of sound and disposing mind and memory.

[Signature]  
Wilma White

SWORN to and subscribed before me this 11<sup>th</sup> day of December, 1998.

[Signature]  
Dianne M. Davis  
Notary Public

My Commission Expires:

MY COMMISSION EXPIRES: 7-18-2000

SWORN to and subscribed before me this 11<sup>th</sup> day of December, 1998.

Dianne M. Davis  
Notary Public

My Commission Expires:

MY COMMISSION EXPIRES 7-18-2000

SEP 03 2002

LAST WILL AND TESTAMENT  
OF  
LINDA RICHMOND WEBER

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

*2002 667*

I, **Linda Richmond Weber**, an adult resident citizen of Madison, Madison County, Mississippi, being of sound and disposing mind and memory, do hereby make, Publish and declare this to be my Last Will and Testament, hereby revoking any and all Other wills and codicils heretofore made by me.

ITEM I.

I have two children now living, and they are: **Jeffery Donald Johnson** and **Ronald (NMI) Johnson**. They are herein referred to collectively as "my Children" and individually as "my Child."

ITEM II.

I appoint **Jeffery Donald Johnson** of Ridgeland, Mississippi and **Ronald Johnson** of Canton, Mississippi, as Co-Executors of my Estate under this Will. I direct my Co-Executors to pay all of my just debts and obligations which may be probated, registered and allowed against my estate as soon as may be conveniently done. For convenience, my Co-Executors shall be referred to herein as "Executors".

ITEM III.

I direct that all estate, inheritance, or other succession taxes incurred by reason of my death, shall be paid by my Executor as soon as practicable after my death from my residuary estate, without apportionment.

*[Handwritten mark]*

## ITEM IV.

I give, devise and bequeath my automobiles, clothing, books, jewelry and other personal effects owned by me at the time of my death to my Children or the children of any Child of mine who has predeceased me, in equal shares, more or less, by per stirpes proportions. I direct my Executor to distribute such personal effects in such a manner that each of my Children receives a portion of such property having approximately equal monetary and sentimental value. I may leave a separate memorandum containing directions for the specific disposition to be made of certain of the assets bequeathed under this Item. In such event, the provisions of that memorandum shall be given the same legal effect as if included in this Will and the assets described therein shall be distributed to the named beneficiaries. I specifically direct that any expenses incurred in safeguarding or delivering such items of personal property be paid from my estate as an administrative expense thereof. If any such items are to be distributed to an individual who is minor at the time of such distribution, my Executor shall distribute such property to the natural or legal guardian of the minor to hold for such minor until he or she attains the age of twenty-one (21)

## ITEM V.

I give, devise and bequeath all the rest and residue of my estate, of whatever kind or nature and wheresoever located to my Children in equal shares. If one or more of my Children have predeceased me, the interest of such deceased Child shall be distributed to his or her children, by per stirpes proportions. In the event any distributions are required under this Item to be made to an individual who is then a minor, the share of such individual shall be distributed to the custodial account created

*new*

by me during my lifetime pursuant to the Uniform Transfers to Minors Act, or any similar law, for the benefit of such minor, if any, and otherwise to such minor's legal or natural guardian as custodian for such minor under the Mississippi Uniform Transfers to Minors Act

**ITEM VI.**

Any beneficiary 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 under this will, whether outright or in trust, provided he or she shall do so within the time period required for the disclaimer to qualify under Section 2518 of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any future law. Any such disclaimer shall be made in writing, clearly stating the portion or assets disclaimed, and shall be timely filed in the Court in which my estate is being probated. If a beneficiary disclaims in whole or in part, the property in which he or she disclaims his or her interest shall be disposed of in accordance with the provisions of this Will as if such beneficiary had predeceased me.

**ITEM VIII.**

In the event either Jeffery Donald Johnson or Ronald Johnson is or becomes unable or unwilling to serve as a Co-Executor of my estate, then the survivor shall serve as the sole Executor. All rights, powers, duties and discretions granted to or imposed upon my Executor shall be exercisable by and imposed upon any successor Executor or Administrator. Where used throughout this Will, the term "Executor" and "Administrator" may be used interchangeably and shall apply to whoever may be serving

as personal representative of my estate, whether one or more than one.

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

C. I direct that any Child of mine serving as an Executor of my estate shall serve without compensation, but shall be entitled to reimbursement of expenses incurred in carrying out his or her duties as Executor.

**ITEM IX.**

I hereby grant to my Executor the continuing, absolute discretionary power to deal with any property, real or personal, held in my estate, as freely as I might in handling my own affairs. Such powers may be exercised independently without prior or subsequent approval of any judicial authority, and no person dealing with the Executor shall be required to inquire into the propriety of any of his or her actions. I expressly confer upon my Executor the specific powers set forth in Miss. Code Ann. 91-0-101 through 91-0-109 (1972), as now enacted or hereafter amended

**IN WITNESS WHEREOF**, I have signed and declared this to be my Last Will And Testament on this the 14th day of April, 2000.

