

**LAST WILL AND TESTAMENT**

2005-647

B 39 P 100

OF

**JOHN H. MARLING**

I, **JOHN H. MARLING**, a resident of Ridgeland, Madison County, Mississippi, make and declare this to be my Last Will and Testament, hereby revoking all wills and codicils heretofore made by me.

**ARTICLE I.**

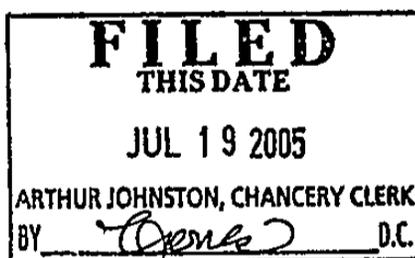
I direct that all of my debts, all expenses of my last illness, all funeral and cremation expenses and the cost of the administration of my estate to be paid out of my estate as soon as practicable after my death.

**ARTICLE II.**

I direct that all of my estate, inheritance and other taxes and any interest or penalty thereon, be paid out of my estate. It is my intention, however, that nothing in this Article of my Will should be construed as creating an express trust or fund for the payment of debts and expenses which would in any way extend the normal statute of limitations for the payment of my debts or enlarge upon my statutory duty to pay debts.

For Identification

John H. Marling



**ARTICLE III.**

I hereby nominate and appoint my Wife, **ETHEL K. MARLING**, to be the Executrix of my Last Will and Testament. If she shall fail to survive me or shall fail to qualify as Executrix, then in that event I appoint my Daughter, **KATHRYN M. FURR**, as my secondary Executrix. My Executrix shall serve without security or any bond and without any accounting or inventory to any Court, shall have the powers and discretion provided for herein and other powers that re provided for by law, all to be exercised without a Court Order

**ARTICLE IV.**

I hereby devise and bequeath all real property and interest therein, all automobiles, furniture, furnishings, household goods, silverware, china, ornaments and all other items located in my residence as well as all of my cash, stocks, bonds, accounts, retirement funds and accounts, and any and all other securities or investments, jewelry, personal effects and all other tangible property owned by me at the time of my death, including lapsed legacies and bequests, of which I shall be seized or possessed or to which I shall be entitled at the time of my death, or over which I shall have any power of appointment, to my Wife, **ETHEL K. MARLING**, and should she pre-decease me, to my Daughter, **KATHRYN M. FUR**, and to my Son, **JOHN R. MARLING** in equal shares. In the event one or more of my children is not then living, that deceased child's share shall go to that child's lineal decedents *per stirpes*.

**ARTICLE V.**

Any Trustee that may be established hereunder, shall have the continuing, absolute discretionary power to deal with any property, real or personal, held in my estate or in trust as

For Identification:

*[Signature]*

freely as I might in the handling of my own affairs. Such power may be exercised independently without prior or subsequent approval of any judicial authority and no person dealing with the Executrix or Trustee shall be required to inquire into the propriety of any of their actions. I specifically grant to my Executrix and the Trustee the power to make any distribution(s) including the satisfaction of any pecuniary bequests, in cash or in specific property, real or personal, or an undivided interest therein or partly in such property, and to do so without regard to the income tax basis for federal tax purposes of specific property allocated to any beneficiary.

ARTICLE VII.

If any beneficiary hereof shall die simultaneously with me or under such circumstances that there is insufficient evidence to determine the order of our deaths, then it shall be presumed conclusively for the purpose of making distributions under this Will, that said beneficiary predeceased me.

ARTICLE VIII.

I direct that my Executrix provide for the cremation of my remains and that my ashes be given to my Wife, ETHEL K. MARLING, if she survives me, otherwise to do with them as they deem appropriate

IN WITNESS WHEREOF, I, sign, seal, publish and declare this instrument to be my Last Will and Testament, this the 19<sup>th</sup> day of Feb., 2002.

John H. Marling  
JOHN H. MARLING

For Identification:  
[Signature]

ATTESTATION

The foregoing instrument, consisting of this and three typewritten pages, was signed, sealed, published and declared by JOHN H. MARLING, as the Testator, to be his Last Will and Testament in our presence, and we, at his request and in his presence, and in the presence of each other, have hereunto subscribed our names as witnesses this the 18<sup>th</sup> day of February 2002, at Madison, Mississippi.

WITNESSES:

Paulette N. Furetti residing at 205 Wildewood Blvd.  
Name Address  
Jackson, MS 39212

Michael S. Martin residing at 107 McCallum Ct.  
Name Address  
Madison, MS 39110

For Identification:  
[Signature]

AFFIDAVIT OF SUBSCRIBING WITNESSES

STATE OF MISSISSIPPI  
COUNTY OF MADISON

This day personally appeared before me, the undersigned duly commissioned and qualified Notary Public, acting within and for the said State and County,

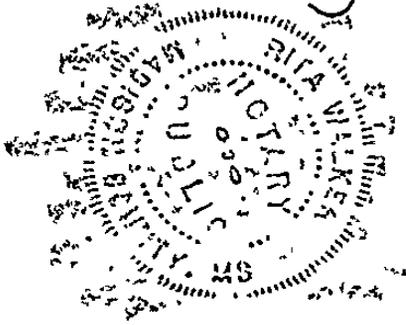
Paulette N. Fioretti and Michael S. MacInnis respectively, whose names appear as subscribing witnesses to the foregoing and attached instrument of writing, who after having been duly sworn, say on oath that on the 19th day of February, 2002, JOHN H MARLING, was of lawful age, was of sound and disposing mind and memory, and there was no evidence of undue influence.

Paulette N. Fioretti residing at 205 Wildwood Blvd.  
Name Jackson MS 39212  
Address

Michael S. MacInnis residing at 107 McCallum Ct.  
Name Madison, MS 39110  
Address

SWORN TO AND SUBSCRIBED before me, this the 19<sup>th</sup> day of

February, 2002.



Rita Walker  
Notary Public  
My commission expires MISSISSIPPI STATE NOTARY PUBLIC  
MY COMMISSION EXPIRES AUG 31, 2003  
BONDED BY STATE-EMERGENCY SERVICE

For Identification:  
[Signature]

STATE OF MISSISSIPPI

COUNTY OF MADISON

AFFIDAVIT IN SUPPORT OF PETITION

Personally appeared before me, the undersigned authority in and for said county and state, the within named **TERIN ELIZABETH DUPRE**, who, being first duly sworn by me, states on her oath that the matters and facts contained below are true and correct as therein stated:

1. My parents, Roger Antoine Dupre and Lisa Ann Dupre, recently moved to Spring, Texas, but I, Terin Dupre, with my parents approval, have elected to maintain my residency in Ridgeland, Mississippi with Regina Bustin, in order to finish my senior year of high school in Ridgeland.

2 I strongly desire that Regina Bustin be appointed my General Guardian and am looking forward to attending school in Ridgeland, Mississippi.

3 The Petition filed in this matter (incorporated herein in full by reference) and I respectfully request that the relief herein sought be granted.

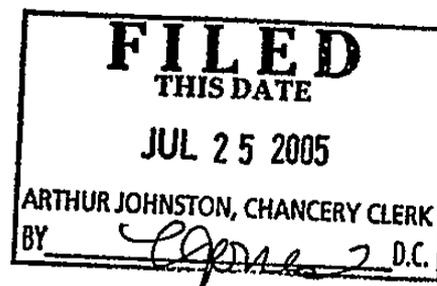
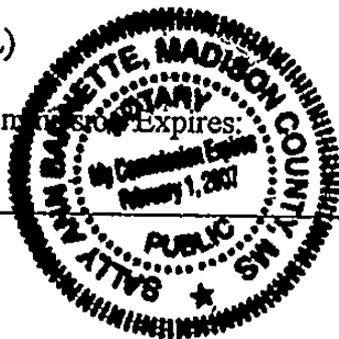
Terin Elizabeth Dupre  
TERIN ELIZABETH DUPRE

SWORN TO AND SUBSCRIBED BEFORE ME, this the 9<sup>th</sup> day of July, 2005.

Sally Ann Barnette  
NOTARY PUBLIC

(SEAL)

My Commission Expires:



LAST WILL AND TESTAMENT 2005-690

FILED  
THIS DATE  
JUL 27 2005  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY *Kim Miller* D.C.

OF

W. A. "SONNY" SPEIGHTS

I, W. A. "SONNY" SPEIGHTS, an adult resident citizen of Madison County, Mississippi, being over the age of eighteen years and being of sound and disposing mind and memory, do hereby make, publish and declare this instrument of writing to be my Last Will and Testament, and I do hereby revoke any and all wills and codicils heretofore made by me.

ITEM I.

It is my will, and I so direct, that my funeral expenses and expenses of my last illness be paid by my Executor out of my estate, and that all of my just and lawful debts which are duly probated and allowed, as provided by law, be paid, but I do not make them a charge or lien upon the property of my estate, and no trust is hereby created for the payment of such debts. I hereby authorize and empower my Executor in the case of any uncertain or disputed claim made against my estate to settle the same in his absolute discretion.

ITEM II.

I hereby appoint J. S. HARRIS, JR., as Executor of this my Last Will and Testament. I direct that my Executor shall not be required to make any bond as Executor; nor shall he be required to make a formal appraisal of my estate, provide an inventory or an accounting to be filed with any court. If J. S. Harris, Jr., shall predecease me or is, unable or unwilling to serve as Executor of my estate for any reason, I appoint MARY BETH SPEIGHTS to serve in his stead and under the same terms and conditions as aforesaid.

ITEM III.

I hereby give, devise and bequeath to my good friend and former wife, MARY BETH SPEIGHTS, my home located at 127 Ingleside Road, Madison, Mississippi 39110, my Savage automatic 12 gauge shotgun she gave me as a gift, the automobile I may own at my death, and the contents of my home, less and except any gifts, devises, bequests and/or legacies I have given to any other person.

Initials WAS

ITEM IV.

I hereby give and bequeath unto my beloved grandson, KRISTOPHER KING, my Yamaha ATV 4 x 4 350.

ITEM V.

I hereby give and bequeath unto T. J. SPEIGHTS HURT my 4 x 8 red 2-wheel trailer.

ITEM VI.

I hereby give and bequeath unto my good friend and hunting and fishing companion, WILLIE NEW, my Browning 30-06 rifle.

ITEM VII.

I hereby give and bequeath unto my beloved daughter, DOROTHY JO SPEIGHTS KING, my .30 caliber assault rifle with folding stock, and also whatever pick-up truck I may own at the time of my death.

ITEM VIII.

I hereby give and bequeath unto my beloved friend, RICHARD COURTNEY, my Smith and Wesson .38 pistol.

ITEM IX.

I hereby give and bequeath unto my beloved friend, LEWIS HODGE, of Greenwood, Mississippi, my .45 Colt side loader.

ITEM X.

I hereby give and bequeath the hereinafter listed monetary sums unto the following individuals:

(a) JOHN and JESSICA YOUNGER, Fifteen Thousand Dollars (\$15,000.00), to be equally divided between them, share and share alike,

(b) WELLS UNITED METHODIST CHURCH, Five Thousand Dollars (\$5,000.00);

(c) MARY BETH SPEIGHTS, Ten Thousand Dollars (\$10,000.00);

(d) "CHAS" STEWART, Two Thousand Dollars (\$2,000.00);

(e) KRISTOPHER KING, Two Thousand Dollars (\$2,000.00);

(f) "CHRIS" SPEIGHTS, Two Thousand Dollars (\$2,000.00);

(g) SCOTTY SPEIGHTS, Two Thousand Dollars (\$2,000.00);

(h) ASHLEY SPEIGHTS, Two Thousand Dollars (\$2,000.00);

(i) ROSE LOTT, Three Thousand Dollars (\$3,000.00);

(j) WILLIE NEW, Five Thousand Dollars (\$5,000.00);

(k) LOU SPEIGHTS MOUTON, Five Thousand Dollars (\$5,000.00);

(l) T. J. SPEIGHTS HURT, Five Thousand Dollars (\$5,000.00);

(m) DOROTHY JO SPEIGHTS KING, Five Thousand Dollars (\$5,000.00);

(n) INEZ SPEIGHTS, Two Thousand Dollars (\$2,000.00); and,

(o) CORA WILLIAMS, Five Thousand Dollars (\$5,000.00).

After payment of the debts as set forth in Item I hereof and of expenses of the administration of my estate and after distribution of the specific bequests set forth in Items III through IX hereof, should the assets of my Estate be insufficient to fund all of the bequests in full as set forth in sub-paragraphs (a) through (o) hereinabove, then the said bequests shall abate on a pro rata basis to the extent necessary, with each listed legatee receiving a reduced amount.

ITEM XI.

All of the rest, residue and remainder of my estate of whatsoever kind and wheresoever situated, whether real, personal or mixed, I hereby give, devise and bequeath to MARY BETH SPEIGHTS.

ITEM XII.

Any attempt by any heir, legatee, or devisee herein to set aside or contest any term or condition of this, my Last Will and Testament, shall void and revoke his or her bequest, legacy or devise and his or her share of my estate shall be divided equally among the remaining legatees or devisees who would take hereunder.

IN WITNESS WHEREOF, I have declared, published and executed this writing consisting of four typewritten pages as my Last Will Testament in the presence of witnesses on this the 7th day of April, 2004.

*W. A. "Sonny" Speights*  
W. A. "SONNY" SPEIGHTS, Testator

WITNESSES:

*Phillip M. Nelson*

*R. Ellen Matthews*

ATTESTATION CLAUSE

THIS INSTRUMENT OF WRITING, consisting of four (4) typewritten pages, was, on the day and year shown above, signed, published and declared by W. A. "SONNY" SPEIGHTS to be his Last Will and Testament in our presence, and, we, at his request, have subscribed our names hereto as witnesses in his presence and in the presence of each other.

