

3 41 P 102

CODICIL NUMBER TWO  
TO  
THE LAST WILL AND TESTAMENT  
OF  
JOHN T. YOUNG

Prepared by:  
Jill B. Nolan  
DANIEL, HARVILL, BATSON & NOLAN, PLLC  
121 South Third Street  
Clarksville, Tennessee 37040  
(615) 647-1501

Client's Address:  
JOHN T. YOUNG  
248 Longwood Lane  
Clarksville, Tennessee 37040

**FILED**  
THIS DATE  
JAN 25 2007  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY J. Nolan D.C.

CODICIL TWO  
TO  
THE LAST WILL AND TESTAMENT  
OF  
JOHN T YOUNG

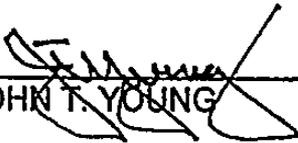
KNOW ALL PERSONS BY THESE PRESENTS, that I, JOHN T YOUNG, a resident of Clarksville, Montgomery County, Tennessee, being of sound and disposing mind and memory, do hereby make and publish this paper writing as and declare it to be Codicil Two to my Last Will and Testament, dated September 11, 1991.

ITEM ONE: I hereby amend Items I and XIII of my Last Will and Testament dated September 11, 1991, as well as Item V of the Codicil to my Last Will and Testament dated September 22, 1995, to provide that it is my will that my Son-In-Law WILLIAM D. HARRISON serve with GARY HAMILTON as Co-Executor of my Estate, and that neither of them be required to make bond, inventory or settlement with any Court. In the event my Son-In-Law WILLIAM D. HARRISON should fail, neglect or refuse to qualify and/or serve in such capacity, be removed, predecease me, or die during the period of administration, I give to GARY HAMILTON, the power to appoint a Successor Co-Executor who is a resident of the State of Tennessee. Paragraphs C. through I of Item XIII of my Last Will and Testament shall remain the same and are affirmed herein.



ITEM TWO. All other terms, provisions and conditions of my Last Will and Testament dated September 11, 1991, and of the Codicil to my Last Will and Testament dated September 22, 1995 are hereby reaffirmed.

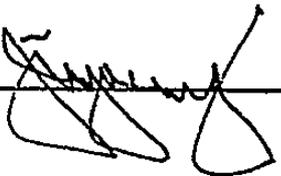
IN WITNESS WHEREOF, I have affixed my hand to each sheet of this paper writing at Clarksville, Tennessee, on the 19<sup>th</sup> day of June, 1997, declaring it to be Codicil Number Two to my Last Will and Testament in the presence of Glenda S. Burns and Susan H. Baird, who, there and then, and at my request, and in my presence, and in the presence of each other, signed as witnesses.

  
\_\_\_\_\_  
JOHN T. YOUNG

JOHN T. YOUNG affixed his hand to each sheet of this paper writing at the place and on the date set out above, declaring it to be his Codicil Number Two to his Last Will and Testament, in our presence, and we, there and then, and at his request and in his presence and in the presence of each other, signed as witnesses.

Glenda S. Burns  
\_\_\_\_\_  
Witness

Susan H. Baird  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_

STATE OF TENNESSEE )  
COUNTY OF MONTGOMERY )

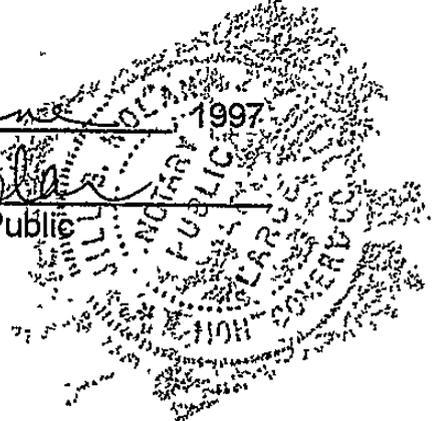
Glenda S. Burns and Susan H. Baird after first being duly sworn or affirmed, make oath or affirm that the foregoing Codicil Number Two to the Last Will and Testament was signed by JOHN T. YOUNG as and for and acknowledged, published and declared by him to be his Codicil Number Two to his Last Will and Testament in the sight and presence of us, the undersigned, who at his request, and in his sight and presence, and in the sight and presence of each other, have subscribed our names as attesting witnesses on the 19<sup>th</sup> day of June, 1997; and we further make oath that the Testator was of sound and disposing mind and memory and not acting under fraud, menace, or undue influence of any person, and was more than 18 years of age; and that each of the attesting witnesses is more than 18 years of age.

Glenda S. Burns  
Witness

Susan H. Baird  
Witness

Subscribed and sworn to before me, this the 19<sup>th</sup> day of June, 1997.

John B. Notary  
Notary Public



My Commission Expires: 11-10-97

g:\BarteeJYoung Cod\ldk

Page 3  
MADISON COUNTY, TN This instrument was  
filed for record JANUARY 25, 2007

Book 41 Page 102  
ARTHUR JOHNSTON, C C  
BY: L. Jones DC



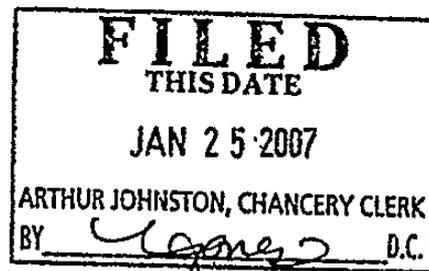
[Signature]

B 41 P 106

CODICIL NUMBER THREE  
TO  
THE LAST WILL AND TESTAMENT  
OF  
JOHN T. YOUNG

Prepared by:  
BATSON, NOLAN, BRICE,  
HARVEY & WILLIAMSON  
622 Madison Street  
Clarksville, Tennessee 37040  
(931) 647-1501

Client's Address:  
JOHN T. YOUNG  
248 Longwood Lane  
Clarksville, Tennessee 37043



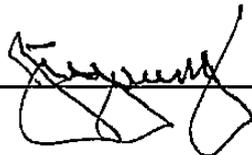
CODICIL NUMBER THREE  
TO  
THE LAST WILL AND TESTAMENT  
OF  
JOHN T. YOUNG

KNOW ALL PERSONS BY THESE PRESENTS, that I, JOHN T. YOUNG, a resident of Clarksville, Montgomery County, Tennessee, being of sound and disposing mind and memory, do hereby make and publish this paper writing as and declare it to be Codicil Number Three to my Last Will and Testament dated September 11, 1991.

ITEM ONE: I hereby amend Item VII, paragraph E, of my Last Will and Testament to provide as follows:

E. Upon the death of my wife, or if she shall not survive me, upon my death, the Trustee shall divide the assets of this Trust into two equal and separate shares. The share for my daughter KATHERYN Y. LOVE shall be distributed outright and free of Trust to her, or if she is not then living, to her then living children, provided they have attained the age of twenty five (25) years. If she has no surviving children, her share shall be distributed to the Trust created for my daughter JENNIFER Y. HARRISON below.

The share for my daughter JENNIFER Y. HARRISON shall vest in the Trustee appointed herein to be administered for her benefit according to the standards of distribution in paragraphs A and B of Item VII of my Last Will and Testament and subject to the remaining Trust provisions set forth in my original Last Will and Testament as



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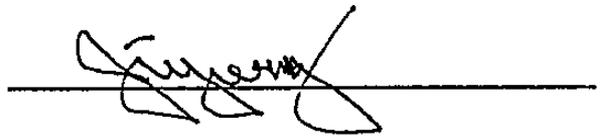
amended by Codicil Number One and Codicil Number Two. Upon the death of my daughter, JENNIFER Y. HARRISON, her vest shall vest equally in her children per stirpes, provided they have attained the age of twenty five (25) years. If they have not attained such age, their part shall continue in Trust according to these same provisions

Any distribution to the children of KATHERYN Y. LOVE in the event she should predecease me, or JENNIFER Y. HARRISON, upon her death, shall be subject to the following terms, provisions and conditions:

(1) In the event any beneficiary is incompetent, having been judicially so determined, or due to physical or mental weakness is incapable of managing his/her own estate, the Trust shall not terminate as to such beneficiary, and the portion of the Trust allocated to him/her shall continue according to the terms, conditions and provisions herein, being administered for and on behalf of such beneficiary during the period of such incompetence. If such Trust is still in effect at the death of said beneficiary, the proceeds of same shall be distributed in accordance with the terms, conditions and provisions set forth herein with regard to a beneficiary dying during the period of this Trust.

(2) If any beneficiary, at the time of the termination of the Trust as to such beneficiary, is bankrupt or subject to any bankruptcy or insolvency proceedings, such Trust shall not terminate as to such beneficiary and the portion of the Trust allocated to him/her shall continue according to the terms, conditions and provisions herein, until the final conclusion of such bankruptcy and/or insolvency proceedings.

(3) If any beneficiary as to whom such Trust would otherwise be terminated is in a domestic proceeding for dissolution of marriage, or if the Trustee is made aware that said beneficiary or his/her spouse has consulted an attorney regarding



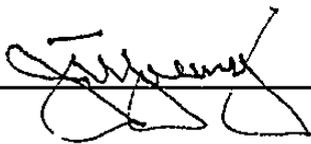
dissolution of marriage for a period of time three (3) years prior to the date of termination, the Trust shall not terminate as to such beneficiary and the portion allocated to him/her, but shall continue according to the terms, conditions and provisions of such Trust until the termination of such proceedings or an additional five (5) years, whichever is the greater period of time.

(4) If any beneficiary, at the time the Trust would otherwise be terminated as to him/her, is or would, in the absence of the interest of such beneficiary in this Trust, be eligible to receive health care and/or rehabilitation benefits, including, but not limited to, medical, dental, domiciliary, educational, vocational, rehabilitation or other grants or financial assistance as a result of physical and/or mental disability from any federal, state, local government or governmental agency or private institution, such Trust shall not terminate as to such beneficiary and the portion of the Trust allocated to him/her shall continue according to the terms, conditions and provisions hereof.

(5) There shall be no termination of this Trust with regard to any beneficiary who is terminally ill, but the same shall continue upon the terms, conditions and provisions hereof.