Linda R. Weber  
Linda Richmond Weber, Testator

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

Shula R. Hill  
Witness

of

460 Briarwood Dr. Suite 500  
Address JACKSON, MS 39206

Carol Bumgar  
Witness

of

460 Briarwood Dr. Suite 500  
Address JACKSON, MS 39206

*Law*

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI  
THIS DATE

SEP 03 2002

IN THE MATTER OF THE ESTATE OF  
LINDA RICHMOND WEBER, DECEASED

MIKE CROOK  
CHANCERY CLERK  
By: A. Nichols DC.

PROBATE FILE NO. 20020667

AFFIDAVIT OF KNOWN CREDITORS

STATE OF MISSISSIPPI

COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the state and county aforesaid, the within named JEFFERY DONALD JOHNSON and RONALD JOHNSON, who being by me first duly sworn, stated on oath as follows.

That Affiants are the duly appointed, qualified and acting Co-Executors of the Estate of Linda Richmond Weber, Deceased; that Affiants have made reasonably diligent efforts to identify all persons having claims against the above styled and numbered estate and has given notice by mail to persons so identified, at their last known address, informing them that a failure to have their claim probated and registered by the Clerk of the Court granting letters within the ninety (90) day period provided by §91-7-145, Mississippi Code of 1972, will bar such claim. The persons so identified and their last known addresses are set forth in Exhibit "A" attached hereto and incorporated herein by reference.

WITNESS OUR HANDS this the 3rd day of September, 2002.

[Signature]  
JEFFERY DONALD JOHNSON, Co-Executor,  
Estate of Linda Richmond Weber, Deceased

*Ronald Johnson*

RONALD JOHNSON, Co-Executor,  
Estate of Linda Richmond Weber, Deceased

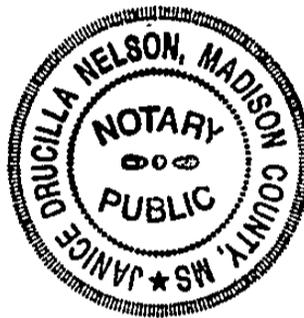
SWORN TO AND SUBSCRIBED BEFORE ME, this the 3rd day of

September, 2002.

*Jane D. 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 For Co-Executors  
1220 Highway 51 North  
Madison, MS 39110  
1-601-856-8869  
M.S B.# 3810

Washington Mutual	PO Box 3139, Milwaukee, WI 53201-3139
Conseco	7360 S. Kyrene Road, Tempe, AZ 85283
Cingular Wireless	PO Box 772349, Ocala, FL 34477-2349
Trustmark National Bank	PO Box 1182, Jackson, MS 39110-8751
Union Planters Bank	PO Box 387, Memphis, TN 38147
City of Ridgeland	PO Box 217, Ridgeland, MS 39158
Entergy	PO Box 61825, New Orleans, LA 70161-1825
Reliant Energy	276 Commerce Park Drive, Ridgeland, MS 39157
Time Warner Cable	415 Cedars of Lebanon Road, Jackson, MS 39206
Lafayette Life Insurance	PO Box 7007, Lafayette, IN 47903
Ross & Yerger	PO Box 1139, Jackson, MS 39215-1139
Unum Life Insurance Company	PO Box 12030, Chattanooga, TN 37401-3030
Blue Bonner Life Insurance	PO Box 22924, Jackson, MS 39255-2924
Sun Life	One Sun Life Park, Wellesley Hills, MA 02481
BeautiControl Cosmetics	4547 Langland, Farmers Branch TX 75244
Providian	PO Box 99607, Arlington, TX 76096-9607
McRaes	PO Box 10327, Jackson, MS 39289-0327
Liberty Mutual	175 Berkeley Street, Boston, MA 02117
Capital One	PO Box 85015, Richmond, VA 23285-5015
GreenTree Mortgage	PO Box 6075, Rapid City, SD 57709-6075
National Union Fire Insurance	4150 S. Sherwood Forest Blvd, Baton Rouge, LA 70816
Wausau	2000 Westwood Drive, Wausau, WI 54401-7881

**FILED**  
THIS DATE

SEP 06 2002

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI  
MIKE CROOK  
CHANCERY CLERK

By: [Signature] D.C.

IN RE: THE WILL AND ESTATE OF  
ROBERT ROWLAND MIDDLETON, SR., DECEASED

NO. 2002681

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 John R. Anderson, 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 Robert Rowland Middleton, Sr., Deceased, who was personally known to the affiant, and whose signature is affixed to the Last Will and Testament, which is dated the 3rd day of April, 1992.

(2) That on the 3rd day of April, 1992, Robert Rowland Middleton, Sr. 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 Susan D. Anderson, the other subscribing witness to the instrument.