Phillip M. Nelson  
WITNESS

Address: 1220 Hwy 51W  
Madison MS 39110

R. Ellen Matthews  
WITNESS

Address: 3453 N. Liberty St.  
Canton, MS 39046

AFFIDAVIT OF SUBSCRIBING WITNESSES

STATE OF MISSISSIPPI

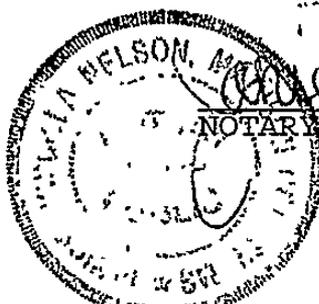
COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, Phillip M. Nelson and R. Ellen Matthews, the subscribing witnesses to the above and foregoing Last Will and Testament of W. A. "SONNY" SPEIGHTS, who, being first duly sworn, state on oath that the said W. A. "SONNY" SPEIGHTS signed, published and declared said instrument as his Last Will and Testament on the 7<sup>th</sup> day of April, 2004, the day and date of said instrument, in the presence of these two subscribing witnesses, and that said Testator was then of sound and disposing mind and memory, and more than eighteen years of age, and having his usual place of abode in Madison County, Mississippi, and that we, Phillip M. Nelson and R. Ellen Matthews, Affiants, subscribed and attested said instrument as witnesses to the signature of the Testator and publication thereof, at the special instance of said Testator, and in the presence of said Testator and in the presence of each other.

Phillip M. Nelson

R. Ellen Matthews

SWORN TO AND SUBSCRIBED BEFORE ME, this the 7<sup>th</sup> day of April, 2004.



Phillip M. Nelson  
NOTARY PUBLIC

MY COMMISSION EXPIRES:  
MISSISSIPPI STATE NOTARY PUBLIC  
MY COMMISSION EXPIRES SEP 21, 2008  
BONDED THRU STEGALL NOTARY SERVICE

Initials W.A.S.

# Last Will and Testament 2005-691

I, Debra Ann Hogan, of Ridgeland, Mississippi, do hereby make, publish and declare this to be my last will and testament, hereby revoking all wills and codicils heretofore made by me.

1. I direct that all of my just debts and the expenses of my funeral be paid, and I authorize and empower my Executrix, in case of any claim made against my estate, to settle the same in her absolute discretion

2. All of my property and estate, personal & real, remaining after the payment of the expenses of administration, the expense of my last illness and burial, my debts and estate and inheritance taxes, I give, devise and bequeath to Broadus VanLandingham Stewart, Sr., if he shall survive me.

3. If Broadus VanLandingham Stewart, Sr. does not survive me, or in the event of our simultaneous deaths, I give, devise and bequeath to Michelle Marks all of my property and estate, personal and real, remaining after the payment of the aforesaid expenses.

4. I appoint Michelle Marks Executrix of this my will, to serve without bond or security, as such Executrix, and I waive appraisal of my estate

IN WITNESS WHEREOF, I do hereby sign, publish and declare this as my last will and testament in the presence of the persons witnessing it at my request on this the 20<sup>th</sup> day of September, 2000.

*Debra Ann Hogan*  
DEBRA ANN HOGAN

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

*Shirley Daniel*  
SHIRLEY DANIEL

*Samuel H. Wilkins*  
SAMUEL H. WILKINS

*Ben Windham*  
BEN WINDHAM

SAMUEL H. WILKINS  
MSB# 7211  
P.O. Box 504  
Jackson, MS 39205  
601-354-0770

**FILED**  
THIS DATE  
**JUL 23 2005**  
ARTHUR JOHNSTON, CHANCERY CLERK  
D.C.

IN THE MATTER OF THE  
LAST WILL AND TESTAMENT  
OF DEBRA ANN HOGAN STEWART, DECEASED

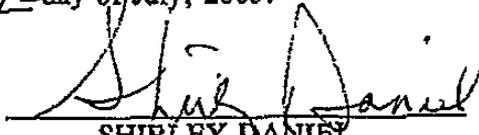
CIVIL ACTION, FILE NO: \_\_\_\_\_

PROOF OF WILL

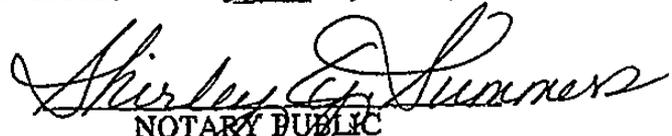
STATE OF MISSISSIPPI  
COUNTY OF HINDS

PERSONALLY appeared before me, the undersigned authority in and for the state and county aforesaid, within my jurisdiction, the within named Shirley Daniel, one of the three subscribing witnesses to the foregoing and annexed instrument of writing purporting to be the last will and testament of Debra Ann Hogan Stewart, formerly known as and being the same person as Debra Ann Hogan, late of Madison County, Mississippi, who, having been by me first duly sworn, stated and deposed upon her oath that the said Debra Ann Hogan signed, published and declared said instrument to be her last will and testament on the 20th day of September, 2000, being the date of said instrument, in the presence of the deponent and Samuel H. Wilkms and Ben Windham; that the said Debra Ann Hogan was then and there of sound and disposing mind and memory and was over the age of eighteen years; that the deponent and Samuel H. Wilkins and Ben Windham, in the presence of each other, subscribed and attested said instrument of writing, as witnesses to Debra Ann Hogan's signature and publication thereof, at the request of and in the presence of Debra Ann Hogan, on the 20th day of September, 2000; that the deponent is not in any way interested in the estate of Debra Ann Hogan Stewart; and that the deponent is now and was at the time of his attestation of said written instrument a competent witness under the laws of the State of Mississippi

WITNESS MY SIGNATURE, this the 27<sup>th</sup> day of July, 2005.

  
SHIRLEY DANIEL

SWORN TO AND SUBSCRIBED BEFORE ME, this the 27<sup>th</sup> day of July, 2005.

  
NOTARY PUBLIC

MY COMMISSION EXPIRES:  
Notary Public State of Mississippi  
My Commission Expires: July 20, 2008  
Bonded Through: Halton Brooks & Garland, Inc.  
SIGNED: \_\_\_\_\_

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE  
LAST WILL AND TESTAMENT  
OF DEBRA ANN HOGAN STEWART, DECEASED

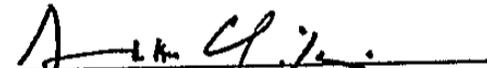
CIVIL ACTION, FILE NO: \_\_\_\_\_

PROOF OF WILL

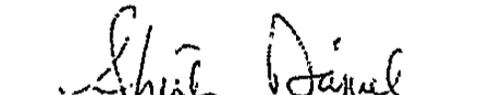
STATE OF MISSISSIPPI  
COUNTY OF HINDS

PERSONALLY appeared before me, the undersigned authority in and for the state and county aforesaid, within my jurisdiction, the within named Sameul H. Wilkins, one of the three subscribing witnesses to the foregoing and annexed instrument of writing purporting to be the last will and testament of Debra Ann Hogan Stewart, formerly known as and being the same person as Debra Ann Hogan, late of Madison County, Mississippi, who, having been by me first duly sworn, stated and deposed upon his oath that the said Debra Ann Hogan signed, published and declared said instrument to be her last will and testament on the 20th day of September, 2000, being the date of said instrument, in the presence of the deponent and Shirley Daniel and Ben Windham; that the said Debra Ann Hogan was then and there of sound and disposing mind and memory and was over the age of eighteen years; that the deponent and Shirley Daniel and Ben Windham, in the presence of each other, subscribed and attested said instrument of writing, as witnesses to Debra Ann Hogan's signature and publication thereof, at the request of and in the presence of Debra Ann Hogan, on the 20th day of September, 2000; that the deponent is not in any way interested in the estate of Debra Ann Hogan Stewart; and that the deponent is now and was at the time of his attestation of said written instrument a competent witness under the laws of the State of Mississippi.

WITNESS MY SIGNATURE, this the 27<sup>th</sup> day of July, 2005.

  
SAMUEL H. WILKINS

SWORN TO AND SUBSCRIBED BEFORE ME, this the 27<sup>th</sup> day of July, 2005.

  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES MARCH 11, 2006  
BONDED THRU STEGALL NOTARY SERVICE

Last Will and Testament

OF

JOYCE R. WRAY

2005-560

FILED  
THIS DATE  
JUL 29 2005  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY *[Signature]* D.C.

I, Joyce R. Wray, an adult resident citizen of 322 Hindsdale Court, Madison, Mississippi, 39110, being over the age of eighteen (18) years and of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby expressly revoking all former wills and codicils made by me at any time heretofore

I.

My husband's name was Steven B. Wray and he has predeceased me. I have three children, namely, Gail Wray, Percy S. Wray, and Gary D. Wray. I hereby specifically direct that my grandson, Jeff Wray is not to receive any gift, bequest, or devise from my estate in any way. Any gift, bequest, or devise that would otherwise go to him shall be given instead to any of his living siblings, share and share alike, per stirpes. I make this condition with the knowledge that he is a natural object of my affections.

II.

I hereby appoint my son, Gary D. Wray, as Executor of this my Last Will and Testament, and it is my desire that he shall have full and complete power and authority to do and to perform any act deemed by him to be in the best interest of my estate. Where used throughout this Will, the terms "Executor", "Executrix", and "Administrator" may be used interchangeably and shall apply to

*[Signature]*  
JOYCE R. WRAY

*[Signature]*      *[Signature]*  
SUBSCRIBING WITNESSES

whomever may be serving as personal representative of my estate, whether one or more than one, and to any successor Executor or Administrator. Should Gary D. Wray be unable or unwilling to serve as Executor, I hereby appoint my daughter, Gail Wray, as substitute 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. I direct that neither my Executor nor any successor Executor or Administrator shall be required to pay any bond as Executor or Administrator. To the extent permissible by law, I waive the requirement that my Executor or any successor Executor or Administrator, be required to make a formal appraisal, provide an inventory, or file an accounting for my estate with any court.

Except where specific property is devised or bequeathed, my Executor shall have discretion to select property to be distributed in satisfaction of any devise or bequest provided in this Will.

III.

My Executor shall pay all funeral expenses, hospital and medical expenses, cost of administration, attorneys' fees and other proper claims against my estate.

IV.

I hereby make the following specific bequests:

1. I hereby give, devise and bequeath unto my grand-daughter, Melissa Wray, my gold and ruby ring.
2. I hereby give, devise and bequeath unto my grand-daughter, Kristen Wray, my diamond and emerald ring.

Joyce R. Wray  
JOYCE R. WRAY

[Signatures]  
SUBSCRIBING WITNESSES

3. I hereby give, devise and bequeath unto my grand-daughter, Donna Murray, my three diamond ring.

4. I hereby give, devise and bequeath unto my daughter, Gail Wray, my organ and all of my remaining jewelry.

5. I hereby give, devise and bequeath unto my grand-daughters, Melissa Wray, Kristen Wray, and Donna Murray, all the remaining contents of my house.

6. I hereby give, devise and bequeath unto my son, Gary D. Wray, all tools, tractors, and equipment that I may own at the time of my death.

7. I hereby give, devise and bequeath unto my son, Gary D. Wray, any and all oil, gas, and mineral interests in the East Flora Field in Madison County, Mississippi that I may own at the time of my death.

8. I hereby give, devise and bequeath any other oil, gas, and mineral interests that I may own at the time of my death, wherever situated, unto my children, Gail Wray, Percy Wray, and Gary D. Wray, in equal shares, share and share alike, per stirpes.

V.

I hereby give, devise and bequeath unto my children, Gail Wray, Percy Wray, and Gary D. Wray, my entire remaining estate, real and personal, or mixed, of whatsoever kind or character and wheresoever located or howsoever described, in equal shares, share and share alike, per stirpes.

VI.

It is my sincere desire that upon my death my family will use their best efforts to support my Executor in any decision they make regarding my estate. It is further my desire that each member

Joyce R. Wray  
JOYCE R. WRAY

[Signatures]  
SUBSCRIBING WITNESSES

of my family will act in a loving, caring and unselfish manner, treating each other with respect and civility in the division of my estate.

IN WITNESS WHEREOF, I, Joyce R. Wray, have hereunto set my signature on, and published and declare this to be my Last Will and Testament, on this the 6-13-01 day of June, 2001, in the presence of two witnesses who have each signed as witnesses at my request, in my presence and in the presence of each other.

Joyce R. Wray  
JOYCE R. WRAY

Joyce R. Wray  
JOYCE R. WRAY

[Signature] [Signature]  
SUBSCRIBING WITNESSES

ATTESTATION CLAUSE

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

WITNESS OUR SIGNATURES on this the 13 day of June, 2001.

SUBSCRIBING WITNESS:

Rita Pruitt  
88 Terrapin Dr.  
Brandon, ms 39042

SUBSCRIBING WITNESS:

Sarah Gregory  
701 Hwy 49 South  
Richland MS 39218

PROOF OF WILL

STATE OF MISSISSIPPI

COUNTY OF RANKIN

I, Rita Pruitt, on oath state that I am a subscribing witnesses to the attached written instrument dated the 13<sup>th</sup> day of June, 2001, which purports to be the Last Will and Testament of JOYCE R. WRAY, who indicated to me that she was a resident of and had a fixed place of residence in the County of Madison, State of Mississippi. On the execution date of the instrument, the Testatrix in my presence and in the presence of the other subscribing witness, signed the instrument at the end thereof and declared the instrument to be her Last Will and Testament and requested that I attest to the execution thereof whereupon, in the presence of the Testatrix and in the presence of the other subscribing witness, I signed my name as attesting witnesses. At the time of the execution of the instrument, the Testatrix was over eighteen (18) years of age, and in my opinion was of sound mind, in full possession of her mental faculties, and acting without undue influence, fraud or restraint.

DATED this the 16<sup>th</sup> day of May, 2005.

*Rita Pruitt*  
RITA PRUITT

Subscribed and sworn to before me on this the 16<sup>th</sup> day of May, 2005.