(6) If any beneficiary, at the time the Trust would otherwise be distributed as to him/her, is deemed by my Trustee to have a drug and/or alcohol abuse problem, the Trust shall not terminate as to such beneficiary and the portion of the Trust allocated to him/her, but the same shall continue according to the terms, conditions and provisions hereof until the Trustee has been satisfied that such problem has disappeared, and is not likely to reappear. The determination of a drug and/or alcohol abuse problem, and whether or not the same has disappeared and not likely to reappear, shall be verified

PAGE 3



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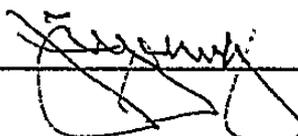
by professional advice to the satisfaction of the Trustee. The termination of the Trust and distribution of assets, in such regard, shall be governed by my Trustee's discretion and determination with regard to the best interests of such beneficiary.

(7) In the event the Trustee exercises the hold-back powers and provisions set forth above, the same shall be reviewed periodically by the Trustee, no less frequently than annually to determine if the circumstances justifying such hold-back still exist. The Trustee on exercising the power to hold back on distribution and/or termination, shall give a written statement to the beneficiary of Trustee's reasoning and determination for such hold-back, and the beneficiary shall have the right to appear before the Trustee or the appropriate governing body of the Trustee to state his/her reasons why the Trust should be terminated and distributions made.

(8) Notwithstanding the obligation to review and the right of hearing, the determination of the Trustee with regard to the facts justifying the hold-back shall be determinative and binding unless the same are exercised in a clear abuse of discretion.

(9) Further, the Trustee shall be exonerated and deemed to have no liability to any beneficiary for the manner of the exercise of discretion by the Trustee with regard to such hold-back provisions in the absence of bad faith.

All other provisions of Item Seven of my original Last Will and Testament shall remain in full force and effect.

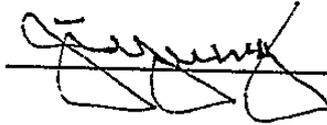
  
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ITEM TWO: I hereby amend Items VI and X(c) of my original Last Will and Testament, as amended by Item Two of Codicil Number One to my Last Will and Testament as follows:

I appoint GARY HAMILTON of West Point, Mississippi, as Trustee for any Trust created under my Last Will and Testament. I hereby grant to GARY HAMILTON the power to appoint a Co-Trustee to serve with him. However, the appointment of a Co-Trustee is not required of him if he can serve as sole Trustee under the laws of the state having jurisdiction of my Estate. In the event GARY HAMILTON should die, resign or become unable or unwilling to serve as Trustee, I appoint WILLIAM STAGGERS as Successor Trustee. In the event all named designees should be unable or unwilling to serve, a majority of the beneficiaries of the Trust at that time shall have the power to appoint a Successor Trustee who is not related to or subordinate to such beneficiaries.

ITEM THREE: I hereby amend Item I of my Last Will and Testament and Item XIII, paragraph A, of my Last Will and Testament, as amended by Item Five of Codicil Number One to my Last Will and Testament and Item One of Codicil Number Two to my Last Will and Testament to provide that it is my will that GARY HAMILTON serve as executor of my estate and that bond, inventory, and settlement are waived. In the event GARY HAMILTON is required to have a Co-Executor who is a resident of the state of Tennessee, I appoint JILL B. NOLAN of the firm of Batson, Nolan, Brice, Harvey and Williamson, Clarksville, Tennessee as Co-Executor. In the event JILL B. NOLAN is unable or unwilling to serve as Co-Executor, I appoint as Co-Executor any other partner of the firm of Batson,

PAGE 5



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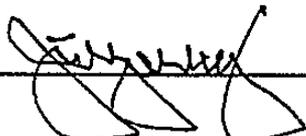
Nolan, Brice, Harvey and Williamson who practices in the area of estate administration. I am aware of ethical consideration 5-6 in the Code of Professional Responsibility which states, "a lawyer should not consciously influence a client to name him as an Executor, Trustee or lawyer in an instrument. In most cases where the client wishes to name his lawyer as such, care should be taken by the lawyer to avoid even the appearance of impropriety." Neither JILL B. NOLAN nor any partner or associate of the firm of Batson, Nolan, Brice, Harvey and Williamson has in any way influenced me to name her in such a capacity.

In the event GARY HAMILTON is unable or unwilling to serve as Executor, I appoint WILLIAM B. STAGGERS as his successor.

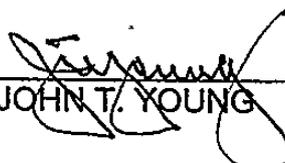
All other terms, provisions and conditions of my Last Will and Testament dated September 11, 1991 as amended by Codicil Number One dated September 22, 1995 and Codicil Number Two dated June 19, 1997, are hereby republished, reaffirmed and readopted.

IN WITNESS WHEREOF, I have affixed my hand to each sheet of this paper writing at Clarksville, Tennessee, on the 7<sup>th</sup> day of June, 2000, declaring it to be Codicil Number Three to my Last Will and Testament dated September 11, 1991, in the presence of Tina L Collins and Core D Harmon, who, there and then, and at my request, and in my presence, and in the presence of each other, signed as witnesses.

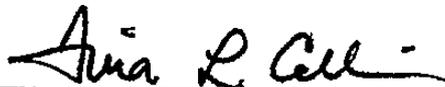
PAGE 6



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JOHN T. YOUNG

JOHN T. YOUNG affixed his hand to each sheet of this paper writing at the place and on the date set out above, declaring it to be Codicil Number Three to his Last Will and Testament dated September 11, 1991, in our presence, and we, there and then, and at his request and in his presence and in the presence of each other, signed as witnesses.

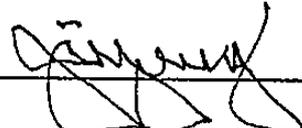
  
Witness

  
Witness

STATE OF TENNESSEE     )  
  )  
COUNTY OF MONTGOMERY   )

Tina L. Collins and Core D. Harmon after first being

duly sworn or affirmed, make oath or affirm that the foregoing Codicil Number Three to the Last Will and Testament of JOHN T. YOUNG was signed by him as and for and acknowledged, published and declared by him to be Codicil Number Three to his Last Will and Testament in the sight and presence of us, the undersigned, who at his request, and in his sight and presence, and in the sight and presence of each other, have subscribed our names as attesting witnesses on the 7<sup>th</sup> day of June, 2000; and we further make oath that the Testator was of sound and disposing mind and memory and not



acting under fraud, menace, or undue influence of any person, and was more than 18 years of age; and that each of the attesting witnesses is more than 18 years of age.

Anita R. Call

Witness

[Signature]

Witness

Subscribed and sworn to before me, this the 7 day of June, 2000.

[Signature]  
Notary Public

My Commission Expires: 10-17-2001

GIBARTEEYOUNG COD



[Signature]

PAGE 8

MADISON COUNTY, MS This instrument was filed for record JANUARY 25, 2007

Book 41 Page 106  
ARTHUR JOHNSTON, CC

BY R. Jones DC



CODICIL NUMBER FOUR  
TO  
THE LAST WILL AND TESTAMENT  
OF  
JOHN T. YOUNG

Prepared by:  
BATSON, NOLAN, BRICE,  
HARVEY & WILLIAMSON  
622 Madison Street  
Clarksville, Tennessee 37040  
(931) 647-1501

Client's Address:  
JOHN T. YOUNG  
248 Longwood Lane  
Clarksville, Tennessee 37043

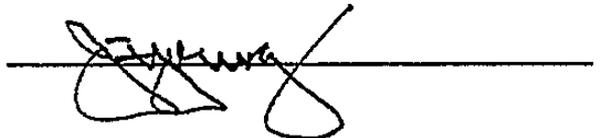
**FILED**  
THIS DATE  
JAN 25 2007  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY *[Signature]* D.C.

CODICIL NUMBER FOUR  
TO  
THE LAST WILL AND TESTAMENT  
OF  
JOHN T. YOUNG

KNOW ALL PERSONS BY THESE PRESENTS, that I, JOHN T. YOUNG, a resident of Clarksville, Montgomery County, Tennessee, being of sound and disposing mind and memory, do hereby make and publish this paper writing as and declare it to be Codicil Number Four to my Last Will and Testament dated September 11, 1991.

ITEM ONE: I have purchased a year 2000 Corvette and it is my desire that such Corvette be devised to my DAUGHTER, KATHERYN Y. LOVE. If KATHERYN should predecease me, this devise shall lapse.

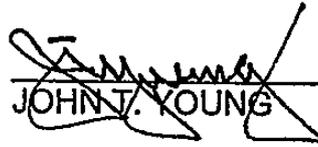
ITEM TWO: Item One of Codicil Number Three of my Last Will and Testament shall be amended to provide that in the event my DAUGHTER, KATHERYN Y. LOVE, should predecease me, her share of my Estate shall be divided into three (3) equal parts. One part shall vest in her SPOUSE, CHARLES M. LOVE, and one part shall vest in each of her CHILDREN, CHARLES CHRISTIAN LOVE and LIZA LOVE. If CHARLES M. LOVE should predecease me, his part shall be divided equally between CHARLES CHRISTIAN LOVE and LIZA LOVE. Any devise to CHARLES CHRISTIAN LOVE or LIZA LOVE shall

A handwritten signature in black ink, appearing to read "John T. Young", is written over a horizontal line.

vest in the Trustee according to the provisions of my Last Will and Testament as amended, unless they have attained the age of twenty-five (25) years.

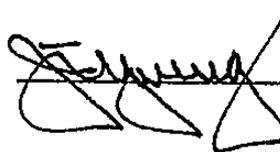
All other terms, provisions and conditions of my Last Will and Testament dated September 11, 1991 as amended by Codicil Number One dated September 22, 1995, Codicil Number Two dated June 19, 1997 and Codicil Number Three dated June 7, 2000, are hereby republished, reaffirmed and readopted.

IN WITNESS WHEREOF, I have affixed my hand to each sheet of this paper writing at Clarksville, Tennessee, on the 5<sup>th</sup> day of July, 2000, declaring it to be Codicil Number Four to my Last Will and Testament dated September 11, 1991, in the presence of Jayne D. Hatch and Susan H. Baird, who, there and then, and at my request, and in my presence, and in the presence of each other, signed as witnesses.