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

(4) That this affiant, together with Susan D. Anderson, subscribed and attested the instrument as witnesses to the signature and publication thereof, at the special instance and request, and in the presence of Robert Rowland Middleton, Sr., and in the presence of each other.

John R. Anderson  
JOHN R. ANDERSON

SWORN TO AND SUBSCRIBED before me, this the 23 day of January, 2002.

Angela D. Martin  
Notary Public

My Commission Expires:

~~MISSISSIPPI STATEWIDE NOTARY PUBLIC~~  
MY COMMISSION EXPIRES MARCH 28, 2005

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
LULA G. MARTIN, DECEASED

CAUSE NO. **FILED**  
THIS DATE

AFFIDAVIT

SEP 06 2002

MIKE CROOK  
CHANCERY CLERK

STATE OF MISSISSIPPI  
COUNTY OF RANKIN

By: [Signature] D.C.

Having been duly sworn and upon my oath I state that my name is ROBERT B. MARTIN, one and the same person as Administrator of the Estate of Lula G. Martin, Deceased, in Cause No. 2002-068, in the Chancery Court of Madison County, Mississippi. Pursuant to the Final Judgment of September 6, 2002 filed in said Estate, all costs of administration of this estate have been paid, and I have disbursed all sums of money set out in such said Final Judgment to the parties set out in such said Final Judgment, and in the sums set out in such said Final Judgment, and that I have transferred all assets of the Estate unto Robert B. Martin I accomplished this task, by the procedure set out in the Final Judgment.

Further Affiant saith not

[Signature: Robert B. Martin]  
ROBERT B. MARTIN

SWORN TO AND SUBSCRIBED BEFORE ME, this the 6th day of September, 2002.

My Commission Expires:

Dec 2, 2003

[Signature: Susan A. Russell]  
NOTARY PUBLIC



LAST WILL AND TESTAMENT

I, Jimmie Lee Clower Howell, a resident and citizen of Madison County, Mississippi, and being over the age of 18 years and of sound and disposing mind and memory, do hereby make, publish and declare this to be my last will and testament, and by so doing I do hereby revoke any and all other wills and codicils thereto which have been heretofore made by me;

ITEM 1.

I do hereby give, devise and bequeath unto Adele Moore, 3272 South Liberty Street, Canton, Mississippi, my residence and real property located at 119 East Semmes Street, Canton, Mississippi, together with all of my household goods and furnishings of every nature and description whatsoever and any motor vehicle owned by me at the time of my death.

ITEM 2.

I do hereby make the following specific bequests:

- (a) to my niece, Lexie Brock, a minor, the sum of \$5,000.00; but I direct my executor to pay such sum to said minor's grandmother, Merle Buckley, for the use and benefit of Lexie Brock, and Merle Buckley's receipt for such sum shall constitute full acquittance to my executor;
- (b) to Adele Moore, 3272 South Liberty Street, Canton, Mississippi 39046, the sum of \$1,000.00;
- (c) to Elnora Delsey Lockett, 3225 South Liberty Street,

**FILED**  
THIS DATE

Initials: Jimmie  
L.C.

SEP 10 2002

MIKE CROOK  
CHANCERY CLERK

By: A. Nichols D.C.

- Canton, Mississippi 39046, the sum of \$1,000.00;
- (d) to Robert McMorris, 506 Harvey Watkins Drive, Canton, Mississippi 39046, the sum of \$1,000.00;
- (e) to Linda Lee White, 122 North Brighton Drive, Jackson, Mississippi 39211, the sum of \$500.00; and
- (f) to Martha Bouldin, the sum of \$500.00.

However, should my estate have less than \$9,000.00 in liquid assets, remaining after the payment of all probated claims and administrative expenses, then, in such event, I direct that the above specific bequests be paid prorata to each such legatee.

Item 3.

I do hereby give, devise and bequeath all of the rest, residue and remainder of my estate, both real and personal, and of every nature and description whatsoever, including lapsed legacies, if any, unto Adele Moore, 3272 South Liberty Street, Canton, Mississippi 39046, Ann Sullivan, Rt. #3, Box 55, Mendenhall, Mississippi 29114, and Linda Black, N. W. 28 Collier Rd #3, Atlanta, Georgia 30309, in equal shares, to share and share alike.

ITEM 4.

I do hereby name, constitute and appoint Frank Street to serve as my executor, without bond, and to the fullest extent allowed by law, I do hereby waive and relieve my said executor from the requirement of having to make and file any inventory, appraisal or accounting with any court in connection with the administration of

Initials: JCH

my estate. Should Frank Street be unable for any reason to qualify and serve as my executor, then in that event, I do hereby name, constitute and appoint Adele Moore to serve as my executrix, without bond, and to the fullest extent allowed by law, I do hereby waive and relieve my said executrix from the requirement of having to make and file any inventory, appraisal or accounting with any court in connection with the administration of my estate.