*Linda S. Jones*  
NOTARY PUBLIC

My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES APRIL 12, 2009  
BONDED THROUGH STEGALL NOTARY SERVICE

1152/c/WR8797-001 Proof of Will-Pruitt



**FILED**  
THIS DATE  
JUL 29 2005  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY *(Signature)* D.C.

PROOF OF WILL

STATE OF MISSISSIPPI

COUNTY OF RANKIN

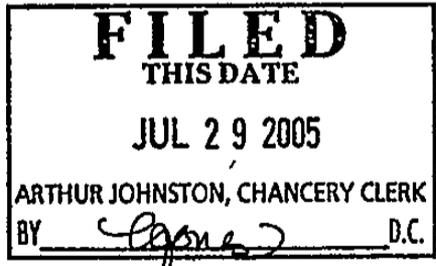
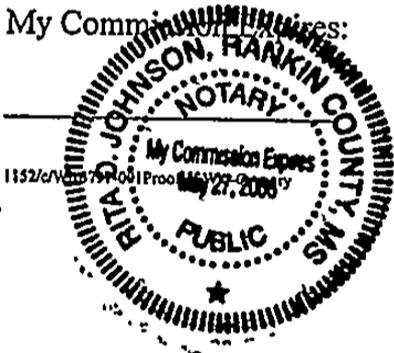
I, Sarah Gregory, on oath state that I am a subscribing witnesses to the attached written instrument dated the 13<sup>th</sup> day of June, 2001, which purports to be the Last Will and Testament of JOYCE R. WRAY, who indicated to me that she was a resident of and had a fixed place of residence in the County of Madison, State of Mississippi. On the execution date of the instrument, the Testatrix in my presence and in the presence of the other subscribing witness, signed the instrument at the end thereof and declared the instrument to be her Last Will and Testament and requested that I attest to the execution thereof whereupon, in the presence of the Testatrix and in the presence of the other subscribing witness, I signed my name as attesting witnesses. At the time of the execution of the instrument, the Testatrix was over eighteen (18) years of age, and in my opinion was of sound mind, in full possession of her mental faculties, and acting without undue influence, fraud or restraint.

DATED this the 12 day of May, 2005.

*Sarah Gregory*  
SARAH GREGORY

Subscribed and sworn to before me on this the 12<sup>th</sup> day of May, 2005.

*Rita D. Johnson*  
NOTARY PUBLIC



IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE  
OF JOYCE R. WRAY, DECEASED

NO. 2005-560-L

GARY D. WRAY, GAIL WRAY BRADLEY  
AND PERCY S. WRAY, PETITIONERS

AFFIDAVIT

STATE OF MISSISSIPPI

COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for the jurisdiction  
aforesaid, the within named Gary D. Wray, Executor of the Estate of JOYCE R. WRAY,  
DECEASED who, being by me first duly sworn, deposes and saith:

1. He is a duly appointed Executor of the estate described above.
2. He has made reasonably diligent efforts to identify persons having claims against  
the estate and has given notice by mail pursuant to Mississippi Code Annotated, Section 91-7-  
145 (1), by mailing a copy of a notice to such creditors at their last known address. A list of such  
creditors is attached hereto as Exhibit "A".

And further Affiant saith not.

*Gary D. Wray*  
 \_\_\_\_\_  
 GARY D. WRAY,  
 Executor of the Estate of Joyce R.  
 Wray

Sworn to and subscribed before me on this the 29<sup>th</sup> day of July, 2005.

*Patricia T. Newman*  
 \_\_\_\_\_  
 NOTARY PUBLIC

My commission Expires:

12-16-2007

1157/c/WR8797-001 Affidavit to Creditors

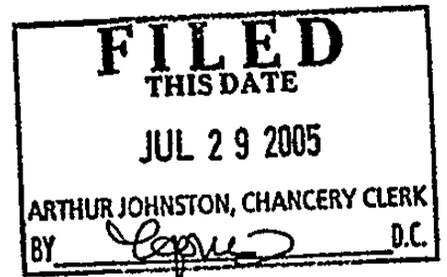
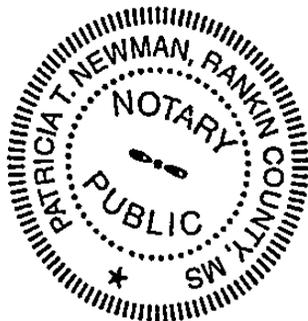


EXHIBIT "A"

LIST OF CREDITORS NOTIFIED

NONE

Last Will and Testament 2005-694

FILED  
THIS DATE  
JUL 29 2005  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY *Kim [unclear]* D.C.

OF

KATHERINE K. HOPPER

I, KATHERINE K. HOPPER, a resident of Natchez, Adams County, Mississippi, declare this to be my Last Will and Testament, hereby revoking all wills and codicils heretofore made by me

At the time I make this Will, I have five (5) children living, as follows:

Edwin K Hopper

Thomas E Hopper

John Leslie Hopper

Benjamin H Hopper

Stephen A Hopper

All references in this Will to my children shall be to these five (5) named children.

ARTICLE I.

I direct that all my debts, all expenses of my last illness, all funeral and burial expenses (including the cost of a suitable monument at my grave like the monument on my first husband's grave) and the cost of administration of my estate be paid as soon as practicable after my death. It is my intention, however, that nothing in this Article of my Will should be construed as creating an express trust or fund for the payment of debts and expenses which would in any way extend the normal statute of limitations for the payment of my debts or enlarge upon my statutory duty to pay debts

ARTICLE II.

I direct that all estate and inheritance taxes and other taxes in the general nature thereof (together with any interest or penalty thereon) which shall become payable upon or by reason of my death with respect to any property passing by or under the terms of this Will or any codicil to it hereafter executed by me, or with respect to the proceeds of any policy or policies of insurance on

*Katherine K. Hopper*  
Katherine K. Hopper

Last Will and Testament of Katherine K. Hopper

my life, or with respect to any other property included in my gross estate for the purpose of such taxes, shall be paid by my Executor out of the principal of my residuary estate

ARTICLE III.

I hereby give, devise and bequeath to my children, if they shall survive me, all of my property whether real, personal or mixed, wheresoever situated, held by me at the time of my death, in equal shares. In the event that one or more of my children shall predecease me, the predeceased child's share shall pass to my then living children in equal shares

ARTICLE IV.

I appoint my son, EDWIN K. HOPPER, to be the Executor of this my Last Will and Testament, to serve without bond, or if bond is required by law, to serve without security on any bond required by law or without any accounting or inventory to any court and to have the powers and discretion provided in Article V, and any others that may be granted by law all to be exercised without court order. If my son, EDWIN K. HOPPER, shall predecease me or for any reason shall fail to qualify as Executor hereunder (or having qualified shall die or resign) then in such event, my son, THOMAS E. HOPPER, shall act as Alternate Executor of my estate, and in such capacity shall possess and exercise all powers and authority herein conferred on my Executor. I vest my Executor with full power and authority to sell, transfer and convey any property, real or personal, which I may own at the time of my death at such time and price and upon such terms and conditions (including credit) as he may determine and to do every other act and thing necessary or appropriate for the complete administration of my estate. Further, I hereby waive the necessity of any appraisal being made in connection with my estate

ARTICLE V.

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 the handling of my own affairs. Such power may be exercised independently without prior or subsequent approval of any judicial authority, and no person dealing with the Executor shall be required to inquire into the propriety of

Katherine K. Hopper  
Katherine K. Hopper

Last Will and Testament of Katherine K. Hopper

any of her actions. I expressly confer upon my Executor the specific powers set forth in Miss. Code Ann Sections 91-9-101 through 91-9-119 (1972) as now enacted or hereafter amended.

- A To compromise, settle, or adjust any claim or demand by or against my estate and to agree to any rescission or modification of any contract or agreement.
- B To retain any security or other property owned by me at the time of my death, so long as such retention appears advisable, to exchange any such security or property for other securities or properties and to retain such items received in exchange
- C To sell, exchange, assign, transfer and convey any security or property, real or personal, held in my estate at public or private sale, at such time and price upon such terms and conditions (including credit) as he may deem to be advisable and for the best interest of my estate.
- D To invest and reinvest (including accumulated income) in any property (real or personal) as he may deem advisable, including stock (whether listed or unlisted) and unsecured obligations, undivided interests, interests in investment trusts, legal and discretionary common trust funds, leases, and property which is outside of my domicile, all without diversification as to kind or amount without being restricted in any way by any statute or court decision (now or hereafter existing) regulating or limiting investments by fiduciaries.
- E To register and carry any property in his own name or in the name of his nominee or to hold it unregistered without thereby increasing or decreasing his liability as fiduciary.
- F To sell or exercise any "rights" issued on any securities held in my estate.
- G Unless inconsistent with other provisions of this instrument, to consider and treat as principal all dividends payable in stock of the issuing corporation, all dividends in liquidation and all "rights" to subscribe to securities of the issuing corporation, and to consider and treat as income all other dividends and rights received (except those declared and payable as of a "record day" preceding my death which shall be considered and treated as principal.
- H To charge or credit to principal any premiums and discounts on securities purchased at more or less than par
- I To vote in person or by proxy andy stock or securities held, and to grant such proxies and powers of attorney to such person or persons as he may deem proper.

Katherine K. Hopper  
Katherine K. Hopper

Last Will and Testament of Katherine K. Hopper

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

K. To borrow money (from himself or from others) upon such terms and conditions as he may determine and to mortgage and pledge estate assets as security for the repayment thereof.

L. To lease any real estate for such term or terms and upon such conditions in rentals and in such manner as he may deem advisable (with or without privilege of purchase), and any lease so made shall be valid and binding for the full term thereof even though same shall extend beyond the duration of the estate. To insure against fire or other risks. To make repairs, replacements and improvements, structural or otherwise, to any such real estate. To subdivide real estate, to dedicate same to public use and to grant easements as he may deem proper

M. Whenever required to or permitted to divide and distribute my estate, to make such distribution in cash or in specific property, real or personal, or an undivided interest therein or partly in cash or partly in such property, and to do so without regard to the income tax basis of specific property allocated to any beneficiary.

N. To employ accountants, attorneys and such agents as he may deem advisable; to pay reasonable compensation for their services and to charge same to (or apportion same between) income and principal as he may deem proper.

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

P. Abandon, in any way, property which he determines not to be worth protecting

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

IN WITNESS WHEREOF, I sign, seal, publish and declare this instrument to be my last will this 17 day of December, 1998, at Jackson, Mississippi

Katherine K. Hopper  
KATHERINE K. HOPPER

Last Will and Testament of Katherine K HopperATTESTATION

The foregoing instrument, consisting of this and the preceding four (4) typewritten pages, was signed, sealed, published and declared by KATHERINE K HOPPER, the Testator, to be her Last Will, 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 witnesses, this 17<sup>th</sup> day of December, 1998, at Jackson, Mississippi.

WITNESSES.

Leonard D. Van Dyke, Jr.

RESIDING AT:

106 Hillcroft Place  
Jackson, MS 39211.

Melanie E. Avey

1223 Poplar Blvd. #3  
Jackson, MS 39202

Patsy S. Luke

1500 Thigpen Rd.  
Raymond, MS 39154

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE  
ESTATE OF KATHERINE K. HOPPER,  
DECEASED

CIVIL ACTION FILE NO. 2005-694

PROOF OF WILL

STATE OF MISSISSIPPI  
COUNTY OF Hinds

PERSONALLY APPEARED before me, the undersigned authority in and for the aforesaid jurisdiction, LEONARD D. VAN SLYKE, JR., subscribing witness to a certain instrument of writing, purporting to be the last will and testament of Katherine K. Hopper, who, being duly sworn, deposed and said that the said Katherine K. Hopper published and declared said instrument as her last will and testament on the 17<sup>th</sup> day of December, 1998, the day of the date of said instrument, in the presence of this deponent and in the presence of Melanie E. Avery and Patsy S. Luke and that the testatrix was of sound and disposing mind of memory and more than 21 years of age and this deponent and Melanie E. Avery and Patsy S. Luke subscribed and attested to said instrument as witnesses to the signature and publication thereof, at the special instance of said testatrix and in the presence of said testatrix and in the presence of each other, on the day and year of the date of said instrument.

WITNESS my signature on the 27<sup>th</sup> day of July, 2005.

*Leonard D. Van Slyke, Jr.*  
LEONARD D. VAN SLYKE, JR

SWORN TO AND SUBSCRIBED before me on this 27<sup>th</sup> day of July, 2005.

*Nancy J. Voila*  
Notary Public

My commission expires:



2005-525

LAST WILL AND TESTAMENT

OF

MARY ELIZABETH HESTER

**FILED**  
 THIS DATE  
 AUG 0 2 2005  
 ARTHUR JOHNSTON, CHANCERY CLERK  
 BY *Kim Stevens* D.C.

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

**ITEM I.**  
CO-EXECUTORS AND SUCCESSOR EXECUTOR

I appoint BOB W. PITTMAN and JOANNE PITTMAN, of Jackson, Mississippi, as Co-Executors of my Estate under this Will. If either BOB W. PITTMAN or JOANNE PITTMAN should be unwilling or unable to serve as Co-Executors, then the other shall serve as successor Executor. If neither BOB W. PITTMAN nor JOANNE PITTMAN should be willing or able to serve as Co-Executors, then WILLIAM McKENZIE of Batesville, Mississippi, shall serve as successor Executor.

*M E H*  
 MEH

**ITEM II.**  
**MARITAL STATUS, CHILDREN AND GRANDCHILDREN**

I declare that I am unmarried, being the widow of Ralph Hester. I have three (3) children now living, all of whom are adults, and they are BETTY ANN MAXEY BABB, ROSEMARY SAVAGE and MELINDA DEARMAN. They are herein referred to as "my children." I have seven (7) grandchildren now living and they are HANNA METCALF, CONY B. METCALF, III, PETER M. SAVAGE, WILLIAM F. SAVAGE, MARY ELIZABETH SAVAGE RICE, DERRY ELIZABETH BEACH ADAMS and GEORGE BRADFORD BEACH. They are herein referred to as "my grandchildren."

**ITEM III.**  
**PAYMENT OF DEBTS, TAXES AND EXPENSES**

I direct my Executor to pay all of my just debts and obligations which are probated, registered and allowed against my estate as soon as may be conveniently done, provided, however, that my Executor shall specifically be authorized to pay any debt of my estate which does not exceed one thousand dollars (\$1,000.00) without the necessity of probating said debt.