  
\_\_\_\_\_  
JOHN T. YOUNG

JOHN T. YOUNG affixed his hand to each sheet of this paper writing at the place and on the date set out above, declaring it to be Codicil Number Four to his Last Will and Testament dated September 11, 1991, in our presence, and we, there and then, and at his request and in his presence and in the presence of each other, signed as witnesses.

Jayne D. Hatch  
Witness

  
\_\_\_\_\_

Susan H. Baird  
Witness

STATE OF TENNESSEE )  
COUNTY OF MONTGOMERY )

Jayne D. Hatch and Susan H. Baird after first being duly sworn or affirmed, make oath or affirm that the foregoing Codicil Number Four to the Last Will and Testament of JOHN T. YOUNG was signed by him as and for and acknowledged, published and declared by him to be Codicil Number Four to his Last Will and Testament in the sight and presence of us, the undersigned, who at his request, and in his sight and presence, and in the sight and presence of each other, have subscribed our names as attesting witnesses on the 5<sup>th</sup> day of July, 2000; and we further make oath that the Testator was of sound and disposing mind and memory and not acting under fraud, menace, or undue influence of any person, and was more than 18 years of age, and that each of the attesting witnesses is more than 18 years of age.

Jayne D. Hatch  
Witness

Susan H. Baird  
Witness

Subscribed and sworn to before me, this the 5<sup>th</sup> day of July, 2000.

Jill B. Holan  
Notary Public



My Commission Expires: 10-17-2001  
G:\Bartee\YOUNG-FOUR.COD

PAGE 3  
MADISON COUNTY, MS THIS instrument was  
filed for record JANUARY 25, 2007  
Book 41 Page 115  
ARTHUR JOHNSTON, CC  
BY. A. Jones DC

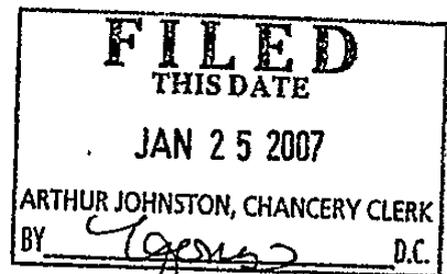


[Signature]

CODICIL NUMBER FIVE  
TO  
THE LAST WILL AND TESTAMENT  
OF  
JOHN T. YOUNG

Prepared by:  
BATSON, NOLAN, BRICE,  
HARVEY & WILLIAMSON  
622 Madison Street  
Clarksville, Tennessee 37040  
(931) 647-1501

Client's Address:  
JOHN T. YOUNG  
248 Longwood Lane  
Clarksville, Tennessee 37043



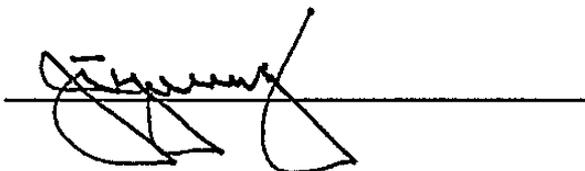
CODICIL NUMBER FIVE  
TO  
THE LAST WILL AND TESTAMENT  
OF  
JOHN T. YOUNG

KNOW ALL PERSONS BY THESE PRESENTS, that I, JOHN T. YOUNG, a resident of Clarksville, Montgomery County, Tennessee, being of sound and disposing mind and memory, do hereby make and publish this paper writing as and declare it to be Codicil Number Five to my Last Will and Testament dated September 11, 1991.

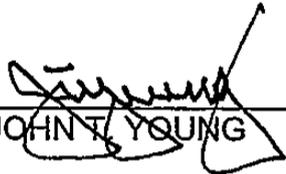
ITEM ONE: My Daughter JENNIFER ANN HARRISON and my Son-in-law WILLIAM D. HARRISON have an outstanding note to me in the original amount of \$34,000. In the event there is an outstanding balance on said note at the time of my death, it is my will that such outstanding balance be forgiven. A sum equal to the balance that is forgiven, if any, shall be devised to my daughter KATHERYN Y. LOVE, or to her issue per stirpes.

All other terms, provisions and conditions of my Last Will and Testament dated September 11, 1991 as amended by Codicil Number One dated September 22, 1995, Codicil Number Two dated June 19, 1997 and Codicil Number Three dated June 7, 2000, and Codicil Number Four dated July 5, 2000, are hereby republished, reaffirmed and readopted.

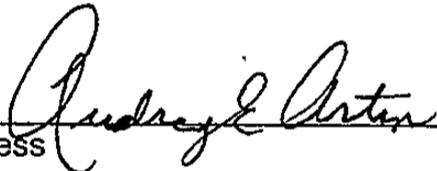
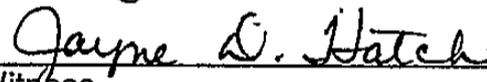
PAGE 1

A handwritten signature in black ink, appearing to read "John T. Young", is written over a horizontal line. The signature is stylized and somewhat cursive.

IN WITNESS WHEREOF, I have affixed my hand to each sheet of this paper writing at Clarksville, Tennessee, on the 19<sup>th</sup> day of DECEMBER, 2000, declaring it to be Codicil Number Five to my Last Will and Testament dated September 11, 1991, in the presence of AUDREY E. ARN and JAYNE D. HATCH, who, there and then, and at my request, and in my presence, and in the presence of each other, signed as witnesses.

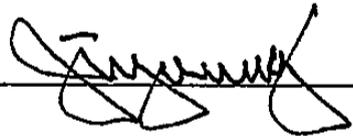
  
JOHN T. YOUNG

JOHN T. YOUNG affixed his hand to each sheet of this paper writing at the place and on the date set out above, declaring it to be Codicil Number Five to his Last Will and Testament dated September 11, 1991, in our presence, and we, there and then, and at his request and in his presence and in the presence of each other, signed as witnesses.

  
Witness  
  
Witness

STATE OF TENNESSEE     )  
  )  
COUNTY OF MONTGOMERY    )

AUDREY E. ARN and JAYNE D. HATCH after first being duly sworn or affirmed, make oath or affirm that the foregoing Codicil Number Five to the Last Will and Testament of **JOHN T. YOUNG** was signed by him as and for and



acknowledged, published and declared by him to be Codicil Number Five to his Last Will and Testament in the sight and presence of us, the undersigned, who at his request, and in his sight and presence, and in the sight and presence of each other, have subscribed our names as attesting witnesses on the 19<sup>th</sup> day of DECEMBER, 2000; and we further make oath that the Testator was of sound and disposing mind and memory and not acting under fraud, menace, or undue influence of any person, and was more than 18 years of age; and that each of the attesting witnesses is more than 18 years of age.

Andrew J. Artin  
Witness

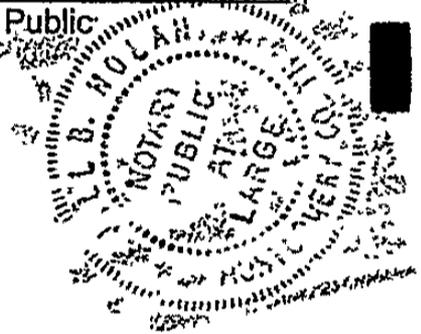
Jayne W. Hatch  
Witness

Subscribed and sworn to before me, this the 19<sup>th</sup> day of DECEMBER, 2000.

Julie B. Nolan  
Notary Public

My Commission Expires: 10-17-2001

G:\BARTEE\young5 cod



[Signature]

PAGE 3  
MADISON COUNTY, MO  
this instrument was  
filed for record JANUARY 25, 2007

Book 41 Page 119  
ARTHUR JOHNSTON, CC

BY L. Jones dc



CODICIL NUMBER SIX  
TO  
THE LAST WILL AND TESTAMENT  
OF  
JOHN T. YOUNG

Prepared by:  
BATSON, NOLAN, BRICE,  
WILLIAMSON & GIRSKY  
622 Madison Street  
Clarksville, Tennessee 37040  
(931) 647-1501

Client's Address:  
JOHN T. YOUNG  
248 Longwood Lane  
Clarksville, Tennessee 37043

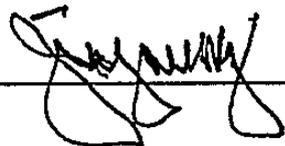
**FILED**  
THIS DATE  
JAN 25 2007  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY *(Signature)* D.C.

CODICIL NUMBER SIX  
TO  
THE LAST WILL AND TESTAMENT  
OF  
JOHN T. YOUNG

KNOW ALL PERSONS BY THESE PRESENTS, that I, JOHN T. YOUNG, a resident of Clarksville, Montgomery County, Tennessee, being of sound and disposing mind and memory, do hereby make and publish this paper writing as and declare it to be Codicil Number Six to my Last Will and Testament dated September 11, 1991.

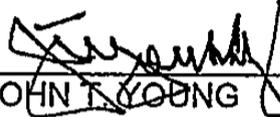
ITEM ONE: I hereby amend Item One of Codicil Number Three of my Last Will and Testament, which is an amendment of Item Seven, Paragraph E, of my Last Will and Testament, to delete the Trust for my daughter, JENNIFER Y. HARRISON. Upon my death, my Estate shall be distributed equally to my Daughters, KATHERYN Y. LOVE and JENNIFER Y. HARRISON, both to inherit outright and free of trust. In the event my Daughter, JENNIFER Y. HARRISON, should predecease me, her part shall vest equally in her children issue per stirpes provided they have attained the age of 25 years, and in the event they have not attained such age, their part shall continue in trust according to the provisions set forth in Codicil Number Three. In the event my Daughter, KATHERYN Y. LOVE, should predecease me, her part shall vest pursuant to Codicil Number Four of my Last Will and Testament, Item Two.

PAGE 1

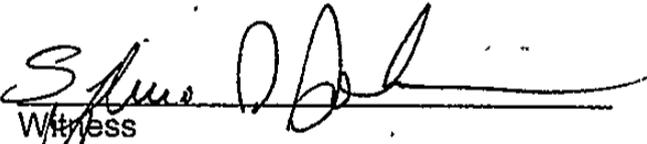
  
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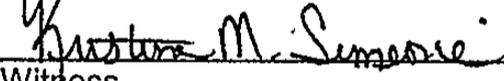
All other terms, provisions and conditions of my Last Will and Testament dated September 11, 1991 as amended by Codicil Number One dated September 22, 1995, Codicil Number Two dated June 19, 1997, and Codicil Number Three dated June 7, 2000, and Codicil Number Four dated July 5, 2000, are hereby republished, reaffirmed and readopted.