WITNESS MY SIGNATURE, this the 21 day of November, 2001

*Jimmie Lee Clower Howell*  
 JIMMIE LEE CLOWER HOWELL

THIS INSTRUMENT was, on the 21 day of November, 2001, signed, published and declared by JIMMIE LEE CLOWER HOWELL, to be her Last Will And Testament in our presence, 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 her execution thereof.

*J. M. Ritchey*  
 J. M. RITCHEY, WITNESS  
 133 South Union Street  
 Canton, Mississippi 39046

*Te Sutherland*  
 TE SUTHERLAND, WITNESS  
 621 Katherine Drive  
 Canton, Mississippi 39046

howell.will  
 046/102601

## IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE  
LAST WILL AND TESTAMENT OF  
JIMMIE LEE CLOWER HOWELL, DECEASED

CIVIL ACTION, FILE NO. 2002-484

ADELE H. MOORE

PETITIONER

AFFIDAVIT

PERSONALLY appeared before me, the undersigned authority in and for the state and county aforesaid, the within named Adele H. Moore, who, being by me first duly sworn on oath stated:

That affiant is the duly appointed, qualified and acting executrix of the estate of Jimmie Lee Clower Howell, deceased; that affiant has made reasonably diligent efforts to identify all persons having claims against the above styled and numbered estate in order to give notice by mail to any persons so identified, at their last known address informing them that a failure to have their claim probated and registered by the clerk of the court granting letters within the ninety (90) day period provided by Mississippi Code of 1972 Ann., Section 91-7-145 will bar such claim.

The following is a listing of the names and addresses of all such creditors so identified and to whom such notice by mail has been given, to-wit:

1. St. Dominic Hospital  
P. O. Box 24056  
Jackson, MS 39225-4056
2. Canton Municipal Utilities  
P. O. Box 114  
Canton, MS 39046

1

**FILED**  
**THIS DATE**

SEP 11 2002

MIKE CROOK  
CHANCERY CLERK

By: D. N. [Signature] D.C.

- 3. Ambulatory Equipment Services  
P. O. Box 426  
Magee, MS 39111
- 4. Mississippi Employment Security Commission  
P. O. Box 22781  
Jackson, MS 39225-2781
- 5. Internal Revenue Service  
Memphis, TN 37501-0030
- 6. BellSouth  
P. O. Box 105503  
Atlanta, GA 30348-5503

WITNESS MY SIGNATURE this the 10<sup>th</sup> day of September, 2002

Adele N. Moore  
ADELE H. MOORE

SWORN TO and subscribed before me, this the 10<sup>th</sup> day of September, 2002.

Thelma Helms (Sutherland)  
NOTARY PUBLIC

My Commission Expires:

June 7, 2005

newall.aff  
051/090902

Last Will of Leigh H. Rudacille

BOOK 0035 PAGE 179

I

I, Leigh Harmon Rudacille,  
on this day, June 8, 2001, being  
clear in my mind, being over  
21 years of age, do declare my  
wishes in regard to my tiny  
estate and also to wishes  
re my work, Pink and Green

II

objects which I possessed  
have largely been distributed,  
however, there is a separate  
list for some others. This  
list is with my will and also  
there is a copy of my living  
will. I am to be a body  
donor to the University Hospital  
This is well established.

FILED

THIS DATE

SEP 13 2002

III

There are 3 small insurance

MIKE CROOK  
CHANCERY CLERK

By Michael There are 3 small insurance  
D.C.

35 PAGE 180

policies with my will. These policies are with an Estate beneficiary designation. There is also a Trustmark certificate and my checking account is with Trustmark Bank.

I designate Phyllis Thompson, Madison, Mo. as my Executor, and this, without bond. Also, I declare any and all other wills invalid and thus, revoked. This includes all codicils.

IV

To my friends, I bequeath the following possessions:

- A. To Fonda Holladay, Jackson, Mo., my loveseat and the picture over same, my breakfast room pieces consisting of a dinette table, 4 pine chairs, the hutch and microwave supporter. Also, she is to receive D.I.O. table.

b. To my friend, Bea  
Horne, all of my musical  
cassettes are bequeathed.

c. To M. E. Thompson, my  
china crystal, cutlery, a  
set of four in each area, are  
set aside and boxed securely.

From my monetarial resources,  
A. I will \$200 to my young  
friend, Shirley Young,  
Trustmark Bank, Hwy 19, Jackson

b. To Laurie McCarley, friend,  
Madison, Ms., I will the sum  
of \$200.00.

c. To Martha Kastner, dear  
friend I will the sum of  
\$200.00. She resides in Madison

d. To Eleanor Hannon, wife,  
Bellevue, I will the sum of  
\$200.00

and remaining cash \$

4 leave to Phyllis Thompson,  
directing that any small  
accounts or any current  
statements such as telephone or  
TV be paid from this same  
source. Phyllis Thompson is  
directed to sign checks from my  
Trustmark account.