I further direct my Executor to pay all of my funeral expenses (including the cost of a suitable monument at my grave), expenses of my last illness, any unpaid charitable pledges (regardless of whether said pledges may be enforceable obligations of my estate), and the costs of administration of my estate as soon as practicable after my death; provided, however, my Executor shall not be required to pay any obligation in advance of its maturity. My Executor, in my Executor's sole

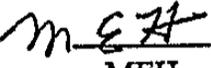
*MEH*  
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discretion, may pay from my domiciliary estate all or any portion of the costs of ancillary administration and similar proceedings in other jurisdictions.

Nothing in this Item of my Will shall be construed as creating an express trust or fund for the payment of debts and expenses, which would in any way extend the normal statute of limitations for the payment of my debts or enlarge upon my statutory duty to pay debts.

In the event that any property or interest in property passing under this Will or by operation of law or otherwise by reason of my death shall be encumbered by a mortgage or lien or shall be pledged to secure any obligation, whether the property or interest in property so encumbered or pledged shall be owned by me jointly or individually, it is my intention that such indebtedness shall not be charged to or paid from my estate but that the devisee, legatee, joint owner taking by survivorship, or beneficiary shall take such property or interest in property subject to all such encumbrances at the time of my death.

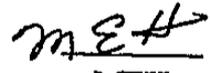
I direct my Executor to pay all inheritance and estate taxes payable by reason of my death including any interest and penalties thereon. All inheritance and estate taxes payable by reason of my death shall be apportioned in accordance with the Mississippi Uniform Estate Tax Apportionment Act; provided, however, that my personal effects and bequests passing under Item IV of this Will shall bear no share of any such taxes. I specifically do not waive the right of my Executor under Internal Revenue Code (1) section 2206 to recover from the beneficiaries of life insurance policies on my life the portion of the total estate tax paid as the proceeds of such policies

  
MEH

bear to my taxable estate, (2) section 2207B to recover the proportionate share of estate taxes from the recipient of property included in my gross estate under Internal Revenue Code section 2036, and (3) section 2207A to recover the proportionate share of estate taxes from the recipient of property included in my gross estate under Internal Revenue Code section 2044.

**ITEM IV.**  
**PERSONAL EFFECTS AND BEQUESTS**

- A. To my granddaughter, HANNA METCALF, I give and bequeath the following:
- 1) Painting of Scotland above fireplace
  - 2) Jewelry box (Momma's)
  - 3) Pictures of Pop and Momma in master bedroom
  - 4) Six gold tables from Frances Pepper
  - 5) Wicker chest in closet in front bedroom
  - 6) White clock with angels in front bedroom
  - 7) Pictures on wall in master bathroom (3)
- B. To my daughter, MELINDA DEARMAN, I give and bequeath the following:
- 1) All pictures of Melinda Dearman and her children in various places in the house
  - 2) Marie Hull painting
  - 3) Oriental scroll on side wall in living room

  
MEH

- 4) Oriental cloth squares - 3 pictures located in master bedroom
- 5) Rocking chair in master bedroom
- 6) Oriental chest in living room
- 7) Fireplace screen and poker set and andirons
- 8) Flower basket in front of fireplace
- 9) Music box on piano and silver vase and picture of Pop and Hanna and antique clock on piano
- 10) Patio furniture and Baker's rack
- 11) Table, mirror and oriental jar in hall by guest room
- 12) Rug in den (old oriental)

C. To my grandson and his wife, MR. and MRS. PETER M. SAVAGE, I give and bequeath the following:

- 1) Couch beige/gold and blue (Queen Anne) chairs
- 2) Coffee table in den

D. To my daughter, MRS. JAMES F. SAVAGE, JR., I give and bequeath the following:

- 1) Blue Crane/Heron painting of Heron "Buzzard"
- 2) Chandelier in dining room
- 3) Two-drawer file cabinet in master bedroom

E. To my grandson, GEORGE BRADFORD BEACH, I give and bequeath the following:

*MEH*  
MEH

- 1) Oarlock (blue)
- 2) Dining room table with eight (8) chairs
- 3) Dining room buffet
- 4) Dining room china closet

F. To my daughter, BETTY ANN MAXEY BABB, I give and bequeath the following:

- 1) Small coffee table and vase stand on side wall in Living Room
- 2) Picture "Lost"
- 3) Green urn by fireplace
- 4) Oriental rug in living room
- 5) Music equipment, stereo, cassettes, CD's and records located in living room cabinets
- 6) Silver chest and contents
- 7) Maroon vase ("Flambe") oriental
- 8) Lamp on stereo
- 9) Twelve (12) silver goblets
- 10) My automobile

G. To my granddaughter, MARY ELIZABETH SAVAGE RICE, I give and bequeath the following:

- 1) Kitchen table and four chairs and rug
- 2) China in buffet, service for twelve of gold and white

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- 3) Green/black/gold desk and chair in master bedroom
- 4) Gold chest in master bedroom
- 5) Lamps in master bedroom

H. To my grandson, WILLIAM F. SAVAGE, I give and bequeath the following:

- 1) Chest of drawers in master bedroom
- 2) Bed in master bedroom
- 3) Red leather chair and stool in den
- 4) Two (2) "duck" pictures in hall leading to the garage

I. To my grandson, CONY B. METCALF, III, I give and bequeath the following:

- 1) Bookcase in master bedroom
- 2) Owl bookends
- 3) Antique watch in glass dome on piano

J. To my granddaughter, DERRY ELIZABETH BEACH ADAMS, I give and bequeath the following:

- 1) Wingback blue/green chair in front bedroom
- 2) Bed, pictures over the bed, dresser, chest of drawers in front bedroom
- 3) Two (2) night stands and two (2) lamps in front bedroom

K. To my nephew and his wife, MR. and MRS. WILLIAM HENRY MCKENZIE, III, I give and bequeath the following:

- 1) Silver candle sticks (2) in dining room

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L. To my niece, BONNIE McKENZIE, I give and bequeath the following:

- 1) Silver planter and stand in dining room

M. Residue of Personal Effects to Grandchildren. I give and bequeath in equal shares to my grandchildren who survive me all of the rest and remainder of my household furniture and furnishings, chinaware, silverware and linens, automobiles, clothing, jewelry, sport equipment and other tangible personal property located in my home, and policies of insurance thereon, but not including cash, bank accounts, securities or intangible property.

N. Minor's Share. If any child is a minor at the time of my death, that child's guardian may act for the child in the division of these items of property, and the property bequeathed in this Item shall not be delivered to the minor but shall be held by the guardian, who shall have the option, in the guardian's sole discretion:

- 1) to deliver any items of property to the child when the guardian may determine that the minor child is of sufficient maturity to receive those items; or

- 2) to deliver all or any remaining items of property to the child when the child attains twenty-one (21) years of age.

O. Tagged Personal Effects. I may place tags or stickers on a number of pieces of my personal property indicating the name of the person to receive that item. I direct my Executor to distribute each such tagged item to the person whose name appear on the tag or sticker.

P. Separate Memorandum. I may leave a separate memorandum containing directions for the specific disposition to be made of certain of the tangible personal property bequeathed under

this Item. In such event, the provisions of that memorandum shall be given the same legal effect as if included in this Will and the assets described therein shall be distributed to the named beneficiaries.

Q. Inconsistent Directions. In the event of any inconsistency in my directions under paragraphs O. and P. of this Item IV, with the preceding paragraphs of this Item IV, the provisions of such preceding paragraphs shall control.

**ITEM V.**  
**SPECIFIC BEQUEST TO TRUST FOR HANNA METCALF**

I give and bequeath the sum of One Hundred Forty Thousand Dollars (\$140,000.00) cash to Trustmark National Bank, Trustee, in trust for the benefit of my granddaughter, HANNA METCALF, if she is living at the time of my death. If my said granddaughter, HANNA METCALF, predeceases me leaving no then surviving descendant, then this bequest shall lapse and said sum shall pass under the provisions of Item VI of this Will as part of my residuary estate. If my said granddaughter, HANNA METCALF, predeceases me leaving one (1) or more surviving descendants, then I give and bequeath said sum to Trustmark National Bank, Trustee, in trust for the benefit of the children of said HANNA METCALF, *per stirpes*, to be held in a separate trust for each such surviving descendant. The trust or trusts created under this Item V for the benefit of my granddaughter, HANNA METCALF, or her surviving descendants, as the case may be, shall be administered and distributed as follows:

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A. **Income Distributions.** The Trustee may distribute to or for the benefit of my said granddaughter, HANNA METCALF, or other descendant who is the beneficiary of the separate trust created under this Item (the "beneficiary"), as much of the net income as the Trustee deems advisable for the beneficiary's education, support, maintenance and health; for the maintenance of the beneficiary's accustomed standard of living; or for any medical, hospital or other institutional care which the beneficiary may require. These distributions shall be made in such proportions, amounts, and intervals as the Trustee determines. Any income not distributed shall be added to principal and shall be distributed according to the provisions of this trust created under this Item.

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

C. **Final Distribution of Assets.** As and when the beneficiary attains the age of twenty-five (25) years, the Trustee shall distribute one-half (1/2) of the remaining assets of his or her separate trust outright to the beneficiary. As and when the beneficiary attains the age of thirty (30) years, the Trustee shall distribute all the remaining assets of his or her separate trust outright to the beneficiary and his or her separate trust shall terminate. If the beneficiary dies prior to termination of his or her separate trust, then the remaining trust assets shall be distributed to the deceased beneficiary's

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children in equal shares. If the deceased beneficiary has no surviving descendant, the remaining trust assets shall be distributed in equal shares to his or her other siblings, *per stirpes*. If the deceased beneficiary has no surviving descendant and no surviving sibling, the remaining trust assets shall be distributed to my grandchildren, *per stirpes*.

**D. Trustee to Hold Minor's Share Until Age Twenty-One.** If any share of a trust created hereunder would otherwise be distributed outright to a person who is a minor, then the Trustee is directed to hold such share in a separate trust for the minor's benefit until the minor attains the age of twenty-one (21) years, at which time the Trustee shall distribute the remaining trust assets to the beneficiary. Until final distribution is made, the Trustee is directed to expend such part of the income and/or principal of the minor's trust as the Trustee, in the Trustee's discretion, deems necessary to provide for the proper education, support, maintenance and health of the minor and for any medical, hospital or other institutional care which the minor may require.

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

**F. Spendthrift Trust.** None of the principal or income of any trust created hereunder shall be liable for the debts or obligations of any beneficiary or be subject to seizure by creditors of any beneficiary. The beneficiaries have no power to sell, assign, transfer, encumber or in any

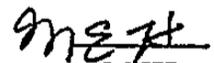
manner to anticipate or dispose of any interest in the trust funds or the income produced from the funds. Each trust created hereunder shall be a spendthrift trust.

G. Name of Trust. Each trust shall be designated and known as the "MARY ELIZABETH HESTER TRUST" with such additional title as is desirable to identify the beneficiary.

**ITEM VI.**  
**RESIDUE TO TRUST FOR GRANDCHILDREN**

I give, devise and bequeath all the rest and residue of my estate in equal shares on a "per capita" basis to my seven (7) grandchildren, HANNA METCALF, CONY B. METCALF, III, PETER M. SAVAGE, WILLIAM F. SAVAGE, MARY ELIZABETH SAVAGE RICE, DERRY ELIZABETH BEACH ADAMS and GEORGE BRADFORD BEACH. If a grandchild of mine predeceases me leaving no then surviving descendant, such deceased grandchild's share shall be distributed in equal shares to my other grandchildren. If a grandchild of mine predeceases me leaving one (1) or more surviving descendants, such deceased grandchild's share shall pass to his or her children *per stirpes*. Notwithstanding the foregoing, each share of any descendant of mine who has not attained the age of twenty-five (25) years at the time of distribution shall not be distributed outright to such descendant, but shall be held in a separate trust by TRUSTMARK NATIONAL BANK, as Trustee, and administered and distributed as follows:

A. Income Distributions. The Trustee may distribute to or for the benefit of my grandchild or other descendant who is the beneficiary of the separate trust (the "beneficiary"), as

  
MEH

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

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

**C. Final Distribution of Assets.** As and when the beneficiary attains the age of twenty-five (25) years, the Trustee shall distribute the remaining trust assets outright to the beneficiary and his or her separate trust shall terminate. If the beneficiary dies prior to termination of his or her separate trust, then the remaining trust assets shall be distributed to the deceased beneficiary's children in equal shares. If the deceased beneficiary has no surviving descendant, the remaining trust assets shall be distributed in equal shares to his or her other siblings, *per stirpes*. If the deceased

MEH  
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beneficiary has no surviving descendant and no surviving sibling, the remaining trust assets shall be distributed to my grandchildren, *per stirpes*.

**D. Trustee to Hold Minor's Share Until Age Twenty-One.** If any share of a trust created hereunder would otherwise be distributed outright to a person who is a minor, then the Trustee is directed to hold such share in a separate trust for the minor's benefit until the minor attains the age of twenty-one (21) years, at which time the Trustee shall distribute the remaining trust assets to the beneficiary. Until final distribution is made, the Trustee is directed to expend such part of the income and/or principal of the minor's trust as the Trustee, in the Trustee's discretion, deems necessary to provide for the proper education, support, maintenance and health of the minor and for any medical, hospital or other institutional care which the minor may require.

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

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

G. Name of Trust. Each trust shall be designated and known as the "MARY ELIZABETH HESTER TRUST" with such additional title as is desirable to identify the beneficiary.

H. Hanna Metcalf's Share. Notwithstanding the foregoing, the residuary bequest to my granddaughter, HANNA METCALF, or her descendants, as the case may be, under this Item shall be distributed and paid over to the trust established under Item V above and administered and distributed in accordance with the terms of said Item V.

**ITEM VII.**  
**MISCELLANEOUS AND SUCCESSOR TRUSTEE PROVISIONS**

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

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

C. Successor Trustee. If TRUSTMARK NATIONAL BANK or any successor Trustee of any trust created herein should resign or become unable to serve, then my daughter, BETTY ANN MAXEY BABB, shall select a successor Trustee.