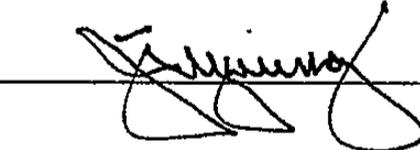
IN WITNESS WHEREOF, I have affixed my hand to each sheet of this paper writing at Clarksville, Tennessee, on the 18 day of November, 2002, declaring it to be Codicil Number Six to my Last Will and Testament dated September 11, 1991, in the presence of Kristine M. Simeone and Sylvia J. Johnson, who, there and then, and at my request, and in my presence, and in the presence of each other, signed as witnesses.

  
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JOHN T. YOUNG

JOHN T. YOUNG affixed his hand to each sheet of this paper writing at the place and on the date set out above, declaring it to be Codicil Number Six to his Last Will and Testament dated September 11, 1991, in our presence, and we, there and then, and at his request and in his presence and in the presence of each other, signed as witnesses.

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_

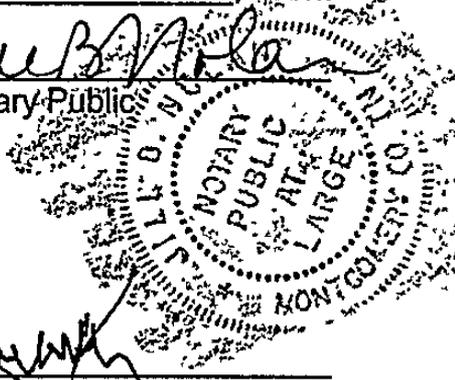
STATE OF TENNESSEE )  
COUNTY OF MONTGOMERY )

Kristine M. Simone and Sylvia J Johnson after first being duly sworn or affirmed, make oath or affirm that the foregoing Codicil Number Six to the Last Will and Testament of JOHN T. YOUNG was signed by him as and for and acknowledged, published and declared by him to be Codicil Number Six to his Last Will and Testament in the sight and presence of us, the undersigned, who at his request, and in his sight and presence, and in the sight and presence of each other, have subscribed our names as attesting witnesses on the 18 day of November, 2002; and we further make oath that the Testator was of sound and disposing mind and memory and not acting under fraud, menace, or undue influence of any person, and was more than 18 years of age; and that each of the attesting witnesses is more than 18 years of age.

Sylvia J Johnson  
Witness

Kristine M. Simone  
Witness

Subscribed and sworn to before me, this the 18 day of November, 2002.

Arthur Johnston  
Notary Public  


My Commission Expires: 9-12-05

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PAGE 3  
MADISON COUNTY, TN THIS INSTRUMENT WAS  
FILED FOR RECORD JANUARY 25, 2007.

Book 41 Page 123  
ARTHUR JOHNSTON, CC

BY L. Jones DC.



LAST WILL AND TESTAMENT 2007 41

OF

POLLY H. DAWSON

FILED  
THIS DATE  
JAN 25 2007  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY *Kim Sullivan* D.C.

I, Polly H. Dawson, a resident of Madison, Madison County, Mississippi, being above the age of eighteen years and being of sound and disposing mind and memory, do hereby make, publish, and declare this to be my Last Will and Testament ("Will"), hereby revoking all Wills and Codicils heretofore made by me.

ARTICLE I.  
PAYMENT OF DEBTS AND EXPENSES

I direct that all of my just debts (except for debts secured by a mortgage or deed of trust on real property), all expenses of my last illness, my funeral expenses, and the expense of erecting a grave marker at my grave be paid as soon after my death as conveniently can be done.

ARTICLE II.  
APPOINTMENT OF FIDUCIARIES

A. I hereby appoint my son, Arthur Dale Currie, Jr., as Executor of my Will and estate. In the event that he should be or become unable or unwilling to serve in such capacity, I hereby appoint Kenneth Chapman of Madison, Mississippi as successor Executor of my Will and estate.

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POLLY H. DAWSON

B. I hereby appoint my son, Arthur Dale Currie, Jr., as Trustee of any and all trusts created under the provisions of my Will. In the event that he should be or become unable or unwilling to serve as Trustee, I hereby appoint my daughter-in-law, Lynne C. Currie, to serve as successor Trustee of any and all trusts created under the provisions of my Will.

**ARTICLE III.  
FAMILY MEMBERS**

A. My husband, Joe Davis Dawson, has predeceased me. I have two (2) children now living, and they are Arthur Dale Currie, Jr. and Carol Currie Byrd. Any reference herein to "children" shall refer to my children named above, and any reference herein to "child" shall refer to one of those children. Any reference herein to "grandchildren" shall refer to any natural children of a child of mine under a legal marriage and any other persons legally adopted by a child of mine according to Paragraph B of this Article. Any reference herein to "grandchild" shall refer to one of those grandchildren.

B. For purposes of this Will, an adopted child shall be considered in all respects as a natural child of the adopting parents only if that child is legally adopted prior to attaining the age of eight (8) years. Notwithstanding the foregoing, in the event that any descendant of mine is adopted by another descendant of mine, such adopted descendant shall not be deemed to be a natural child of the adopting descendant, but instead shall remain, for purposes of construing this Will, as a child of his or her natural parent.

**ARTICLE IV.  
BEQUESTS OF PERSONAL PROPERTY**

A. I give and bequeath unto my brother, John Sharp Howie, if he survives me, the portrait of my grandmother painted by Karl Wolfe. If my brother, John, does not survive me, I give and bequeath such portrait unto the descendants of my brother, per stirpes, to be divided among them as they may agree.

B. I give and bequeath unto my daughter, Carol, if she survives me, the following:

1. The portrait of Carol painted by Karl Wolfe.
2. The silver punch bowl engraved with the initial "C."
3. Antique Queen Anne Hi-Boy that belonged to my mother.
4. Diamond ring set in gold with baguets on each side.

If my daughter, Carol, does not survive me, I give and bequeath all such tangible personal property described in this paragraph and owned by me at the time of my death unto the descendants of my daughter, per stirpes, to be divided among them as they may agree.

C. I give and bequeath unto my son, Dale, if he survives me, the following:

1. The portrait of Dale painted by Mildred Wolfe.
2. The silver goblets engraved with the initial "C."
3. Two oriental lamps.
4. Antique English tea box.
5. Antique (18<sup>th</sup> Century) Mandarin bowl (with crack).
6. Platinum ring with European cut diamonds.
7. Set of Havilland China formerly belonging to my grandmother.

If my son, Dale, does not survive me, I give and bequeath all such tangible personal property described in this paragraph and owned by me at the time of my death unto the descendants of my son, per stirpes, to be divided among them as they may agree

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POLLY H. DAWSON

D I give and bequeath unto my stepdaughter, Regina Dawson Chapman, if she survives me, the following:

1. Portrait of Joe Dawson painted by Ann Dunbar.
2. Green leather chair formerly belonging to Joe Dawson.
3. Diamond drop in gold setting.
4. Small ruby earrings given to me by Joe Dawson.
5. Twenty Thousand Dollars (\$20,000) in cash.
6. Stock in Unity Communications.

In the event that my stepdaughter, Regina, does not survive me, I give and bequeath all such personal property described in this paragraph and owned by me at the time of my death unto the descendants of my stepdaughter, Regina, per stirpes, to be divided among them as they may agree.

E. I give and bequeath unto my stepdaughter, Renee Dawson Smith, if she survives me, the following:

1. Greek coin necklace.
2. One Thousand Five Hundred Dollars (\$1,500) in cash.

If my stepdaughter, Renee, does not survive me, this bequest shall lapse.

F. I give and bequeath all other tangible personal property not specifically bequeathed under Paragraphs A, B, C, D and E of this Article unto my descendants, per stirpes, to be divided among them as they may agree.

G. I may leave a separate memorandum containing directions for the specific disposition to be made of certain of the other assets bequeathed under Paragraph F of this

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POLLY H. DAWSON

Article. In such event, it is my desire, although not legally binding, that my Executor distribute such items of tangible personal property to such persons as I shall have designated by written instructions prepared, signed, and dated by me at any time on or after the date hereof and which specifically refers to my Will. If there is more than one set of such written instructions, to the extent such written instructions are contradictory, the most recent of such written instructions shall prevail. Unless within ninety (90) days after the date my Will is admitted to probate my Executor shall have actual notice of the existence of such written instructions, my Executor shall, without incurring any liability to any beneficiary, proceed as if such written instructions did not exist. I recognize that such a separate memorandum would not be binding on my Executor, but rather would only express my intention as to the disposition of those specific items of tangible personal property.

H. In the event the beneficiaries hereunder shall be unable or unwilling, for any reason, to agree upon a division of said tangible personal property, my Executor shall have full power and authority to make division thereof, or to prescribe the method of making division thereof, in such manner as the Executor shall deem equitable in the Executor's sole and absolute discretion.

I. In the event that any of said beneficiaries hereunder is a minor or under any other disability at the time of distribution of the property given and bequeathed unto him or her under this Article, my Executor is hereby authorized and empowered to deliver such property, or any part thereof, to the natural or legal guardian of said child or to the adult with whom he or she is then residing, and a delivery unto such person by the Executor shall acquit and relieve the Executor from any further liability with regard to the property so delivered.

#### ARTICLE V. RESIDUARY ESTATE

A. I give, devise and bequeath all of the rest, residue, and remainder of my property, real, personal, and mixed, and wherever situated, including all failed and lapsed legacies, unto my children, in equal shares, outright and free of trust.

B. If either of my children shall not survive me but leaves children surviving, my deceased child's share of the residue of my estate shall be distributed to the Trustee of the "Polly H. Dawson Grandchildren's Trust" created by the provisions of Article VI of this Will to be held, administered, and disposed of in accordance with the terms of that trust. If my deceased child leaves no surviving children, my deceased child's share shall be distributed to my other child, or if he or she is then deceased, to the Trustee of the "Polly H. Dawson Grandchildren's Trust" created by the provisions of Article VI of this Will to be held, administered, and disposed of in accordance with the terms of that trust.