VI

I will my manuscript, Pink  
and Green to the Executor,  
Phyllis Thompson, and I direct  
that she and the following  
team of reliable persons  
work together, if they are  
willing, to bring this hoped for  
book into fruition.

1. Barbara Ladner, Madison,  
Assistant to Phyllis.
2. R.W. and Eleanor H. Hannon,  
Contractors and willing aides.

- 3. Beth Kellogg, Madison, Mo., the responsibility of all art work, artists being students she chooses at Rosa Scott, a school in Madison
- 4. Mary Beverly Noble, Jackson, Education and advisor in any capacity
- 5. Sherry Byrne, Education and advisor in any capacity she resides in Jackson.
- 6. Ed Noble, Legal advisor for the entire process, if he is willing.

VII

For the above process (part VI) Phyllis Thompson is requested to use 50% of the revenue, (the profit) from the publication of Pink and Green for the purpose of paying these 6 persons and herself adequately

BOOK PAGE 184

- Phyllis Thompson will, aside from the others, receive a salary for her efforts, either monthly or yearly and as she chooses, being at her discretion in all matters herein considered

---  
It is my hope that the 3 alma maters, in this state, can be made some sort of contribution from the 50% income under consideration.

These 3 are Finds Community Raymond, Ms., Belhaven College, Jackson, Ms. and Mississippi College, Clinton, Ms.

VIII

I will the remaining 50% of revenue be used to set up a Perks and Green Fund for the Dental Care of students

of Junior High Schools that are accredited schools, either public or private or parochial. These students must be achievers, they must have a goal for a career, not necessarily professional. These students must be of the Christian faith and there shall be no racial restrictions. These students must be very poor, financially. IX

at the time of Phyllis Thompson's demise, the control of the revenue from Penk and Green shall pass to Erin Kay Hannon, my Godchild, and her assistant will be Dallas Hannon, Belosi, Mo. These are offspring of R. W. and Eleanor Hannon.

Wendi<sup>H.</sup> Wright, the third offspring,

an advisor and consultant.

The parents R.W. and Eleanor  
Hannon may function as  
consultants in a professional  
attitude. The same percentages  
shall apply for the identical  
purposes as applied when  
Phyllis Thompson was in control.  
It is the hope that the

Pink and Green fund for  
tooth care of the Pass students  
will continue for a long time.  
However, when there is  
insufficient revenue the Dental  
Fund must close.

The ultimate heirs of the  
Pink and Green Revenue will

BOOK PAGE 186

be the offspring of R.W.  
and Eleanor Hannon, these two  
having served me well throughout  
the past 30 years. They are  
very dear to me.

X

This holographic will, having  
been written by me, Leigh  
Hannon Rudacille, on this date,  
June 8th of the year 2001, consists  
of nine handwritten pages and  
the signature below is my  
signature and I am writing  
from 97 The Bond Home.

Signed by Leigh H. Rudacille

Address: 7521 Old Canton Road  
Madison, Ms, 39150

Dated: June 8, 2001

0035 PAGE 187

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

ESTATE OF LEIGH H. RUDACILLE, DECEASED

PHYLLIS THOMPSON, EXECUTRIX

CASE NO. 2002 677

**FILED**  
THIS DATE

AFFIDAVIT

SEP 13 2002

STATE OF MISSISSIPPI

COUNTY OF HINDS

MIKE CROOK  
CHANCERY CLERK

*M. McElroy, DC*  
Signed authority in and for said county

This day personally appeared before me, the undersigned authority in and for said county and state, Ed Davis Noble, Jr., and Mary Beverly Noble, who having been by me first duly sworn, make oath that they are familiar with the handwriting and signature of Leigh H Rudacille, now deceased, that they have carefully read the writing purporting to be the Last Will and Testament of said decedent, a copy of which is attached hereto and presented for probate herein, and that said writing is authentic and was, upon affiants' personal knowledge, wholly written and dated in the handwriting of said decedent, and that upon affiants' personal knowledge, the signate is the genuine signature of said decedent, and that said writing and signature are genuine and were made and done by said decedent. Further, that as of the date on said writing, viz , June 8, 2001, said decedent was of sound and disposing mind and memory and understanding, and fully competent to make testamentary distribution of her property, and said decedent was over the age of eighteen (18) years when said writing was made, and that neither affiant is a beneficiary of nor has any interest in the estate of said decedent.

*Ed Davis Noble, Jr.*  
\_\_\_\_\_  
Ed Davis Noble, Jr

*Mary Beverly Noble*  
\_\_\_\_\_  
Mary Beverly Noble

Sworn to and subscribed before me this 16 day of <sup>JULY</sup> ~~June~~, 2002.

  
Notary Public

My Commission Expires

**NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE**  
**MY COMMISSION EXPIRES May 4, 2004**  
**BONDED THRU NOTARY PUBLIC UNDERWRITERS**

---

COPY

BOOK 0035 PAGE 190  
2002-697

LAST WILL AND TESTAMENT

I, CHARLES G. COKER, being of sound and disposing mind and over the age of twenty-one years, do hereby make, ordain, declare and publish this my Last Will and Testament, and I do hereby revoke all other wills by me heretofore made.