*MEH*  
MEH

**ITEM VIII.**  
**TRUSTEE POWERS**

The administration of any trust herein created, the sale and conveyance of trust assets, the investment and reinvestment of trust assets, and the rights, powers, duties and liabilities of the Trustee shall be governed by the terms and provisions of the Uniform Trustees' Powers Law of Mississippi, as amended.

**ITEM IX.**  
**EXECUTOR POWERS**

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

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

C. **Third Parties Not Obligated to See to Application of Property Delivered to Executor.** No person dealing with my Executor shall be obligated to see to the application of any

moneys, securities, or other property paid or delivered to my Executor, or to inquire into the expediency or propriety of any transaction or the authority of my Executor to enter into and consummate the transaction upon such terms as my Executor may deem advisable.

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

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

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

G. Right to Sell or Lease Without Court Approval. My Executor shall not be required to reduce all or any of my personal or real property to cash during the administration of my estate, but in my Executor's discretion may sell or lease any of my property in such manner and on such terms and conditions as my Executor may deem advisable, without notice and without the necessity

of Court approval or authorization. In connection with a sale or lease, my Executor may execute and deliver such deeds, leases or other instruments relating thereto.

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

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

**J. Ancillary Administration.** I further nominate and appoint my Executor herein named to petition the proper Court and to take all necessary action to effect an ancillary administration covering any property I may own in another jurisdiction. I direct that no bond or other security shall be required of my Executor named herein, nor shall my Executor be required to file an inventory or accounting with any court in any foreign jurisdiction. If the laws of any other jurisdiction in which I may own property require that a resident of that jurisdiction serve as Executor or Administrator in any ancillary proceeding by my estate, my Executor shall have the power and right to select and designate a proper party resident of the foreign jurisdiction involved to serve with

the Executor of my estate as Co-Administrators. In such event, the Co-Administrators shall not be required to post any bond or other security or file any accounting or inventory with any court in the foreign jurisdiction.

IN WITNESS WHEREOF, I have signed and declared this to be my Last Will and Testament on this the 2<sup>nd</sup> day of March, 2000.

Mary Elizabeth Hester  
MARY ELIZABETH HESTER

This instrument was, on the day and year shown above, signed, published and declared by Mary Elizabeth Hester 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.

Kenneth Harmon  
Witness

Laura G. Fuller  
Witness

H:\KHarmon\Hester\Hester.lwt

MEH  
MEH

PROOF OF WILL

Kenneth Harmon and Louis G. Fuller, being duly sworn according to law on oath state:

Each of us is a subscribing witness to the attached written instrument dated, the 2nd day of March, 2000, which purports to be the Last Will and Testament of **MARY ELIZABETH HESTER**, Testatrix, who is personally known to each of us. On the execution date of the instrument, the Testatrix, in our presence, signed, published and declared the instrument to be her Last Will and Testament, and requested that we attest her execution thereof. In the presence of the Testatrix and each other, each of us signed our respective names as attesting witnesses. At the time of execution of the instrument the Testatrix appeared to be eighteen years of age or older, of sound mind, and acting without undue influence, fraud, or restraint.

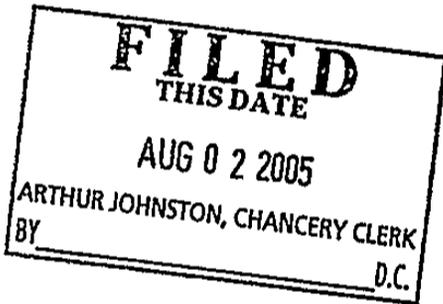
DATED this 2nd day of March, 2000.

Kenneth Harmon  
(Witness)

3853 Tyrone Drive  
(Address)  
Jackson, MS 39216

Louis G. Fuller  
(Witness)

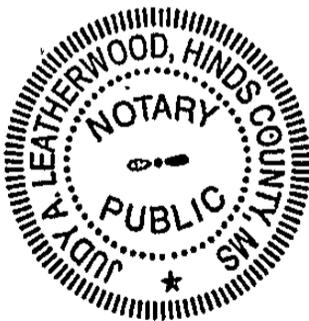
802 Woodland Pine  
(Address)  
Flowood, MS 39208



STATE OF MISSISSIPPI  
COUNTY OF Hinds

Subscribed and sworn to before me, the undersigned Notary Public, on this the 2nd day of March, 2000.

My Commission Expires:  
Nov. 18, 2001



Judy A. Leatherwood  
Notary Public

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
MARY ELIZABETH HESTER, DECEASED

CIVIL ACTION NO. 2005-525

AFFIDAVIT OF ADMINISTRATOR C.T.A.

STATE OF MISSISSIPPI

COUNTY OF HINDS

Personally came and appeared before me, the undersigned authority of law in and for the above styled jurisdiction, the within named, AmSouth Bank, Administrator C.T A. of the Estate of Mary Elizabeth Hester, deceased, who being first duly sworn states on oath the following:

1. That the undersigned affiant has made reasonably diligent efforts to identify persons having claims against this Estate.
2. That the undersigned affiant, having made reasonably diligent efforts, has not identified any persons believed to have claims against the Estate.
3. Further affiant sayeth not.

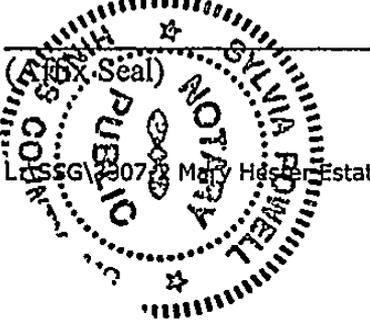
AMSOUTH BANK

By Suzanne P. Stephens  
Suzanne P. Stephens, Vice-President

SWORN TO AND SUBSCRIBED before me on this the 1st day of August 2005.

Julia Powell  
NOTARY PUBLIC

My Commission Expires:  
MY COMMISSION EXPIRES FEBRUARY 2, 2008



L:\SSG\2007\3 Mary Hester Estate\Affidavit of Administrator (without claims) wpd\480

**FILED**  
THIS DATE  
AUG 02 2005  
ARTHUR JOHNSTON, CHANCERY CLERK  
Arthur Johnston D.C.

Last Will and Testament . . . 2005-717

of  
Clara Bell McCullough

I, Clara Bell McCullough, being of sound mind, do hereby will to my children, Woodrow E. McCullough, Geneva M. Smith, Walter G. McCullough, J. V. McCullough and Gene Allen McCullough my house and all contents, being situated at 111 Monroe Street, Shupperd subdivision, Block 29, Section 09, Township 08 Range 1. W, County parcel # 051B-09C-034.

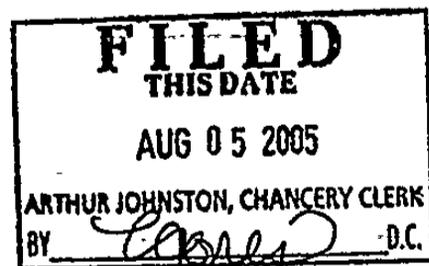
The house and contents shall be occupied by Gene Allen McCullough for as long as he is able to live there. If he should become disabled to continue living in the house, then the house and contents may be sold and the proceeds shall be divided equally among all my children.

This is my last will and Testament dated this date July 15, 1992.

Clara Bell McCullough

Witnessed by:

Ray J. Galt  
Berford D. Burns



## Will

B 39 P 149

OF

JAMELIA WEBER DAVID

I, JAMELIA WEBER DAVID, being of sound and disposing mind and memory and above the age of twenty-one years, do hereby declare this my Last Will and Testament hereby revoking all wills and codicils heretofore made by me.

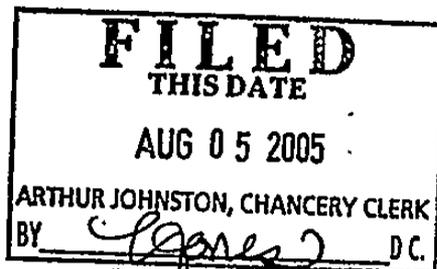
I.

I hereby name and appoint my daughter, AGNES EDNA DAVID, as Executrix of my estate. Should she be unable or unwilling to serve, then in such event, I hereby appoint MARIE DAVID TREBOTICH as alternate Executrix. I hereby direct that neither my Executrix nor alternate Executrix be required to post bond or make accounting unto any Court, the statutory requirements of same being expressly waived hereby.

II.

Not being unmindful of my two sons, NAFE JAMES DAVID and SIDNEY J. DAVID, I hereby devise and bequeath all of my property, real, personal or mixed, and wherever situated unto AGNES EDNA DAVID and MARIE DAVID TREBOTICH, share and share alike, per stirpes.

PAGE ONE



*Jamelia Weber David*  
JAMELIA WEBER DAVID

B 39 P 150

WITNESS MY SIGNATURE, this the 19th day of March, 1996.

*Jamelia Weber David*  
JAMELIA WEBER DAVID

WITNESSES:

*Eric Costello*  
*Cassidy McLeann*

PAGE TWO

PROOF OF WILL

STATE OF MISSISSIPPI

COUNTY OF RANKIN

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Elsie Costello, who by me being first duly sworn, deposes and states on oath that she is one of the subscribing witnesses to that certain instrument of writing purporting to be the Last Will and Testament of Jamelia Weber David and that the said Jamelia Weber David signed, published and declared said instrument to be her Last Will and Testament on the 19th day of March, 1996, in the presence of this affiant and Anselm J. McLaurin, the other subscribing witness to said instrument; and said testatrix was then of sound and disposing mind and memory and over the age of eighteen (18) years; that this affiant and Anselm J. McLaurin subscribed and attested said instrument as witnesses to the signature and publication thereof at the special instance and request and in the presence of said testatrix, and in the presence of each other.

*Elsie Costello*

ELSIE COSTELLO  
Post Office Box 220  
Brandon, Mississippi 39043-0220

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

July, 2005.

*John C. McLaurin Jr*  
NOTARY PUBLIC

My commission expires:

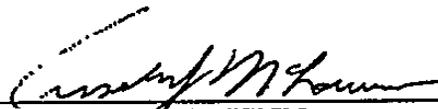
September 27, 2008

PROOF OF WILL

STATE OF MISSISSIPPI

COUNTY OF RANKIN

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Anselm J. McLaurin, who by me being first duly sworn, deposes and states on oath that he is one of the subscribing witnesses to that certain instrument of writing purporting to be the Last Will and Testament of Jamelia Weber David and that the said Jamelia Weber David signed, published and declared said instrument to be her Last Will and Testament on the 19th day of March, 1996, in the presence of this affiant and Elsie Costello, the other subscribing witness to said instrument; and said testatrix was then of sound and disposing mind and memory and over the age of eighteen (18) years; that this affiant and Elsie Costello subscribed and attested said instrument as witnesses to the signature and publication thereof at the special instance and request and in the presence of said testatrix, and in the presence of each other

  
\_\_\_\_\_  
ANSELM J. McLAURIN  
Post Office Box 220  
Brandon, Mississippi 39043-0220

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 25<sup>th</sup> day of July, 2005.

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


My commission expires:  
September 27, 2008

**FILED**  
 THIS DATE  
 AUG 05 2005  
 ARTHUR JOHNSTON, CHANCERY CLERK  
 BY *Sam Sellers* D.C.  
 STATE OF MISSISSIPPI

LAST WILL AND TESTAMENT  
 OF  
 WYATT WASHINGTON HARDY.

JUN 23 2005  
*W. W. Hardy*  
~~2005-3033~~  
 2005-716

COUNTY OF HINDS

I, WYATT WASHINGTON HARDY, a resident of Hinds County, Mississippi, being of sound and disposing mind and memory and being over the age of twenty-one years, do hereby make, publish and declare this to be my LAST WILL AND TESTAMENT, hereby revoking any and all other wills and testaments, and codicils thereto heretofore made by me.

1. I do hereby direct that my wife, VALDA CRAFT HARDY, be appointed my Executrix of this my LAST WILL AND TESTAMENT, I hereby direct that she shall not be required to give bond and I hereby waive the necessity of having a formal appraisement made of my estate. I hereby direct my Executrix to pay all of my just debts which may be probated, registered and allowed against my estate as soon as may be conveniently done. I direct my Executrix to pay all Federal and State estate, inheritance, succession, transfer or other death taxes which are assessed against my estate or against my beneficiary, including estate and inheritance taxes assessed on account of life insurance proceeds or any other property which shall be included in my estate for probate purposes, out of my residuary estate.

2. I give and bequeath to my wife, VALDA CRAFT HARDY, if she be living at the time of my death, all of my property, both real and personal, including my clothing, books, jewelry, automobiles, stocks, bonds, and any other items of personal use and adornment. In the event she does not survive me, then I bequeath unto my Children all of the aforesaid property, per capita, or in the event they predecease me, to their issue per stirpes. Scarlet Jackson Hardy is not to receive anything from my estate.

3. In the event that both of said wife and I should die in a common accident or under such circumstances that it cannot be determined which of us is the survivor, I hereby declare that she shall be deemed to have survived me, and this will and all of its provisions shall

39 P 154

be construed upon that assumption.

4. In the event both my wife and I should die leaving minor childre, then in this event I hereby appoint F. L. Craft and Bonnie H. Craft to be the guardian of our children and to administer our estate until each child reaches the age of twenty-one years. The above persons to have full authority and not be required to post bond or make accounting to any Court.

IN WITNESS WHEREOF, I have hereunto subscribed my name this the 17 day of October, 1972.

Wyatt W. Hardy  
Wyatt Washington Hardy

This instrument was, on the date shown above, signed, published and declared by Wyatt Washington Hardy, to be his LAST WILL AND TESTAMENT, in our presence, and we at his request have subscribed our names hereunto as witnesses in his presence and in the resence of each other.

NAME

ADDRESS

1. *Homer E Lorde*

*410 W. Woodrow Wilson*

2. *Herman M Mason*

*410 W Woodrow Wilson*

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF HINDS

This day personally appeared before me, the undersigned authority at law in and for the jurisdiction aforesaid, the within named HOMER E. BORDEN, 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 Wyatt W. Hardy, 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 11<sup>th</sup> day of October, 1972.