C. In the event all the persons and classes designated as beneficiaries of my estate predecease me, the assets shall be distributed to my then living heirs-at-law. For these purposes, the term "heirs-at-law" shall be determined under the Mississippi laws of descent and distribution then in effect.

**ARTICLE VI.  
GRANDCHILDREN'S TRUST**

The trust created by the provisions of this Article of my Will shall be designated and known as the "Polly H. Dawson Grandchildren's Trust," and the share of my estate for any deceased child of mine shall be held by the Trustee for that deceased child's then living children. The Trustee shall divide the assets of that deceased child's share into equal and separate shares, one share for each of my deceased child's then living children. Each share shall be held as a separate trust and the Trustee shall hold, administer and distribute the funds of each trust under the following provisions:

A. The Trustee shall distribute to or for the benefit of the beneficiary of each trust as much of the net income of that trust as the Trustee deems advisable for the education, support, maintenance and health of the beneficiary; for the maintenance of the standard of living to which the beneficiary is accustomed at the time of my death; 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 retained in the trust and added to principal and shall be distributed in accordance with provisions of this Article.

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POLLY H. DAWSON

B. In addition to the income distributions, the Trustee may distribute to or for the benefit of the beneficiary of each trust as much principal of that trust as the Trustee deems advisable for the education, support, maintenance and health of the beneficiary; for the maintenance of the standard of living to which the beneficiary is accustomed at the time of my death; 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 the beneficiary from other sources.

C. As and when the beneficiary of a trust attains age twenty-five (25) years, the Trustee shall distribute to that grandchild, one-third (1/3) of that grandchild's trust estate at that date. Thereafter, when such grandchild attains the age of thirty (30) years, the Trustee shall distribute to such grandchild one-half (1/2) of that grandchild's trust estate at that date. Thereafter, when such grandchild attains the age of thirty-five (35) years, the Trustee shall distribute to such grandchild the remainder of that grandchild's trust estate, free and clear of any trust. Upon distribution of the entire trust estate to the beneficiary of each trust, this trust shall terminate.

D. In the event of the death of one of my grandchildren after the establishment of this trust and prior to receipt by that grandchild of his or her entire trust estate, the balance in the trust of such deceased grandchild shall be retained in trust for the benefit of that deceased grandchild's then living children. The net income and principal of the trust shall be distributed among such surviving children in such proportions and at such intervals as the Trustee determines advisable for the education, support, maintenance and health of such children. While equal distributions between such children shall not be required, distributions shall be equal except in unusual circumstances. The assets of the trust shall be distributed to such children, in equal shares, when the youngest of such children attains the age of twenty-one (21) years.

E. If at the death of a grandchild of mine he or she leaves no surviving children, that deceased grandchild's trust estate shall be distributed in equal shares, one share to each of the trusts created hereunder for that deceased grandchild's then living siblings to be administered and disposed of in accordance with the provisions of those trusts, and one share outright to each of that deceased grandchild's then living siblings who has previously received a distribution of his or her entire trust estate. If that deceased grandchild leaves

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POLLY H. DAWSON

no surviving siblings, the trust estate shall be distributed to my other grandchildren, in equal shares.

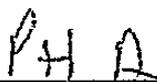
F. In the event all of the persons and classes designated as beneficiaries of this trust die prior to the distribution of all trust assets, upon death of the survivor of them, the assets shall be distributed to my then living heirs-at-law. For these purposes, the term "heirs-at-law" shall be determined under the Mississippi laws of descent and distribution then in effect.

**ARTICLE VII.  
PAYMENT OF TAXES AND ADMINISTRATIVE EXPENSES**

A. Except as otherwise provided in this Article, I hereby direct my Executor to pay all Death Taxes, as that term is hereinafter defined in Paragraph E of this Article, out of my residuary estate passing under Article V of this my Will. It is my intention that Death Taxes shall not be charged to or against any recipient, beneficiary, transferee, or owner of any such property or interests in property included in my estate for such tax purposes, except as provided in the following provisions of this Article.

1. All Death Taxes in respect of any property or interests in property included in my gross estate under Sections 2035 of the Code (certain gifts made within three years of death), 2036 of the Code (transfers with a retained life estate), 2037 of the Code (transfers taking effect at death), 2038 of the Code (revocable transfers), 2039 of the Code (annuities), 2040 of the Code (joint interests), and 2042 of the Code (life insurance proceeds) shall be charged against and paid by the recipient or beneficiary of such property or interest in property or from the property or interest in the property.

2. All Death Taxes in respect of any property or interests in property included in my gross estate under Section 2041 of the Code (general powers of appointment) shall be charged against and paid by the recipient or beneficiary of such property or interest in property or from the property or interest in the property. Provided, however, that if the general power is exercisable by this Will and is not exercised by other provisions of this Will, I hereby exercise the power to the extent of directing the recipient or recipients of the property to which this general power of appointment relates to pay to

  
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POLLY H. DAWSON

or on behalf of my Executor all the additional Death Taxes; with the amount of said additional Death Taxes to be determined in the manner provided in Paragraph B of this Article. However, the above provisions of this subparagraph shall not apply to Death Taxes on property included in my gross estate solely because I had a withdrawal right over a fractional share or pecuniary portion of the property, limited to the amount set forth in Section 2514(e)(1) of the Code (currently, five thousand dollars (\$5,000)) or the percentage set forth in Section 2514(e)(2) of the Code (currently, five percent (5%)). Said Death Taxes shall be paid as provided in Paragraph A of this Article.

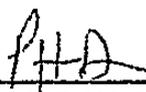
3. Death Taxes on Qualified Retirement Benefits, as that term is hereinafter defined in Paragraph E of this Article, shall be paid as provided in Paragraph A of this Article.

4. Any generation-skipping transfer tax, other than a generation-skipping transfer tax on a direct skip of property passing as part of my estate and disposed of under this Will prior to the article disposing of my residuary estate, shall be charged to the property constituting the transfer in the manner provided by Section 2603(b) of the Code. The generation-skipping transfer tax on such a pre-residuary direct skip shall be paid as provided in Paragraph A of this Article.

5. Taxes imposed under Section 2701(d) of the Code shall be apportioned and paid in the manner provided in Chapter 14 of the Code.

6. If any Death Taxes are imposed on property includable in my estate by reason of Section 2044 of the Code or any similar state estate or inheritance tax provision, I direct my Executor to recover such Death Taxes as provided under Section 2207A of the Code or as provided under any similar state estate or inheritance tax provision as to such Death Taxes.

B. Except for Death Taxes imposed upon my estate by reason of Section 2044 of the Code, the amount of the Death Taxes to be charged against any donee or recipient shall be determined by multiplying a fraction (the numerator of which shall be the federal estate tax value of the property to be apportioned as finally determined in my federal estate tax proceedings and the denominator of which shall be the total value of my taxable estate

  
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 POLLY H. DAWSON

for such federal estate tax purposes) times the net amount of such Death Taxes payable by my estate after the application of all credits against such Death Taxes.

C. I hereby make specific reference to Section 2207A of the Code (concerning tax on QTIP property), Section 2207B of the Code (concerning tax on property included under Section 2036 of the Code), and Section 2603(b) of the Code (concerning the generation-skipping transfer tax under Chapter 13 of the Code) and to corresponding provisions of state law, and I direct that they shall apply to the extent they are consistent with the provisions of this Article and shall not apply to the extent they are inconsistent with the provisions of this Article.

D. I hereby make specific reference to the Mississippi Uniform Estate Tax Apportionment Act, and I hereby direct that it shall apply to the extent it is consistent with the provisions of this Article and shall not apply to the extent it is inconsistent with the provisions of this Article.

E. For purposes of this Will, the following terms are defined as follows:

1. The term "Death Taxes" means any estate, inheritance, and other similar taxes and duties, and interest and penalties thereon, that the United States or any State or subdivision thereof (and, to the extent my Executor determines, any foreign government or subdivision thereof) imposes by reason of my death, but shall exclude (a) any additional tax under Section 2032A(c) of the Code, (b) any tax under Section 2056A of the Code, and (c) any generation-skipping transfer taxes.

2. The term "Qualified Retirement Benefits" means amounts held in or payable to a plan (of whatever type) qualified under Section 401(a) of the Code or Section 403(a) of the Code, an individual retirement arrangement under Section 408 of the Code, or a tax-sheltered annuity under Section 403(b) of the Code.

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POLLY H. DAWSON

**ARTICLE VIII.  
FIDUCIARY POWERS**

A. During the period of administration of my estate, my Executor shall have all of the powers with reference to my estate and my estate assets that a Trustee has with respect to a trust and trust assets under the Uniform Trustees' Powers Law, Chapter 372, Mississippi Laws of 1966 (Section 91-9-101, et seq., Mississippi Code of 1972), as such statute may now or hereafter be amended.

B. In addition to the powers afforded to my Executor by the Uniform Trustees' Powers Law, I specifically grant to my Executor the following powers, by way of illustration and not of limitation:

1. To pay, settle, or compound any and all rights, debts, demands, or claims, either in favor of or against my estate, upon such terms as the Executor may deem fit and for such purposes to give or receive full receipts and discharges.

2. To litigate, compound, or settle inheritance, estate, transfer, or succession taxes assessed by reason of my death, and gift, income, or other taxes assessed against me or my estate; and to make deposits to secure the payment of any taxes.

3. To claim expenses as either income or estate tax deductions when an election is permitted by law and, in the discretion of the Executor, to make such adjustment of tax between income and principal as the Executor shall deem proper. The decision of my Executor shall be binding and conclusive on all persons.

4. To make elections permitted by any tax law as to the filing of joint returns and the consenting to have gifts made by another treated as being made in part by me.

5. To make any and all other elections permitted by any tax law applicable to the estate and, in the discretion of the Executor, to make or not make adjustments among the beneficiaries as to the income or principal of the estate as a result of the exercise of such election(s).

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POLLY H. DAWSON

6. Notwithstanding any other provision contained in this Will to the contrary, I hereby authorize and empower my Executor to sell any real property or personal property owned by me at the time of my death except such real or personal property as may be specifically devised or bequeathed hereinabove in this Will. My Executor is hereby authorized and empowered to determine whether to sell any such property, and if so, the terms and conditions of such sale. In the event of any such sale, it shall not be necessary for my Executor to give notice to any beneficiaries under this Will nor to any Trustee of any trust created hereunder, nor to any beneficiaries of any trust created hereunder, it being my intention and direction that my Executor be authorized and empowered to sell any such property without the necessity of notice to, or joinder by, any beneficiary under this Will or any beneficiary of any trust created under this Will.