ITEM 1: In the event my wife, MARJORIE C. COKER, survive me and in that event only, I make the following disposition of my property, real, personal and mixed and wherever situate, to-wit:

(a) I devise and bequeath to my said wife, MARJORIE C. COKER, an amount equal to one-half of the value of my adjusted gross estate as finally determined for Federal Estate tax purpose, less the aggregate amount of marital deductions, if any, allowed for such tax purposes by reason of property or interests in property passing or which have passed to her otherwise than by the terms of this item of my will; but this devise and bequest is subject to the requirement for the payment of a proportionate part of costs and taxes as hereinafter set out in Item 1(f) below.

My Executrix shall assign and distribute to my said wife the cash, securities and other property, including real estate and interests therein which will constitute this devise and bequest, however, I require that one-half of all Municipal Income Tax Free Bonds owned by me shall be included as a part of this devise and bequest. The assets to be distributed in satisfaction of this bequest shall be selected in such manner that the cash and other property distributed will have an aggregate fair market value fairly representative of the distributee's proportionate share of the appreciation or depreciation in the value to date, or dates, of distribution of all property then available for distribution. Any property included in my estate at the time of my death and assigned or conveyed in kind to satisfy said bequest shall be valued for that purpose at the value thereof as finally determined for Federal Estate tax purposes, and any other property so assigned and conveyed shall be valued for that purpose at its cost. No assets or proceeds of any asset shall be included in said bequest as to which a marital deduction is not allowable if included. Said bequest shall abate to the extent that it cannot be satisfied in the manner hereinabove provided.

(b) I hereby bequeath to my granddaughter, TAY KING, the sum of THIRTY THOUSAND DOLLARS (\$30,000.00).

(c) The automobile owned by me at the time of my death is hereby bequeathed to PEGGY H. SLATON.

(d) My said wife shall have the right to use all of the furniture that I brought from Yazoo City to my present home, for so long as she continues to keep house, but if she ceases all house-keeping, or upon her death, whichever sooner occurs, all such furniture is bequeathed to my daughter, JOAN C. KING.

(e) All the rest and residue of my property whatever, real, personal and mixed, wherever situate, I hereby devise and bequeath unto my daughter, JOAN C. KING, subject to the requirement for payment of a proportionate part of costs and taxes as hereinafter set out in Item 1(f) below.

PAGE #1 OF LAST WILL AND TESTAMENT OF:

Charles G. Coker  
CHARLES G. COKER

WITNESSES:  
Ray H. Middleton  
John A. Jones

FILED  
THIS DATE

SEP 12 2002

MIKE CROOK  
CHANCERY CLERK

By \_\_\_\_\_ D.C.

(f) All claims owing by my estate and duly probated therein; the costs of administration of my estate; and all taxes including Federal Estate taxes, State Inheritance taxes, interest and penalties due by me or by my estate shall be paid by my wife, MARJORIE C. COKER, and my daughter, JOAN C. KING, in those proportions in which the value of the above devise or bequest to each under this will bears to my total estate, such valuations to be determined by the final valuations accepted for Federal Estate tax purposes in the matter of my estate, and this obligation is made a charge on the devise or bequest hereinabove made to each of them.

ITEM 2: In the event my wife, MARJORIE C. COKER, and I die at or about the same time by reason of an illness, accident or disaster or other calamity under circumstances from which the order of precedence of our deaths cannot be determined, it shall be deemed that I shall have predeceased my wife.

ITEM 3: I hereby appoint my daughter, JOAN C. KING, Executrix of my estate under the terms of this Will and waive the requirement of bond from her as such, and also waive an appraisal of my estate.

SIGNED, PUBLISHED AND DECLARED as this My Last Will and Testament, this the 21 day of September, 1988.

Charles G. Coker  
CHARLES G. COKER

WITNESSES:

Rita H. Maddox  
H. M. Love

We, the undersigned witnesses to the will of CHARLES G. COKER do hereby certify that said CHARLES G. COKER, on the day he executed the foregoing will was over the age of twenty-one years and of sound and disposing mind; 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 express 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.

WITNESS our signatures this the 21<sup>st</sup> day of September 1988.

Rita H. Maddox  
H. M. Love

STATE OF MISSISSIPPI

: LAST WILL AND TESTAMENT

COUNTY OF Madison

BE IT KNOWN, that on this 22nd day of the month of April, 2002, in the year of Our Lord, Two Thousand and Two (2002), before me,

a Notary Public, duly commissioned, qualified and sworn, in and for the parish and state above written, and in the presence of the witnesses hereinafter undersigned, personally came and appeared -

THOMAS E. O'LEARY, SR.,

a person of the full age of majority and a resident of Madison, Mississippi Parish,

who declared that the following is his Last Will and Testament.