2. That on the 11<sup>th</sup> day of October, 1972, the said Wyatt W. Hardy signed, published and declared the said instrument of writing to be his Last Will and Testament, in the presence of Homer E. Borden and the other subscribing witness to said instrument.

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

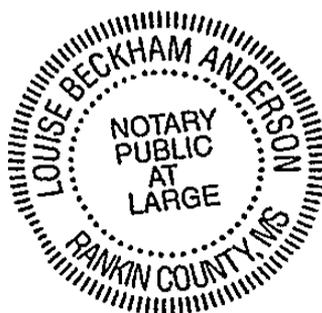
4. That this Affiant, together with Herman M. Mason, subscribed and attested said instrument as a witness to the signature and publication hereof, at the special instance and request, and in the presence of Wyatt W. Hardy and in the presence of each other.

*Homer E. Borden*  
HOMER E. BORDEN

SWORN TO AND SUBSCRIBED BEFORE ME this the 17<sup>th</sup> day of June, 2005

*Louise Beckham Anderson*  
NOTARY PUBLIC

My Commission Expires:  
MY COMMISSION EXPIRES MAY 23, 2006



# Last Will and Testament 2005. 681

**FILED**  
 THIS DATE  
 AUG 05 2005  
 ARTHUR JOHNSTON, CHANCERY CLERK  
 BY *Sam Halls* D.C.

OF

**JUANITA CROWDER NAIL**

I, Juanita Crowder Nail, a resident of Madison County, Mississippi, being over the age of twenty-one (21) years and of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all wills and codicils heretofore made by me.

My husband, Earl Estelle Nail, and my children, John D. Nail, Deborah A. Koenig, and Janet L. Brewer, are living at the execution of this Will.

## ARTICLE I

### DEBTS

I direct that all my debts, all expenses of my last illness, all funeral and burial expenses (including the cost of a suitable monument at my grave) and the cost of administration of my estate be paid as soon as practicable after my death. It is my intention, however, that nothing in this Article of my Will should be construed as creating an express trust or fund for the payment of debts and expenses which would in any way extend the normal statute of limitations for the payment of my debts or enlarge upon my statutory duty to pay debts.

## ARTICLE II.

### TAXES

I direct that all estate and inheritance taxes and other taxes in the general nature thereof (together with any interest or penalty thereon) which shall become payable upon or

*Juanita C. Nail*  
 \_\_\_\_\_  
 Juanita C. Nail

Last Will and Testament of Juanita Crowder Nail

by reason of my death with respect to any property passing by or under the terms of this Will or any codicil to it hereafter executed by me, or with respect to the proceeds of any policy or policies of insurance on my life, or with respect to any other property included in my gross estate for the purpose of such taxes, shall be paid by my Executor out of the principal of my residuary estate.

**ARTICLE III.****COMMON DISASTER CLAUSE**

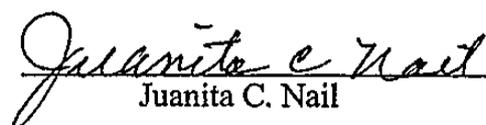
If my husband, Earl Estelle Nail, and I shall die under such circumstances that there is not sufficient evidence to determine the order of our deaths, then it shall be presumed that he survived me; and my estate shall be administered and distributed, in all respects, in accordance with such presumption.

**ARTICLE IV****BEQUEST TO HUSBAND**

I hereby will, devise, and bequeath all of my property, both real and personal, in fee simple, to my beloved husband, Earl E. Nail. In the event my husband should predecease me or we should die in a common accident or occurrence, my property shall be distributed pursuant to Articles V and VI of this Will.

**ARTICLE V****SPECIFIC BEQUEST**

In the event my husband shall predecease me, I direct that my automobile, a 1993 Buick Ultra, P.A., and my marital home located at 119 Bayberry Lane, Madison, Mississippi, be sold and, after all closing costs are paid, the proceeds be distributed as follows:

  
\_\_\_\_\_  
Juanita C. Nail

Last Will and Testament of Juanita Crowder Nail

First, I direct that \$26,450.96 be distributed to my son, John D. Nail, to reimburse him the amount he paid for the 1993 Buick Ultra automobile. If John D. Nail should predecease me, I direct that this reimbursement distribution be distributed to his wife, Doris F. Nail, if she be living, or if she be deceased, to their children, Lori N. Basham and John "Jay" Darwin Nail, II, in equal shares.

Second, I direct that \$109,694.15, plus 5% interest from December 1, 1994, through the date the house is sold be paid to my son, John D. Nail, to reimburse him for his investment in my marital residence. If John D. Nail should predecease me, I direct that this reimbursement distribution be distributed to his wife, Doris F. Nail, if she be living, or if she be deceased, to their children, Lori N. Basham and John "Jay" Darwin Nail, II, in equal shares.

Third, I direct that the remaining balance be distributed equally among my three children, John D. Nail, Deborah A. Koenig, and Janet L. Brewer to share and share alike per stirpes.

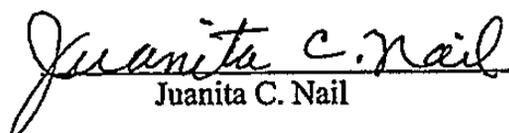
Further, I will, devise, and bequeath my American Drew Dining Room Suite, including a dining table, eight (8) chairs, a buffet server, and two (2) matching rugs; and my American Drew Bedroom Suite; including a queen-sized bed, two (2) standing mirrors, and two (2) end tables, the bedspread, linens, and so forth to my granddaughter, Lori Nail Basham.

Further, I have a list of special bequests attached hereto as Exhibit "A" which I incorporate herewith and request it be made a part hereof.

**ARTICLE VI**

**RESIDUE OF ESTATE**

I will, devise and bequeath the residue of my estate equally to my three children, John D. Nail, Deborah A. Koenig, Janet L. Brewer, to share and share alike per stirpes.

  
\_\_\_\_\_  
Juanita C. Nail

Last Will and Testament of Juanita Crowder Nail**ARTICLE VII****APPOINTMENT OF EXECUTOR**

I appoint my son, John D. Nail, to be the Executor of this my Last Will, to serve without bond, or if bond is required by law, to serve without security on any bond required by law and without any accounting or inventory to any court, and to have the powers and discretion provided in Article VIII of this my Last Will and Testament, and any others that may be granted by law, all to be exercised without court order. If my son shall predecease me or for any reason shall fail to qualify as Executor hereunder (or having qualified shall die or resign) then, in such event, Lori Nail Basham shall act as Alternate Executrix of my estate; and in such capacity shall possess and exercise all powers and authority herein conferred on my Executor. I vest my Executor with full power and authority to sell, transfer and convey any property, real or personal, which I may own at the time of my death at such time and price and upon such terms and conditions (including credit) as he may determine and to do every other act and thing necessary or appropriate for the complete administration of my estate. Further, I hereby waive the necessity of any appraisal being made in connection with my estate.

**ARTICLE VIII****FIDUCIARY POWERS**

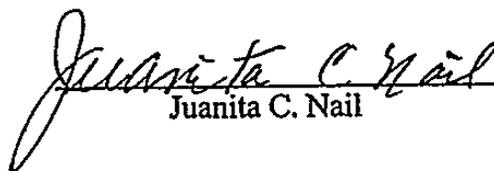
I hereby grant to my Executor, in addition to the powers set forth in Article VII hereof, the continuing, absolute, discretionary power to deal with any property, real or personal, held in my estate as freely as I might in the handling of my own affairs. Such power may be exercised independently without prior or subsequent approval of any judicial

  
Juanita C. Nail

Last Will and Testament of Juanita Crowder Nail

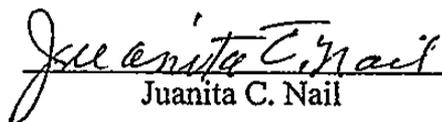
authority, and no person dealing with the Executor shall be required to inquire into the propriety of any of this actions. I expressly confer upon my Executor the specific powers set forth in Miss. Code Ann. Sections 91-9-101 through 91-9-119 (1972) as now enacted or hereafter amended. Without limiting the generality of the foregoing, I hereby grant to my Executor the following specific power and authority in addition to and not in substitution of powers conferred by law:

- A. To compromise, settle, or adjust any claim or demand by or against my estate and to agree to any rescission or modification of any contract or agreement.
- B. To retain any security or other property owned by me at the time of my death, so long as such retention appears advisable, to exchange any such security or property for other securities or properties and to retain such items received in exchange.
- C. To sell, exchange, assign, transfer and convey any security or property, real or personal, held in my estate at public or private sale, at such time and price upon such terms and conditions (including credit) as may deem to be advisable and for the best interest of my estate.
- D. To invest and reinvest (including accumulate income) in any property (real and personal) as he may deem advisable, including stock (whether listed or unlisted) and unsecured obligations, undivided interests, interests in investment trusts, legal and discretionary common trust funds, leases, and property which is outside of my domicile, all without diversification as to kind or amount without being restricted in any way by any statute or court decision (now or hereafter existing) regulating or limiting investments by fiduciaries.
- E. To register and carry any property in his own name or in the name of his nominee or to hold it unregistered without thereby increasing or decreasing his liability as fiduciary.

  
Juanita C. Nail

Last Will and Testament of Juanita Crowder Nail

- F. To sell or exercise any "rights" issued on any securities held in my estate.
- G. Unless inconsistent with other provisions of this instrument, to consider and treat as principal all dividends payable in stock of the issuing corporation, all dividends in liquidation and all "rights" to subscribe to securities of the issuing corporation, and to consider and treat as income all other dividends and rights received (except those declared and payable as of a "record day" preceding my death which shall be considered and treated as principal).
- H. To charge or credit to principal any premiums and discounts on securities purchased at more or less than par.
- I. To vote in person or by proxy andy stock or securities held, and to grant such proxies and powers of attorney to such person or persons as he may deem proper.
- J. To consent to and participate in any plan for the liquidation, reorganization, consolidation or merger of any corporation, any security of which is held.
- K. To borrow money (from himself or from others) upon such terms and conditions as he may determine and to mortgage and pledge estate assets as security for the repayment thereof.
- L. To lease any real estate for such term or terms and upon such conditions and in such manner as they may deem advisable with or without privilege of purchase, and any lease so made shall be valid and binding for the full term thereof even though shame shall extend beyond the duration of the trust. To insure against fire or other risks. To make repairs, replacements and improvements, structural or otherwise, to any such real estate. To subdivide real estate, to dedicate same to public use and to grant easements as he may deem proper.
- M. Whenever required to or permitted to divide and distribute my estate or any trust created hereunder, to make such distribution, including the satisfaction of pecuniary

  
\_\_\_\_\_  
Juanita C. Nail

Last Will and Testament of Juanita Crowder Nail

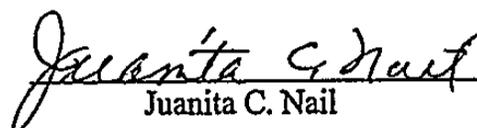
bequests, in cash or in specific property, real or personal, or an undivided interest therein or partly in cash or partly in such property, and to do so without regard to the income tax basis of specific property allocated to any beneficiary including any trusts, and in making distributions, I request but do not direct that my Executor or Trustee do so in a manner which will result in the property to be sold to satisfy obligations of my estate or of any trust having an aggregate income tax basis as close as possible to its aggregate fair market value and, to the extent consistent with this primary objective, to do so in a manner which will result in maximizing the increase in basis for federal and state estate and succession taxes attributable to appreciation.

N. To employ accountants, attorneys and such agents as he may deem advisable; to pay reasonable compensation for their services and to charge same to (or apportion same between) income and principal as he may deem proper.

O. Unless inconsistent with other provisions of this instrument, to hold two or more trusts or other funds in one or more consolidated funds, in which the separate trusts for funds can have undivided interests.

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

Q. My Trustee shall not be required to file in any court or with any public official any reports or accounts relating to the administration of this Will, except to the extent that

  
Juanita C. Nail

Last Will and Testament of Juanita Crowder Nail

I have no power to excuse the filing of such reports or accounts; provided, however, my Trustee shall furnish annually, or at more frequent intervals, reports and accounts thereof to the beneficiary then entitled to the income therefrom. The receipt of the Trustee shall operate as full acquittance and discharge of my Executor for the property turned over to my Trustee.

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

S. With respect to any trust governed by this instrument, to distribute to any one or more of its beneficiaries from the principal thereof such sums as in the sole discretion of the Trustee shall be sufficient to ensure such trust being treated under the federal income taxes as one having no "undistributed net income" for a given taxable year, as that term is defined in the Federal Internal Revenue Code, Section 665, if the Trustee, in his or its, sole discretion, shall deem such treatment desirable for any reason.

T. Abandon, in any way, property which he determines not to be worth protecting.

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

**TESTIMONIUM**

Last Will and Testament of Juanita Crowder Nail

IN WITNESS WHEREOF, I sign, seal, publish and declare this instrument to be my

Last Will this 5 day of July, 2002, at Jackson MS  
Mississippi.

Juanita C. Nail  
JUANITA CROWDER NAIL

Last Will and Testament of Juanita Crowder Nail

ATTESTATION

The foregoing instrument, consisting of this and the preceding nine (9) typewritten pages, was signed, sealed, published and declared by JUANITA CROWDER NAIL, the Testator, to be her Last Will, 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 witnesses, this 5<sup>th</sup> day of July, 2002, at Jackson, Mississippi.

WITNESSES:

RESIDING AT:

Mandy Hartzog  
\_\_\_\_\_

611 So. Spring Lake Cir.  
Terry, MS 39170

Donna L. Bunn  
\_\_\_\_\_

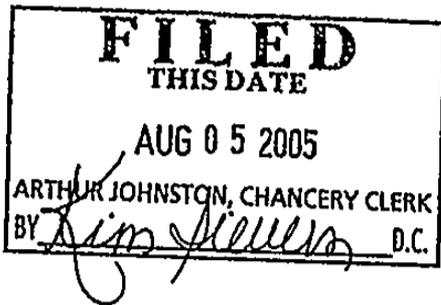
515 Mockingbird Circle  
Brandon, MS 39047

Virginia McDonald  
\_\_\_\_\_

1009 Grove Street  
Wesson, MS 39191



# Last Will and Testament 2005-673



OF

EARL ESTELLE NAIL

I, Earl Estelle Nail, a resident of Madison County, Mississippi, being over the age of twenty-one (21) years and of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all wills and codicils heretofore made by me.