C. The trusts specified herein are intended to be within the definition of a "trust" as set forth in the Uniform Trustees' Powers Law, reference to which is again hereby made, and the Trustee shall have all of the powers afforded to trustees in and by the terms and provisions of said statute, as now or hereafter amended.

D. During the period of administration of the trust, the Trustee shall determine the principal and income of the trust by following the rules established under the Revised Uniform Principal and Income Law, pursuant to Section 91-17-1, et seq., Mississippi Code of 1972.

E. In addition to all other powers granted to my Trustee under the provisions of this Will, my Trustee shall have the power to retain any property owned by me at the time of my death and received by the Trustee from the Executor for such periods as the Trustee shall in the Trustee's sole discretion determine, whether or not the same be income producing and whether or not the same would violate general trust law and rules regarding the diversification of assets. To the extent that stock or other interests in business entities owned in common with my family members, including my children and more remote descendants, is included in my estate, it is my opinion, based upon facts and circumstances known to me at this time, that my Executor and Trustee should continue to retain such assets in my estate and trusts hereunder until a significant change in circumstances occurs which would dictate the disposition of such assets.

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POLLY H. DAWSON

F. The Trustee, or a majority of the existing adult income beneficiaries of any trust or trusts created hereunder, shall have the power and authority to change the trust situs of any trust created under this Will to such jurisdiction as the Trustee or a majority of such existing adult income beneficiaries deems appropriate, or such jurisdiction as would be in the best interest of all or a majority of the beneficiaries of such trust or trusts. In any such case, the Trustee or a majority of the existing adult income beneficiaries of any such trust or trusts shall also have the authority to remove the Trustee and to appoint a successor corporate Trustee that has its principal office in such other jurisdiction, and that is not related or subordinate, as those terms are defined in Section 672(c) of the Code, to the beneficiary making such appointment. In addition, the Trustee or a majority of the existing adult income beneficiaries of such trust or trusts shall have the right, in changing the trust situs, to determine whether the law of the state to which the trust situs has changed shall thereafter govern the construction and interpretation of the provisions of any trust created under this Will. In the event of any conflict between the exercise of the aforesaid powers granted to the Trustee and a majority of the existing adult income beneficiaries of any such trust, a decision made by a majority of the existing adult income beneficiaries of any such trust shall govern. Notwithstanding the foregoing, neither the Trustee nor a majority of the existing adult income beneficiaries of any such trust or trusts shall have the power or authority to change the trust situs or to determine that the law of the state to which the trust situs has changed shall thereafter govern if to do so would materially alter the beneficial interests in the trust

G. If at any time the Trustee determines that the value of any trust under this instrument is \$100,000 or less in terms of dollars at the date of execution of this Will, as such may be subsequently adjusted by whatever consumer price index the Trustee deems appropriate, the Trustee may, in the Trustee's discretion, distribute that trust, as then constituted, to the beneficiary or beneficiaries, at that time, of the current income and, if there is more than one beneficiary, in the proportions in which they are beneficiaries. However, if there is more than one beneficiary to whom the current income of any trust could then be paid and if their interests are indefinite, the Trustee shall distribute the trust, per stirpes, to such of those beneficiaries as are descendants of mine or, if no beneficiary is a descendant of mine, to those beneficiaries in equal shares.

H. Notwithstanding any other provision contained in this Will to the contrary, any beneficiary, or the duly appointed executor or administrator of the estate of any beneficiary

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POLLY H. DAWSON

of my estate or any trust estate hereunder, shall have the right and power to disclaim irrevocably such beneficiary's interest in my estate or such trust estate, by written notice delivered to the holder of the legal title to the property to which such interest relates at any time prior to the acceptance by or on behalf of such beneficiary of such interest or any of its benefits, and within nine (9) months of the date of my death or such later period as may be permitted by the Internal Revenue Code in the future. Upon receipt of such written notice, such interest shall be administered in accordance with the provisions hereof as though such beneficiary had predeceased me and as otherwise provided in this Will. In such event, then my Executor and Trustee are hereby authorized to segregate any disclaimed property and income earned thereon from other assets to comply with Section 2518 of the Code and any regulations promulgated thereunder. In the event that any beneficiary should disclaim or release an above-described interest more than nine months after the date of my death, such disclaimer or release shall take effect as of the date of such disclaimer or release, and my estate, if it is still open, or any trust estate created hereunder, shall be administered and distributed as though such beneficiary had died as of the date of such disclaimer or release.

I. Notwithstanding any other provision contained in this Will to the contrary, whenever it is provided that there shall be a partial or total termination of a trust at a time when a beneficiary attains a certain age, if the beneficiary who attains such age is under a legal disability, the trust assets that would otherwise be distributed to such beneficiary as a result of such age attainment shall instead continue to be held in trust until such beneficiary is removed from such legal disability. However, if the interest of such beneficiary in the trust has not vested prior to the time that such beneficiary attains such required age, the interest of the beneficiary in the trust property that is directed to be distributed to such beneficiary upon the attainment of a specified age shall then be vested in such beneficiary notwithstanding that the trust property continues to be held in trust because of the legal disability of such beneficiary.

J. The Trustee may consolidate and merge for any purpose a trust created under this Will with any other trust which contains substantially the same provisions as that trust, and is administered for the same beneficiary or beneficiaries by the same Trustee. The Trustee may thereafter administer such consolidated and merged trusts as one unit. If such consolidation and merger does not appear desirable or feasible, the Trustee may consolidate the property of such trusts for purposes of investment and administration while

P.H.D.  
POLLY H. DAWSON

retaining separate records and accounts for the separate trusts. The power to consolidate and merge trusts hereunder may be exercised by the Trustee at any time and from time to time, and may be used to modify or reverse the prior exercise of a power to divide trusts provided under this Will, but only to the extent that such action by the Trustee shall create no adverse estate, gift, or generation-skipping transfer tax consequences.

K. To divide, in the discretion of my Executor or Trustee, any trust established by this instrument, at any time, into two or more separate trusts so that the federal generation-skipping transfer tax inclusion ratio (as defined in Section 2642(a) of the Code) for each trust shall be either zero or one. Any such separate trusts shall have the identical provisions as the original trust.

L. During the continuance of the trusts under this Will, my Trustee shall render not less frequently than annually statements of account to the beneficiary or beneficiaries then entitled to current income. If a current income beneficiary of a trust has lineal descendants who are also current income beneficiaries of the same trust, then only the oldest generation of that family shall be entitled to the annual statements of account. In the event that any person entitled to statements hereunder is a minor or otherwise legally incapacitated, such statements are to be rendered to the guardian of or the individual with whom such person resides. The statements shall show all receipts and disbursements and a list of all assets held as of the closing dates of the accountings.

M. Notwithstanding any other provision contained in this Will to the contrary, the trusts under this Will shall terminate not later than twenty years and eleven months after the death of the last survivor of my descendants living on the date of my death, at the end of which period the Trustee shall distribute each remaining portion of the trust property to the beneficiary or beneficiaries, at that time, of the current income and, if there is more than one beneficiary, in the proportions in which they are beneficiaries. However, if there is more than one beneficiary to whom the current income of any trust could then be paid and if their interests are indefinite, the Trustee shall distribute the trust, per stirpes, to such of those beneficiaries as are descendants of mine or, if no beneficiary is a descendant of mine, to those beneficiaries in equal shares.

N. None of the beneficiaries hereunder shall have any power to sell, transfer, convey, pledge, encumber, or in any other manner alienate their interest in either the

income or principal of this estate or of any trust created hereunder. In addition, all sums payable to such beneficiaries hereunder, whether income or principal, shall be free and clear of the debts, contracts, alienations, and anticipations of the beneficiaries and shall not be subject to be taken, by any process whatsoever, by the creditors of any beneficiary.

O. No distribution of the principal or income of the trusts as created herein shall be made in satisfaction of a legal obligation, including, but not limited to, a legal obligation of support, of the parent of any trust beneficiary.

**ARTICLE IX.  
SIMULTANEOUS DEATH PROVISIONS**

A. If any legatee or devisee shall die simultaneously with me or under such circumstances as to render it difficult or impossible to determine who predeceased the other, I hereby declare that I shall be deemed to have survived such legatee or devisee. The provisions of my Will shall be construed upon these assumptions, notwithstanding the provisions of any law establishing a different presumption of order of death or providing for survivorship for a fixed period as a condition of inheritance of property.

B. If any person dies within ninety (90) days after my death, or any other event covered by Treasury Regulation Section 26.2612-1(a)(2), as the case may be, and, in accordance with Section 2651(e) of the Internal Revenue Code of 1986, as amended from time to time, if such person had not survived my death, or other event, as the case may be, such failure to survive would have caused the special rule relating to a predeceased child or other person to apply to any property passing under this Will, then I direct that such person shall be treated with respect to such property as having predeceased me, or such other event, as the case may be, so that in accordance with Treasury Regulation Section 26.2612-1(a)(2), the special rule under Section 2651(e) of the Code and the treasury regulations thereunder, as amended from time to time, shall apply with respect to such property.

PHD  
POLLY H. DAWSON

**ARTICLE X.  
FIDUCIARY PROVISIONS**

A. I hereby relieve my Executor, any successor Executor, my Trustee, and any successor Trustee from giving bond, from having an appraisal made of my estate, and of making or filing any inventories, reports, returns, or accountings of any kind or character to any court or other tribunal.

B. 1. An individual Executor shall not be entitled to compensation for the Executor's services. Notwithstanding the foregoing, my Executor shall be entitled to reimbursement for reasonable expenses incurred in connection with the performance of the duties of Executor.

2. An individual Trustee shall not be entitled to compensation for the Trustee's services. Notwithstanding the foregoing, my Trustee shall be entitled to reimbursement for reasonable expenses incurred in connection with the performance of the duties of Trustee.