1. "I, THOMAS E. O'LEARY, SR., do make and ordain this my Last Will and Testament, revoking all others.
2. "I desire that all of my debts, if any, the expenses of my last illness and funeral, and all expenses incurred in the handling of my estate, be paid out of the proceeds of said estate.
3. "I give, bequeath and devise to my sons, Thomas E. O'Leary, Jr., Gregory Eugene O'Leary and Tim. O'Leary, to share and share alike, in equal undivided shares, the following assets:
  - a. All the money that I have in the form of Certificates of Deposit, checking account and savings account at Trustmark National Bank, in Canton, Mississippi and any additional monies, if any, deposited at any other banks.
4. "I request that the home in which I presently reside namely, 1342 Highway 7, Camden, Mississippi, and the property upon which the home is located as well as the furnishings located therein be sold and the proceeds divided equally among my three (3) sons, Thomas E. O'Leary, Jr., Gregory Eugene O'Leary and Tim. O'Leary.
5. "I further request that the 13 3/4 acres of property which I inherited from my parents be sold to my brother, James O'Leary, at the fair market value and the proceeds thereafter be divided equally among my three (3) sons, Thomas E. O'Leary, Jr., Gregory Eugene O'Leary and Tim. O'Leary.
6. My car is to be sold and the proceeds to be ~~divided among~~ <sup>given to</sup> my ~~three boys: Thomas E. O'Leary, Jr., Gregory Eugene O'Leary,~~ and Timothy O'Leary <sup>Eddie Mae Flemming</sup> 4-29-2002
7. "I give, bequeath and devise to my sons, Thomas E. O'Leary, Jr., Gregory Eugene O'Leary and Skip O'Leary, to share and share alike, in equal undivided shares, all of the remaining assets of which I die possessed, of whatsoever nature or kind.

WITNESSES:

Joyce Conway  
Ranson L. Conway

Thomas E. O'Leary Sr.  
THOMAS E. O'LEARY, SR.

**FILED**  
THIS DATE

SEP 13 2002

MIKE CROOK  
CHANCERY CLERK

By: C. Nichol D.C.

8. "I hereby dispense all of my descendant forced heirs from the obligation of collating inter vivos gifts as well as any testamentary gifts.

9. "I appoint my son, Thomas E. O'Leary, Jr., Executor of this my Last Will and Testament, giving him full seizin of all of my property from the moment of my death, and dispense him from furnishing bond.

Signed and declared by Testator above named, in our presence, to be his Last Will and Testament and in the presence of the Testator and each other, we have hereunto subscribed our names on this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

WITNESSES:

Joseph Conway

Landon R. Conway

Thomas E. O'Leary, Sr.  
THOMAS E. O'LEARY, SR.

\_\_\_\_\_  
NOTARY PUBLIC

IN THE CHANCERY COURT OF  
MADISON COUNTY, MISSISSIPPI

NO. 2002-217

**FILED**  
THIS DATE

SEP 16 2002

MIKE CROOK  
CHANCERY CLERK

By: C. Michael DC.

IN THE MATTER OF THE ESTATE OF  
PATSY JANE WILLIAMS, DECEASED

WARREN C. WILLIAMS, EXECUTOR

AFFIDAVIT

STATE OF MISSISSIPPI

COUNTY OF HINDS

This day personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, WARREN C. WILLIAMS ("Affiant"), of Jackson, Mississippi, personally known to me, who, after being first duly sworn, states on oath as follows.

That Affiant is the duly-appointed Executor of the Estate of Patsy Jane Williams, Deceased. That Affiant has made reasonably diligent efforts, as required by Section 91-7-145, Mississippi Code of 1972, Annotated, to identify persons having claims against the Estate and has mailed a notice to such persons, if any, so identified at their last known address, informing them that a failure to have their claim probated and registered by the Clerk of Court granting Letters within the ninety (90) day period provided in said statute will bar their claim.

That Affiant further states that upon filing this Affidavit with the Court, the Notice To Creditors in the Estate proceeding will be published.

WITNESS the signature of Affiant, on this the 12<sup>th</sup> day of September, 2002.

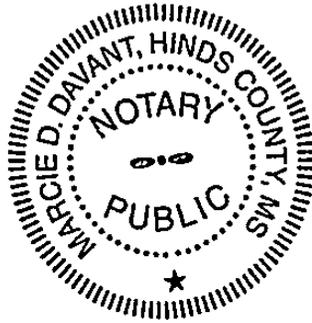
Warren C. Williams  
WARREN C. WILLIAMS

SWORN TO AND SUBSCRIBED before me, this the 12<sup>th</sup> day of September, 2002.