My wife, Juanita Crowder Nail, and my children, John D. Nail, Deborah A Koenig, and Janet L. Brewer, are living at the execution of this Will.

## ARTICLE I

### DEBTS

I direct that all my debts, all expenses of my last illness, all funeral and burial expenses (including the cost of a suitable monument at my grave) and the cost of administration of my estate be paid as soon as practicable after my death. It is my intention, however, that nothing in this Article of my Will should be construed as creating an express trust or fund for the payment of debts and expenses which would in any way extend the normal statute of limitations for the payment of my debts or enlarge upon my statutory duty to pay debts.

## ARTICLE II.

### TAXES

I direct that all estate and inheritance taxes and other taxes in the general nature thereof (together with any interest or penalty thereon) which shall become payable upon or

*Earl E. Nail*  
\_\_\_\_\_  
Earl E. Nail

Last Will and Testament of Earl Estelle Nail

by reason of my death with respect to any property passing by or under the terms of this Will or any codicil to it hereafter executed by me, or with respect to the proceeds of any policy or policies of insurance on my life, or with respect to any other property included in my gross estate for the purpose of such taxes, shall be paid by my Executor out of the principal of my residuary estate.

**ARTICLE III.**

**COMMON DISASTER CLAUSE**

If my wife, Juanita Crowder Nail, and I shall die under such circumstances that there is not sufficient evidence to determine the order of our deaths, then it shall be presumed that I survived her; and my estate shall be administered and distributed, in all respects, in accordance with such presumption.

**ARTICLE IV**

**BEQUEST TO WIFE**

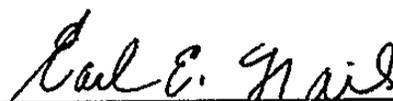
I hereby will, devise, and bequeath all of my property, both real and personal, in fee simple, to my beloved wife, Juanita C. Nail. In the event my wife should predecease me or we should die in a common accident or occurrence, my property shall be distributed pursuant to Articles V and VI of this Will.

**ARTICLE V**

**SPECIFIC BEQUEST**

In the event my wife shall predecease me, I direct that my automobile, a 1993 Buick Ultra, P.A., and my marital home located at 119 Bayberry Lane, Madison, Mississippi, be sold and, after all closing costs and fees are paid, the proceeds be distributed as follows:

First, I direct that \$26,450.96 be distributed to my son, John D. Nail, to reimburse him the amount he paid for the 1993 Buick Ultra automobile. If John D. Nail should predecease

  
Earl E. Nail

Last Will and Testament of Earl Estelle Nail

me, I direct that this reimbursement distribution be distributed to his wife, Doris F. Nail, if she be living, or if she be deceased, to their children, Lori N. Basham and John "Jay" Darwin Nail, II, in equal shares.

Second, I direct that \$109,694.15, plus 5% interest per year from December 1, 1994, through the date the house is sold be paid to my son, John D. Nail, to reimburse him for his investment in my marital residence. If John D. Nail should predecease me, I direct that this reimbursement distribution be distributed to his wife, Doris F. Nail, if she be living, or if she be deceased, to their children, Lori N. Basham and John "Jay" Darwin Nail, II, in equal shares.

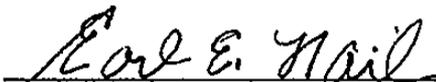
Third, I direct that the remaining balance be distributed equally among my three children, John D. Nail, Deborah A. Koenig, and Janet L. Brewer to share and share alike per stirpes.

Further, I will, devise, and bequeath my American Drew Dining Room Suite, including a dining table, eight (8) chairs, a buffet server, and two (2) matching rugs; and my American Drew Bedroom Suite; including a queen-sized bed, two (2) standing mirrors, and two (2) end tables, the bedspread, linens, and so forth to my granddaughter, Lori Nail Basham.

Further, I have a list of special bequests attached hereto as Exhibit "A" which I incorporate herewith and request it be made a part hereof.

**ARTICLE VI****RESIDUE OF ESTATE**

I will, devise and bequeath the residue of my estate equally to my three children, John D. Nail, Deborah A. Koenig, Janet L. Brewer, to share and share alike per stirpes.

  
\_\_\_\_\_  
Earl E. Nail

Last Will and Testament of Earl Estelle Nail

**ARTICLE VII**

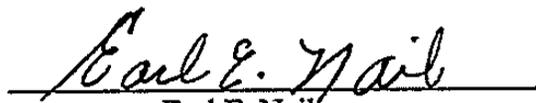
**APPOINTMENT OF EXECUTRIX**

I appoint my son, John D. Nail, to be the Executor of this my Last Will, to serve without bond, or if bond is required by law, to serve without security on any bond required by law and without any accounting or inventory to any court, and to have the powers and discretion provided in Article VIII of this my Last Will and Testament, and any others that may be granted by law, all to be exercised without court order. If my son shall predecease me or for any reason shall fail to qualify as Executor hereunder (or having qualified shall die or resign) then, in such event, Lori Nail Basham shall act as Alternate Executrix of my estate; and in such capacity shall possess and exercise all powers and authority herein conferred on my Executor. I vest my Executor with full power and authority to sell, transfer and convey any property, real or personal, which I may own at the time of my death at such time and price and upon such terms and conditions (including credit) as he may determine and to do every other act and thing necessary or appropriate for the complete administration of my estate. Further, I hereby waive the necessity of any appraisal being made in connection with my estate.

**ARTICLE VIII**

**FIDUCIARY POWERS**

I hereby grant to my Executor, in addition to the powers set forth in Article VII hereof, the continuing, absolute, discretionary power to deal with any property, real or personal, held in my estate as freely as I might in the handling of my own affairs. Such power may be exercised independently without prior or subsequent approval of any judicial authority, and no person dealing with the Executor shall be required to inquire into the propriety of any of this actions. I expressly confer upon my Executor the specific powers set forth in Miss. Code Ann. Sections 91-9-101 through 91-9-119 (1972) as now enacted or

  
Earl E. Nail

Last Will and Testament of Earl Estelle Nail

hereafter amended. Without limiting the generality of the foregoing, I hereby grant to my Executor the following specific power and authority in addition to and not in substitution of powers conferred by law:

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

B. To retain any security or other property owned by me at the time of my death, so long as such retention appears advisable, to exchange any such security or property for other securities or properties and to retain such items received in exchange.

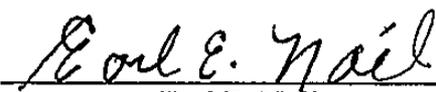
C. To sell, exchange, assign, transfer and convey any security or property, real or personal, held in my estate at public or private sale, at such time and price upon such terms and conditions (including credit) as may deem to be advisable and for the best interest of my estate.

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

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

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

G. Unless inconsistent with other provisions of this instrument, to consider and treat as principal all dividends payable in stock of the issuing corporation, all dividends in

  
\_\_\_\_\_  
Earl E. Nail

Last Will and Testament of Earl Estelle Nail

liquidation and all "rights" to subscribe to securities of the issuing corporation, and to consider and treat as income all other dividends and rights received (except those declared and payable as of a "record day" preceding my death which shall be considered and treated as principal).

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

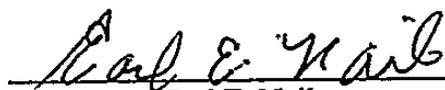
I To vote in person or by proxy andy stock or securities held, and to grant such proxies and powers of attorney to such person or persons as she may deem proper.

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

K To borrow money (from herself or from others) upon such terms and conditions as she may determine and to mortgage and pledge estate assets as security for the repayment thereof.

L To lease any real estate for such term or terms and upon such conditions and in such manner as they may deem advisable with or without privilege of purchase, and any lease so made shall be valid and binding for the full term thereof even though shame shall extend beyond the duration of the trust. To insure against fire or other risks. To make repairs, replacements and improvements, structural or otherwise, to any such real estate. To subdivide real estate, to dedicate same to public use and to grant easements as she may deem proper.

M Whenever required to or permitted to divide and distribute my estate or any trust created hereunder, to make such distribution, including the satisfaction of pecuniary bequests, in cash or in specific property, real or personal, or an undivided interest therein or partly in cash or partly in such property, and to do so without regard to the income tax basis of specific property allocated to any beneficiary including any trusts, and in making

  
Earl E. Nail

Last Will and Testament of Earl Estelle Nail

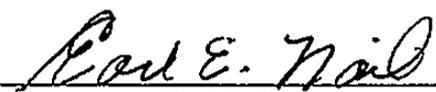
distributions, I request but do not direct that my Executrix or Trustee do so in a manner which will result in the property to be sold to satisfy obligations of my estate or of any trust having an aggregate income tax basis as close as possible to its aggregate fair market value and, to the extent consistent with this primary objective, to do so in a manner which will result in maximizing the increase in basis for federal and state estate and succession taxes attributable to appreciation.

N. To employ accountants, attorneys and such agents as she may deem advisable; to pay reasonable compensation for their services and to charge same to (or apportion same between) income and principal as she may deem proper.

O. Unless inconsistent with other provisions of this instrument, to hold two or more trusts or other funds in one or more consolidated funds, in which the separate trusts for funds can have undivided interests.

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

Q. My Trustee shall not be required to file in any court or with any public official any reports or accounts relating to the administration of this Will, except to the extent that I have no power to excuse the filing of such reports or accounts; provided, however, my Trustee shall furnish annually, or at more frequent intervals, reports and accounts thereof to the beneficiary then entitled to the income therefrom. The receipt of the Trustee shall

  
Earl E. Nail

Last Will and Testament of Earl Estelle Nail

operate as full acquittance and discharge of my Executrix for the property turned over to my Trustee.

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

S. With respect to any trust governed by this instrument, to distribute to any one or more of its beneficiaries from the principal thereof such sums as in the sole discretion of the Trustee shall be sufficient to ensure such trust being treated under the federal income taxes as one having no "undistributed net income" for a given taxable year, as that term is defined in the Federal Internal Revenue Code, Section 665, if the Trustee, in her or its, sole discretion, shall deem such treatment desirable for any reason.

T. Abandon, in any way, property which she determines not to be worth protecting.

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

TESTIMONIUM

IN WITNESS WHEREOF, I sign, seal, publish and declare this instrument to be my last will this 5 day of July, 2002, at Jackson,  
Mississippi

Earl Estelle Nail  
EARL ESTELLE NAIL

Last Will and Testament of Earl Estelle Nail

ATTESTATION

The foregoing instrument, consisting of this and the preceding nine (9) typewritten pages, was signed, sealed, published and declared by EARL ESTELLE NAIL, the Testator, to be his Last Will, in our presence, and we, at his request and in his presence and in the presence of each other have hereunto subscribed our names as witnesses, this 5<sup>th</sup> day of July, 2002, at Jackson, Mississippi.

WITNESSES:

RESIDING AT:

Mandy Hartzog  
\_\_\_\_\_

611 So. Spring Lake Cir.  
Terry, MS 39170

Donna L. Bunn  
\_\_\_\_\_

515 Mockingbird Circle  
Brandon, MS 39047

Virginia McDonald  
\_\_\_\_\_

1009 Grove St.  
Wesson, MS 39191



STATE OF MISSISSIPPI  
COUNTY OF MADISON

2005-749

LAST WILL AND TESTAMENT OF Henry A Walker, III

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

ITEM ONE: I give, devise, and bequeath all of my properties, real, personal and mixed of every nature and kind, and wherever the same may be situated, of which I may die seized and possessed, to Pamela F. Walker.

ITEM TWO: I hereby name, constitute, and designate Pamela F. Walker as Executor of this my Last Will and Testament. I hereby direct that no Executor of this my Last Will and Testament be required to give bond, make inventory, appraisal, or accounting, and to the extent such requirements may be waived, I hereby waive for my Executor the requirements of bond, inventory, appraisal, and accounting.

SIGNED, PUBLISHED, AND DECLARED by me as my Last Will and Testament on this the 3rd day of JANUARY, 2005, in the presence of these witnesses who attest to the same, as witnesses hereto at my request, in my presence, and in the presence of each other.

Henry A. Walker, III  
Henry A Walker, III

WITNESSES:

Bradley D. Jackson  
Karen W. Jackson

**FILED**  
THIS DATE  
AUG 16 2005  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY Kim Sellers D.C.

PROOF OF WILL

STATE OF MISSISSIPPI  
COUNTY OF MADISON

PERSONALLY APPEARED before me, the undersigned authority in and for said county and state, Karen W. Jackson, one of the subscribing witnesses to a certain instrument of writing a copy of which is attached hereto, purporting to be the Last Will and Testament of Henry A. Walker, III, who, being duly sworn, deposed and said that the said Henry W. Walker, III signed, published and declared said instrument as his Last Will and Testament on the 3rd day of January, 2005, the day of the date of said instrument, in the presence of this deponent, and in the presence of Bradley W. Jackson, the other subscribing witness, and that said Testator was then of sound and disposing mind and memory, and more than twenty-one years of age, and having his usual place of abode in Madison County, Mississippi, and this deponent and Bradley W. Jackson subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance of said Testator, and in the presence of the said Testator and in the presence of each other, on the day and year of the date of said instrument.

Karen W. Jackson  
Karen W. Jackson

SWORN TO AND SUBSCRIBED before me this 10<sup>th</sup> day of August, 2005.