C. In addition to the rights of removal of trustees granted by law, I hereby authorize a majority of the existing adult income beneficiaries (even if there is only one such beneficiary) of any trust created under this Will to remove a Trustee appointed hereunder and to appoint a successor Trustee, which shall be a corporate Trustee that is not related or subordinate, as those terms are defined in Section 672(c) of the Code, to any beneficiary making such appointment. In the event that all of the existing income beneficiaries are minors at the time of such removal and appointment, then a majority of the existing minor income beneficiaries (even if there is only one such beneficiary) shall have such powers of removal and appointment. In such event, I hereby waive any requirement to appoint a guardian ad litem to represent the interests of any minor or unborn beneficiaries of any trust created under this Will, it being my intention and direction that the decision on behalf of such minor income beneficiary to remove a Trustee and name a successor Trustee may be made solely by a parent or legal guardian of such minor beneficiary, without the necessity of appointing a guardian ad litem. In any event, such removal shall be handled in the same manner as if the removed Trustee had resigned, and such successor shall be appointed by a written instrument delivered to such successor, with a copy to the removed Trustee. The removed Trustee shall deliver to the successor

Trustee, within a reasonable time, all property comprising the trust, accompanied by a written accounting.

D. A Trustee may resign at any time by giving at least thirty (30) days written notice of such resignation to the beneficiary or beneficiaries then entitled to current income. If a current income beneficiary of a trust has lineal descendants who are also current income beneficiaries of the same trust, then only the oldest generation of that family shall be entitled to the notice of resignation. In the event that any person entitled to notice hereunder is a minor or otherwise legally incapacitated, such notice shall be given to the guardian of or the individual with whom such person resides. In the event that no successor Trustee is named herein at the time of such resignation, a successor Trustee shall then be appointed according to the provisions of Paragraph C of this Article, with the written instrument appointing such successor to be delivered to such successor and to the persons entitled to the notice of resignation hereunder. The resigning Trustee shall deliver to the successor Trustee, within a reasonable time, all property comprising the trust, accompanied by a written accounting.

E. Any successor Executor or Trustee shall have all of the rights, powers, and discretions given to, and shall be subject to all of the limitations imposed upon, the initial Executor or Trustee without any act of conveyance or transfer, except as may otherwise be provided in this Will. Further, a successor Trustee shall have no obligation to investigate any breach of trust of a predecessor Trustee, nor shall be liable for same. Notwithstanding this provision, the successor Trustee shall investigate any breach of trust brought to its attention by any beneficiary and, in the case of any question involving the expenditure of funds, shall use the Trustee's own judgment or shall seek instructions from an appropriate chancery court

**ARTICLE XI.  
DEFINITIONS**

A. Descendants Per Stirpes. When any devise or bequest made herein or any trust or any item of a trust created herein is to be distributed or allocated to a person's "descendants per stirpes" under this Will, the devise or bequest or the trust or item shall be divided into as many equal shares as there are children of the person who are then

PHD  
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living or who are then deceased but have then living descendants. The share of a deceased child with then living descendants shall then be further divided in the same manner. The shares ultimately so divided and determined shall then be distributed or allocated as provided under this Will.

B. Health. For purposes of this Will, the term "health" shall mean all expenses of health care providers net of insurance benefits paid to or for the beneficiary, such as hospital charges, physician service fees, lab charges, ambulance, nursing care at any location, physical and psychological therapy, drugs and the like, health insurance premiums for a beneficiary, as well as all costs of an extended health care facility, including an entrance fee or endowment fee (whether refundable or not), interest free loan, and other forms of capital charge, as well as monthly assessments and other periodic charges

C. Education. For purposes of this Will, the term "education" includes, but is not limited to, private schooling at the pre-elementary, elementary, and secondary school level, vocational, college, graduate, and professional education, and specialized or vocational training. The term "education" also includes any interest in a prepaid qualified state tuition program. Educational expenses shall also include, but are not limited to, room, board, tuition, uniforms, student activity fees, athletic fees, insurance expenses, reasonable transportation expenses, and any other expenses that contribute to the beneficiary's successful completion of his or her schooling, such as tutors or special instructors, if necessary.

D. Executor. For purposes of this Will, the term "Executor" shall be deemed to refer to my Executor and any successor Executor.

E. Trustee. For purposes of this Will, the term "Trustee" shall be deemed to refer to any Trustee or successor Trustee.

F. Code. References to the "Internal Revenue Code" or "Code" or to provisions thereof are to the Internal Revenue Code of 1986, as amended, at the time in question. References to the "Regulations" are to the Treasury Regulations under the Code. If, at the time in question, a particular provision of the Code has been renumbered, or the Code has been superseded by a subsequent federal tax law, the reference shall be deemed to be to the renumbered provision or the corresponding provision of the subsequent law,

unless to do so would clearly be contrary to my expressed intention in this Will, and the same shall apply to references to the Regulations.

ARTICLE XII. :  
MISCELLANEOUS PROVISIONS

A. Throughout this Will, the singular shall include the plural, the plural shall include the singular, and the masculine gender shall include the neuter and feminine gender, and vice versa.

B. The descriptive captions above the various articles and at the beginning of certain paragraphs of this Will have been included to facilitate internal referencing only and, accordingly, such captions are not to be used in construing the substantive effect of the language of such articles or paragraphs.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this my Will on the 1 day of June, 2001.

Polly H. Dawson  
POLLY H. DAWSON

WITNESSES:

Brenda M. Knowles  
Hail C. Butler

ATTESTATION

We, the undersigned, as subscribing witnesses, do hereby acknowledge and affirm that the foregoing written instrument was exhibited to us by POLLY H. DAWSON as her Will, that she signed the same in our presence and in the presence of each of us, and that we, at her request, and in her presence and in the presence of each other, hereto affixed our signatures as subscribing witnesses thereto, this the 1<sup>st</sup> day of June, 2001.

Brenda A Knowles  
Gail C Butler

STATE OF MISSISSIPPI

COUNTY OF Hinds

We, Brenda G. Knowles and Gail C. Butler, on oath state that we are the subscribing witnesses to the attached written instrument dated the 1<sup>st</sup> day of June, 2001, which has been represented to be the Will of Polly H. Dawson ("Testator"), who stated that she had a fixed place of residence in Madison, Madison County, Mississippi. On the execution date of the instrument, the Testator, in our presence and in the presence of each of us, signed the instrument at the end thereof and declared the instrument to be her Will, and requested that we attest to the execution thereof whereupon, in the presence of the Testator and in the presence of each other, each of us signed our respective names as attesting witnesses. At the time of the execution of the instrument, the Testator was over eighteen (18) years of age, and in our opinion was of sound mind, in full possession of her mental faculties, and acting without undue influence, fraud, or restraint.

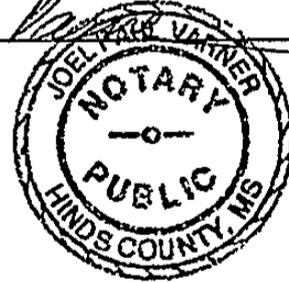
DATED this 1<sup>st</sup> day of June, 2001.

Brenda G. Knowles  
Signature of Witness  
505 Lindale Street  
Street Address  
Clinton, MS 39054  
City and State

Gail C. Butler  
Signature of Witness  
22 Marcellus St  
Street Address  
Brandon, MS 39047  
City and State

Subscribed and sworn to before me on this the 1<sup>st</sup> day of June, 2001.

Joel Paul Varnier  
NOTARY PUBLIC



My Commission Expires:

MY COMMISSION EXPIRES JULY 26, 2004

[AFFIX NOTARY SEAL]

MADISON COUNTY, MS This instrument was filed for record JANUARY 25, 2007.

Book 41 Page 127

ARTHUR JOHNSTON, CC

BY: Kim Sievers SC.



# Last Will and Testament 2007-053

OF

MARY LEE MINNIECE

I, MARY LEE MINNIECE, a resident of and domiciled in Madison County, State of Mississippi, being over the age of twenty-one (21) years and of sound and disposing mind and memory, and in all respects competent and qualified, do hereby make, publish and declare this to be my true Last Will and Testament, hereby revoking all wills and codicils heretofore made by me.

## ARTICLE ONE

### Family Members

At the time of the execution of this Will, I am unmarried, being the surviving spouse of HOUSTON MITCHELL MINNIECE, deceased, and I have no children surviving. However, my deceased husband, HOUSTON MITCHELL MINNIECE, has one surviving child, namely: HOUSTON MITCHELL MINNIECE, JR., and one deceased child, namely: KATHLEEN FAY MINNIECE BLAKE.

## ARTICLE TWO

### Payment of Debts

I hereby direct my Executor to pay all expenses of my last illness and funeral expenses, and to pay all of my just debts which may be probated, registered and allowed against my estate as soon as may be conveniently done; provided, however, that my Executor is authorized to pay any debt which I may owe at the time of my death not exceeding Five hundred Dollars (\$500) without the necessity of such debt being probated, registered or allowed against my estate so long as my said Executor determines that such debt is a valid debt of my estate. It is my intention, however, that nothing in this Article of my Will shall be construed as creating an express trust or fund for the payment of my debts and expenses which would in any way extend the normal statute of limitations for the payment of debts, or enlarge upon my duty or the statutory duty of my Executor to pay debts.

ARTICLE THREE

## Payment of Taxes

I direct my Executor to pay out of my residuary estate all federal and state estate, inheritance, succession, or other death taxes which are assessed against my estate, or against any 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 the purpose of such taxes, whether or not included in my estate for probate purposes.

ARTICLE FOUR

## Specific Bequests to Nephews and Nieces

I make the following specific bequests to my nephews and nieces named below:

- A. To my nephew, **MIMS BOSWELL, JR.**, if he survives me, I specifically will, give and bequeath the sum of \$15,000.00.
- B. To my nephew, **JOHN ELLIS BOSWELL**, if he survives me, I specifically will, give and bequeath the sum of \$15,000.00.
- C. To my niece, **DOLLIE BOSWELL YOUNG**, if she survives me, I specifically will, give and bequeath the sum of \$15,000.00.
- D. To my niece, **BEVERLY BOSWELL GILMER**, if she survives me, I specifically will, give and bequeath the sum of \$15,000.00.
- E. To my niece, **DOROTHY BOSWELL GAMBLIN**, if she survives me, I specifically will, give and bequeath the sum of \$15,000.00.
- F. To my nephew, **DR. BRYANT R. BOSWELL**, if he survives me, I specifically will, give and bequeath the sum of \$15,000.00.