Marcie D. Davant  
NOTARY PUBLIC

My Commission Expires:  
MY COMMISSION EXPIRES MARCH 26, 2003

[AFFIX NOTARIAL SEAL]



J. PAUL VARNER  
MS State Bar Attorney No. 6598  
BUTLER, SNOW, O'MARA, STEVENS & CANNADA, PLLC  
17th Floor, AmSouth Plaza  
Post Office Box 22567  
Jackson, Mississippi 39225-2567  
(601) 948-5711  
ODMAWMHODMAJackson,597846,1

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE LAST WILL AND  
TESTAMENT OF RALPH FITZGERALD CLARKE,  
DECEASED

CAUSE NO. 2002-405

AFFIDAVIT OF EXECUTRIX

STATE OF MISSISSIPPI

COUNTY OF HINDS

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the state and county aforesaid, Maria Neisser Clarke, who by me being duly sworn, states on oath the following:

1. I am the duly appointed and acting Executrix of the Last Will and Testament of Ralph Fitzgerald Clarke, deceased.

2. On June 27, 2002, a Notice to Creditors was filed herein and on August 2, 2002, a Proof of Publication for the Notice to Creditors was filed herein showing publication of the Notice occurred on July 11, 2002, July 18, 2002, and July 25, 2002, in the Madison County Herald.

3. Prior to the filing of the Notice to Creditors, I, acting in my capacity as Executrix, made a reasonable, diligent effort to identify persons having claims against the Estate of Ralph Fitzgerald Clarke who are entitled to receive notice as required by Miss. Code Ann. § 91-7-145 (1) (Rev. 1994) and concluded that no such persons existed.

**FILED**  
THIS DATE

SEP 17 2002

MIKE CROOK  
CHANCERY CLERK

By: C. Nichols D.C.

4. I give this Affidavit in my capacity as Executrix of the Last Will and Testament of Ralph Fitzgerald Clarke, deceased, for the purposes of fulfilling the requirements of Section 91-7-145, Miss. Code Ann. (Rev. 1994).

Maria Neisser Clarke  
MARIA NEISSER CLARKE, EXECUTRIX

SWORN TO AND SUBSCRIBED BEFORE ME, this the 13<sup>th</sup> day of September, 2002.



Quentin A. Brewer  
NOTARY PUBLIC

My Commission Expires

Notary Public State of Mississippi At Large  
My Commission Expires November 26, 2005  
Bonded Through Heidon, Brooks & Garland, Inc.

Robert H. Pedersen, Esq. (MSB No. 4084)  
Watkins & Eager PLLC  
400 E. Capitol Street, Suite 300  
Jackson, MS 39201  
(601) 948-6470  
ATTORNEY FOR EXECUTRIX

IN THE CHANCERY COURT OF  
MADISON COUNTY, MISSISSIPPI

NO. 2002-217

**FILED**  
THIS DATE

SEP 16 2002

MIKE CROOK  
CHANCERY CLERK  
By: C. Nichols D.C.

IN THE MATTER OF THE ESTATE OF  
PATSY JANE WILLIAMS, DECEASED  
  
WARREN C. WILLIAMS, EXECUTOR

AFFIDAVIT

STATE OF MISSISSIPPI  
  
COUNTY OF HINDS

This day personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, WARREN C. WILLIAMS ("Affiant"), of Jackson, Mississippi, personally known to me, who, after being first duly sworn, states on oath as follows:

That Affiant is the duly-appointed Executor of the Estate of Patsy Jane Williams, Deceased. That Affiant has made reasonably diligent efforts, as required by Section 91-7-145, Mississippi Code of 1972, Annotated, to identify persons having claims against the Estate and has mailed a notice to such persons, if any, so identified at their last known address, informing them that a failure to have their claim probated and registered by the Clerk of Court granting Letters within the ninety (90) day period provided in said statute will bar their claim.

That Affiant further states that upon filing this Affidavit with the Court, the Notice To Creditors in the Estate proceeding will be published.

WITNESS the signature of Affiant, on this the 12<sup>th</sup> day of September, 2002.

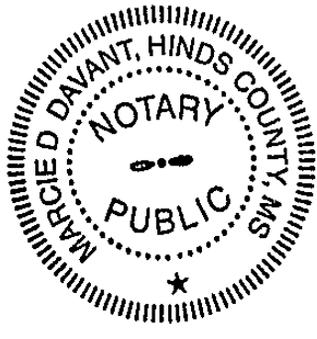
Warren C. Williams  
WARREN C. WILLIAMS

SWORN TO AND SUBSCRIBED before me, this the 12<sup>th</sup> day of September, 2002.

Margie D. Davant  
NOTARY PUBLIC

My Commission Expires:  
MY COMMISSION EXPIRES MARCH 26, 2003

[AFFIX NOTARIAL SEAL]



J. PAUL VARNER  
MS State Bar Attorney No. 6598  
BUTLER, SNOW, O'MARA, STEVENS & CANNADA, PLLC  
17th Floor, AmSouth Plaza  
Post Office Box 22567  
Jackson, Mississippi 39225-2567  
(601) 948-5711  
ODMAMHODMAJackson,597846,1