Bentley E. Conner  
Notary Public

My Commission Expires: 3/24/06



PROOF OF WILL

STATE OF MISSISSIPPI  
COUNTY OF MADISON

PERSONALLY APPEARED before me, the undersigned authority in and for said county and state, <sup>D B D J</sup> Bradley W. Jackson, one of the subscribing witnesses to a certain instrument of writing, a copy of which is attached hereto, purporting to be the Last Will and Testament of Henry A. Walker, III, who, being duly sworn, deposed and said that the said Henry A. Walker, III, signed, published and declared said instrument as his Last Will and Testament on the 3rd day of January, 2005, the day of the date of said instrument, in the presence of this deponent, and in the presence of Karen W. Jackson, the other subscribing witness, and that said Testator was then of sound and disposing mind and memory, and more than twenty-one years of age, and having his usual place of abode in Madison County, Mississippi, and this deponent and Karen W. Jackson subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance of said Testator, and in the presence of the said Testator and in the presence of each other, on the day and year of the date of said instrument

Bradley W. Jackson  
Bradley W. Jackson  
<sup>D B D J</sup>

SWORN TO AND SUBSCRIBED before me this 10<sup>th</sup> day of

August 2005

Bentley E. Conner  
Notary Public

My Commission Expires:  
3/24/06



#2005-761

LAST WILL AND TESTAMENT  
OF  
VIVIAN MOZO HOUSTON

**FILED**  
THIS DATE  
AUG 19 2005  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY *Sarah T. [Signature]* D.C.

I, Vivian Mozo Houston, an adult resident of Madison County, Mississippi, being of sound and disposing mind and memory, and over the age of eighteen (18) years, do hereby make, publish, and declare this to be my Last Will and Testament. I hereby revoke any and all prior wills and codicils heretofore made by me. My daughters, Martha Carole White and Patty Houston Moore are living at the time of the execution of this Will. My husband, Malcolm Parks Houston, departed this life on April 12, 1991.

ARTICLE I

I direct that all of my debts properly probated, allowed and registered against my estate; all applicable taxes; all expenses of my last illness; all funeral expenses; and the cost of administration of my estate, be paid as soon as possible after my death out of my residuary estate.

ARTICLE II

I hereby devise and bequeath my personal effects including my furniture, clothes, jewelry, housewares, appliances, televisions, automobile, and other personal items or household goods, but excluding cash, bank accounts, or other liquid assets, to my daughter, Patty Houston Moore.

*[Handwritten Signature]*

ARTICLE III

All of the residue of property which I may own at the time of my death, real or personal, tangible or intangible, of whatsoever nature and wheresoever situated, including cash, bank accounts, savings accounts, and other liquid assets; all property which I may acquire or become entitled to after the execution of this Will, I bequeath and devise in fee to Patty Houston Moore.

ARTICLE IV

In the event that one or all of the above-named beneficiaries and I should die in a common disaster or accident, or under such circumstances that it cannot be determined which of us is the survivor, I hereby declare that I, the Testatrix, be deemed to have survived the named beneficiary or beneficiaries and this Will and all of its provisions shall be construed upon that assumption.

ARTICLE V

In the event my daughter, Patty Houston Moore shall predecease me, or shall be deemed to have predeceased me by any provision of this Last Will and Testament, the share otherwise payable to Patty Houston Moore shall be payable to the living children of Patty Houston Moore.

ARTICLE VI

I appoint my daughter, Patty Houston Moore, as Executrix of my estate; of if she predeceases me, fails to qualify or otherwise ceases to act, I appoint Donald C. Woods. I direct that any and all of the above-named persons serve in said capacities without the necessity of making bond, inventory, accounting, or

*WMA*

appraisement to any court, to the extent that same may be properly waived under the law. I vest my Executrix with full power and authority to sell, transfer and convey any property, real or personal, which I may own at the time of my death at such time and price and upon such terms and conditions, including credit, as she or he may determine and to do every other act and thing necessary or appropriate for the complete administration of my estate.

IN WITNESS WHEREOF, I have signed and declared this to be my Last Will and Testament on this, the 5<sup>th</sup> day of May, 1998.

Vivian M. Houston  
VIVIAN MOZO HOUSTON

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

Amy Lee Lopik  
Witness

18 Ashland Ave., Brandon, MS 39042  
Address

Edward A. Fleck  
Witness

2945 Laffair, Jackson, MS 39  
Address

VMA

AFFIDAVIT OF SUBSCRIBING WITNESS  
TO LAST WILL AND TESTAMENT

STATE OF Mississippi

COUNTY OF Madison

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named Amy Topik, who, after being by me first duly sworn, stated on oath the following:

1. That the affiant was personally acquainted with VIVIAN MOZO HOUSTON, and that said individual was a resident of Madison County, Mississippi on May 5, 1998.

2. That affiant, in the presence of at least one other witness, and at the request of VIVIAN MOZO HOUSTON, in the process of executing said Last Will and Testament, did on said date sign and subscribe an instrument of writing represented to be her LAST WILL AND TESTAMENT.

3. That said instrument, the original of which is attached hereto, was signed by VIVIAN MOZO HOUSTON as the testator, and that she declared the same to be her Last Will and Testament, with all witnesses signing in her presence and in the presence of each other, and that at said signing, VIVIAN MOZO HOUSTON was over the age of twenty-one (21) and of sound mind.

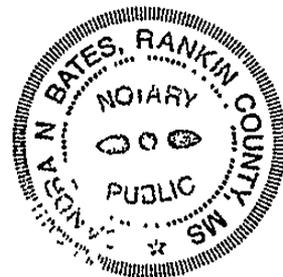
THIS, the 5<sup>th</sup> day of May, 1998.

Amy Topik  
\_\_\_\_\_

SWORN TO AND SUBSCRIBED BEFORE ME on this the 5<sup>th</sup> day of May, 1998

Sandra N. Bates  
\_\_\_\_\_  
NOTARY PUBLIC

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES FEB. 24, 2000  
BONDED THRU STEGALL NOTARY SERVICE



AFFIDAVIT OF SUBSCRIBING WITNESS  
TO LAST WILL AND TESTAMENT

STATE OF Mississippi  
COUNTY OF Madison

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named Eduardo A. Flechas, who, after being by me first duly sworn, stated on oath the following:

1. That the affiant was personally acquainted with VIVIAN MOZO HOUSTON, and that said individual was a resident of Madison County, Mississippi on May 5, 1998.
2. That affiant, in the presence of at least one other witness, and at the request of VIVIAN MOZO HOUSTON in the process of executing said Last Will and Testament, did on said date sign and subscribe an instrument of writing represented to be her LAST WILL AND TESTAMENT.
3. That said instrument, the original of which is attached hereto, was signed by VIVIAN MOZO HOUSTON as the testator, and that she declared the same to be her Last Will and Testament, with all witnesses signing in her presence and in the presence of each other, and that at said signing, VIVIAN MOZO HOUSTON was over the age of twenty-one (21) and of sound mind.

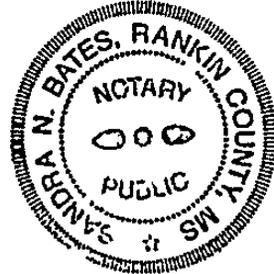
THIS, the 5<sup>th</sup> day of May, 1998.

[Signature]  
\_\_\_\_\_

SWORN TO AND SUBSCRIBED BEFORE ME on this the 5<sup>th</sup> day of May, 1998.

Sandra N. Bates  
NOTARY PUBLIC

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES FEB. 24, 2000  
BONDED THRU STEGALL NOTARY SERVICE



Madison County, Ms.

Madison, Ms. 39110

May 26, 2000

Vivian Mogo Houston

## First Codicil

I, Vivian Mogo Houston, an adult resident of Madison County, Mississippi, do hereby make a Codicil to my Last Will and Testament sworn to and subscribed before Sandra N. Bates, Notary public, on the 5th day of May, 1998, by Vivian Mogo Houston.

## article VI

I appoint my daughter Patty Houston Moore, as Executrix of my estate; or if she predeceases me, fails to qualify or otherwise ceases to act, I appoint Charles D. Moore, my son-in-law, as executor.

I direct that any and all of the above named persons serve in said capacities without the necessity of making bond, inventory, accounting, or appraisement to any court, to the extent that same may be properly waived under the law.

I vest my Executrix with full power and authority to sell, transfer, and convey any property, real or personal, which I may own at the time of my death at such time and price and upon such terms and conditions including credit, as she or he may determine and to do every other act and thing necessary or appropriate for the complete administration of my estate.

I have signed and declared this to be the first Codicil to my Last Will And Testament (5th day of May, 1998)

First Codicil Signed 26 day of May, 2000  
by Vivian May Hessler

page 2 of 2

From At

*THIS*  
*SPACE LEFT*  
*BLANK*  
*INTENTIONALLY*

5.39 P. 188

**FILED**  
THIS DATE  
AUG 19 2005  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY *Sarah Tolson* D.C.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
VIVIAN MOZO HOUSTON, DECEASED

CIVIL ACTION NO. 2005-761

---

**AFFIDAVIT OF DOROTHY MOORE  
TO AUTHENTICATE HOLOGRAPHIC WILL**

---

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named DOROTHY MOORE, after first being duly sworn by me, on oath, states that she has personal knowledge of the following facts and matters to wit:

1. My name is Dorothy Moore. I am an adult resident citizen of the State of Mississippi and I am not under any disability or a convict of any felony.
2. I have been shown an instrument dated May 26, 2000, designated as the First Codicil of Vivian Mozo Houston and state under oath that I am familiar with the handwriting and signature of Vivian Mozo Houston and on personal knowledge attest that said handwriting and signature are genuine and were made by Vivian Mozo Houston. A true and correct copy of said First Codicil is attached hereto as an Exhibit.
3. That I am in no wise interested in the estate of Vivian Mozo Houston, however, I attest to the authenticity of the aforementioned Codicil and the competency of Vivian Mozo Houston to make testamentary disposition of her property at the time she signed the said First Codicil.

4. That I am the mother of Charles D. Moore who is the proposed Executor under the First Codicil of said Vivian Mozo Houston.

Dorothy Moore  
DOROTHY MOORE

SWORN TO AND SUBSCRIBED BEFORE ME, this 8 day of Aug., 2005.

Janice B. White  
Notary Public

My Commission Expires:  
9/1/08



OF COUNSEL:

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

B 39 P, 190  
Madison County, Ms.

Madison, Ms. 39110

May 26, 2000

Virian Mozo Houston

## First Codicil

I, Virian Mozo Houston, an adult resident of Madison County, Mississippi, do hereby make a Codicil to my Last Will and Testament sworn to and subscribed before Sandra N. Bates, Notary public, on the 5th day of May, 1998, by Virian Mozo Houston.

### Article VI

I appoint my daughter Patty Houston Moore, as Executor of my estate; or if she predeceases me, fails to qualify or otherwise ceases to act, I appoint Charles D. Moore, my son-in-law, as executor.

I direct that any and all of the above named persons serve in said capacities without the necessity of making bond, inventory, accounting, or appraisement to any court, to the extent that same may be properly waived under the law.

I vest my executrix with full power and authority to sell, transfer, and convey any property, real or personal, which I may own at the time of my death at such time and price and upon such terms and conditions including credit, as she or he may determine and to do every other act and thing necessary or appropriate for the complete administration of my estate.

I have signed and declared this to be the first Codicil to my Last Will and Testament (5th day of May, 1998)

First Codicil — Signed 26 day of May, 2000  
by Vivian May Howell

page 2 of 2

From [unclear]

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

**FILED**  
THIS DATE  
AUG 19 2005  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY *Sarah Toton* D.C.

IN THE MATTER OF THE ESTATE OF  
VIVIAN MOZO HOUSTON, DECEASED

CIVIL ACTION NO. 2005-761

---

**AFFIDAVIT OF CHARLEY L. MOORE  
TO AUTHENTICATE HOLOGRAPHIC WILL**

---

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named CHARLEY L. MOORE, after first being duly sworn by me, on oath, states that he has personal knowledge of the following facts and matters to wit:

1. My name is Charley L. Moore. I am an adult resident citizen of the State of Mississippi and I am not under any disability or a convict of any felony.
2. I have been shown an instrument dated May 26, 2000, designated as the First Codicil of Vivian Mozo Houston and state under oath that I am familiar with the handwriting and signature of Vivian Mozo Houston and on personal knowledge attest that said handwriting and signature are genuine and were made by Vivian Mozo Houston. A true and correct copy of said First Codicil is attached hereto as an Exhibit.
3. That I am in no wise interested in the estate of Vivian Mozo Houston, however, I attest to the authenticity of the aforementioned Codicil and the competency of Vivian Mozo Houston to make testamentary disposition of her property at the time she signed the said First Codicil.

4. That I am the father of Charles D. Moore who is the proposed Executor under the First Codicil of said Vivian Mozo Houston.

Charles E. Moore  
CHARLEY E. MOORE

SWORN TO AND SUBSCRIBED BEFORE ME, this 8<sup>th</sup> day of Aug, 2005.

Jeanie B. White  
Notary Public

My Commission Expires:

9/1/06



OF COUNSEL:

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

B. 39 P 194  
Madison County, Ms.

Madison, Ms. 39110

May 26, 2000

Vivian Mozo Houston

## First Codicil

I, Vivian Mozo Houston, an adult resident of Madison County, Mississippi, do hereby make a Codicil to my Last Will and Testament, sworn to and subscribed before Sandra N. Bates, Notary public, on the 5th day of May, 1998, by Vivian Mozo Houston.

### Article VI

I appoint my daughter, Patty Houston Moore, as Executor of my estate; or if she predeceases me, fails to qualify or otherwise ceases to act, I appoint Charles D. Moore, my son-in-law, as executor.

I direct that any and all of the above named persons serve in said capacities without the necessity of making bond, inventory, accounting, or appraisement to any court, to the extent that same may be properly waived under the law.

I vest my executor with full power and authority to sell, transfer, and convey any property, real or personal, which I may own at the time of my death at such time and price and upon such terms and conditions including credit, as she or he may determine and to do every other act and thing necessary or appropriate for the complete administration of my estate.

I have signed and declared this to be the first codicil to my Last Will and Testament (5th day of May, 1998)

First Codicil Signed 26 day of May, 2000  
by Dorian Mays Housler

page 2 of 2

Inm of

WADISON COUNTY MS This instrument was filed for record 2005, Aug 19, at 9:00 AM.

Book 39 Page 180

ARTHUR JOHNSTON, C C

BY Dorian Mays Housler