If any beneficiary of a specific bequest named above in the this Article shall predecease me, then the bequest to such person shall lapse, and the property that would otherwise have been distributed to such person shall instead be added to and become a part of my residuary estate to be distributed as hereinafter provided. I direct that the specific bequests hereinabove provided for in this Article of my Will be satisfied by a distribution of cash, and I direct my Executor to convert property of my estate to cash if needed in order to satisfy such bequests in cash.

ARTICLE FIVESpecific Bequests

I make the following specific bequests:

- A. To **REBECCA MINNIECE**, the wife of Houston Mitchell Minniece, Jr., if she survives me, I specifically will, give and bequeath the sum of \$100,000.00.
- B. To **KATHLEEN HODGES MINNIECE**, the daughter of Houston Mitchell Minniece, Jr., if she survives me, I specifically will, give and bequeath the sum of \$100,000.00.
- C. To **HOUSTON MITCHELL MINNIECE, III**, the son of Houston Mitchell Minniece, Jr., if he survives me, I specifically will, give and bequeath the sum of \$100,000.00.

If any beneficiary of a specific bequest named above in this Article shall predecease me, then the bequest to such deceased person shall lapse, and the property that would have been otherwise distributed to such person shall instead be added to and become a part of my residuary estate to be distributed as hereinafter provided. The specific bequests hereinabove provided for in this Article may be satisfied by a distribution of cash or other property, or partly in cash and partly in other property, as my Executor shall determine, and the decision of my Executor as to the property to be distributed in satisfaction of a particular bequest shall not be questioned by such beneficiary or other interested party.

ARTICLE SIXBequest of Tangible Personal Property

I will, give and bequeath all of the tangible personal property located in my apartment at St. Catherine's Village, Madison, Mississippi, in equal shares, to **KATHLEEN HODGES MINNIECE** and **HOUSTON MITCHELL MINNIECE, III**, share and share alike. If there shall be any disagreement concerning the division of such property, my Executor shall divide such property into equal shares as he shall determine, or shall establish the method for the division of such property between the beneficiaries. Notwithstanding the bequests of tangible personal property contained in this Article, I may leave a written memorandum in my handwriting in which I designate that certain

items of tangible personal property are bequeathed and shall be distributed to certain named individuals who are not named in this Article of my Will. In the event I leave such a written memorandum wholly in my handwriting and signed by me, such memorandum shall be deemed to be and shall be treated in all respects as a codicil to this my Last Will and Testament. I direct my Executor to follow the instructions in such written memorandum and to distribute the property described in such memorandum in accordance with it

If any beneficiary named in this Article shall predecease me, then I will, give, devise and bequeath all of the property described in this Article to the survivor of them subject, however, to any written memorandum I may leave as hereinabove described.

#### ARTICLE SEVEN

##### Disposition of Residuary Estate

After payment of all debts and taxes, and full satisfaction of the bequests hereinabove provided, I will, devise and bequeath all of the rest, residue and remainder of my property and estate, real, personal and mixed, of whatsoever kind or character and wheresoever situated, including any lapsed bequests, (my "residuary estate"), to my Trustee, in trust, nevertheless, to be held, maintained, administered, invested, reinvested and distributed for the uses and purposes and upon the terms and conditions hereinafter set forth:

- A. My Trustee shall divide the property of the trust estate into equal shares, one of which shall be held by my Trustee, in trust, nevertheless, for the benefit of **KATHLEEN HODGES MINNIECE**, or if she is then deceased, for the benefit of her descendants. The other of such equal shares shall be held by my Trustee, in trust, nevertheless, for the benefit of **HOUSTON MITCHELL MINNIECE, III**, or if he is then deceased, for the benefit of his descendants. Said trusts, shall be held, administered, invested, reinvested, and distributed upon the terms and conditions and for the purposes hereinafter set forth.
- B The trust share created for **KATHLEEN HODGES MINNIECE** (or her descendants if she is deceased) shall be a separate and distinct trust named and known as the "**Kathleen Hodges Minniece Trust**," and my Trustee shall maintain,

administer, invest, reinvest and distribute the income and principal of the trust for the uses and purposes and upon the terms and conditions hereinafter set forth.

1. My Trustee shall pay such part or all of the net income and principal of the trust to or for the benefit of **KATHLEEN HODGES MINNIECE** as my Trustee, in his absolute discretion, shall deem to be necessary or desirable for her support, maintenance, health and education (including college, graduate, technical, vocational and professional education). My Trustee shall have the authority, in his absolute discretion, to entirely exhaust the trust in providing for the support, maintenance, health and education of **KATHLEEN HODGES MINNIECE**, but my Trustee shall have no obligation to make distributions of income or principal, and **KATHLEEN HODGES MINNIECE** shall have no right to demand or cause any distribution of income or principal. Any income of the trust that is not distributed to or for the benefit of **KATHLEEN HODGES MINNIECE** shall be accumulated and added to the principal of the trust. My Trustee shall also have the authority to distribute from the principal of the trust property to enable **KATHLEEN HODGES MINNIECE** to purchase or make a down payment on a new residence or to make an investment in a corporation or other entity in which she owns a significant equity interest, or to purchase or make a significant down payment on a second residence.- However, principal distributions for all of these purposes combined shall not comprise more than fifty percent (50%) of the total value of the trust estate.
2. If not sooner exhausted, the trust shall continue until **KATHLEEN HODGES MINNIECE** shall attain forty (40) years of age, at which time my Trustee shall pay any expenses of administration and taxes attributable to the income or property of the trust and shall pay and distribute the balance then remaining in the trust estate to **KATHLEEN HODGES MINNIECE** thereby terminating the trust.

- C. If **KATHLEEN HODGES MINNIECE** shall die prior to the final distribution of the trust created for her benefit, then upon her death, my Trustee shall pay any expenses of administration and taxes attributable to the income and property of the trust, and shall further pay any funeral expenses, including the cost of a suitable monument or marker at the grave of **KATHLEEN HODGES MINNIECE**, which are not otherwise adequately provided for, and the balance remaining in the trust estate after payment of such expenses and taxes shall be paid and distributed to the direct lineal descendants of **KATHLEEN HODGES MINNIECE**, per stirpes, or if she shall then have no living direct lineal descendant, then to be added to and become a part of the "**Houston Mitchell Minniece, III, Trust**" created as hereinafter set forth for the benefit of **HOUSTON MITCHELL MINNIECE, III**, or if he shall then be deceased, for the benefit of his direct lineal descendants, per stirpes, or if he shall have no living descendant, then to **REBECCA MINNIECE**.
- D. The trust share created for **HOUSTON MITCHELL MINNIECE, III** (or his descendants if he is deceased) shall be a separate and distinct trust named and known as the "**Houston Mitchell Minniece, III, Trust**," and my Trustee shall maintain, administer, invest, reinvest and distribute the income and principal of the trust for the uses and purposes and upon the terms and conditions hereinafter set forth:
1. My Trustee shall pay such part or all of the net income and principal of the trust to or for the benefit of **HOUSTON MITCHELL MINNIECE, III**, as my Trustee, in his absolute discretion, shall deem to be necessary or desirable for his support, maintenance, health and education (including college, graduate, technical, vocational and professional education). My Trustee shall have the authority, in his absolute discretion, to entirely exhaust the trust in providing for the support, maintenance, health and education of **HOUSTON MITCHELL MINNIECE, III**, but my Trustee shall have no obligation to make distributions of income or principal, and **HOUSTON MITCHELL MINNIECE, III**, shall have no right to demand or cause any distribution of

income or principal. Any income of the trust that is not distributed to or for the benefit of **HOUSTON MITCHELL MINNIECE, III**, shall be accumulated and added to the principal of the trust. My Trustee shall also have the authority to distribute from the principal of the trust property to enable **HOUSTON MITCHELL MINNIECE, III**, to purchase or make a down payment on a new residence or to make an investment in a corporation or other entity in which he owns a significant equity interest, or to purchase or make a significant down payment on a second residence. However, principal distributions for all of these purposes combined shall not comprise more than fifty percent (50%) of the total value of the trust estate.

2. If not sooner exhausted, the trust shall continue until **HOUSTON MITCHELL MINNIECE, III**, shall attain forty (40) years of age, at which time my Trustee shall pay any expenses of administration and taxes attributable to the income or property of the trust and shall pay and distribute the balance then remaining in the trust estate to **HOUSTON MITCHELL MINNIECE, III**, thereby terminating the trust.

E. If **HOUSTON MITCHELL MINNIECE, III**, shall die prior to the final distribution of the trust created for his benefit, then upon his death, my Trustee shall pay any expenses of administration and taxes attributable to the income and property of the trust, and shall further pay any funeral expenses, including the cost of a suitable monument or marker at the grave of **HOUSTON MITCHELL MINNIECE, III**, which are not otherwise adequately provided for, and the balance remaining in the trust estate after payment of such expenses and taxes shall be paid and distributed to the direct lineal descendants of **HOUSTON MITCHELL MINNIECE, III**, per stirpes, or if he shall then have no living direct lineal descendant, then to be added to and become a part of the "Kathleen Hodges Minniece Trust" created as hereinabove set forth for the benefit of **KATHLEEN HODGES MINNIECE** or if she shall then be deceased, for the benefit of her direct

lineal descendants, per stirpes, or if she shall have no living descendant, then to  
**REBECCA MINNIECE**

- F. I direct that my Trustee shall elect, to the extent possible, to treat the trusts created hereunder as exempt from the generation skipping transfer tax as provided for under federal tax law and to allocate such part or all of the generation skipping transfer tax exemption that is available to me or my estate to these trusts. I expressly authorize my Trustee to divide the trusts created under this Article into shares, one of which is designated as exempt from the generation skipping transfer tax, and to which any available exemption from such tax is allocated. Provided, that it is my desire that **HOUSTON MITCHELL MINNIECE, III**, and **KATHLEEN HODGES MINNIECE** shall, to the extent reasonably possible, receive equal benefit from any generation skipping transfer tax exemption available to me or my estate.
- G. If either the "Kathleen Hodges Minniece Trust" or the "Houston Mitchell Minniece, III, Trust" shall initially be created for the descendants of the deceased primary beneficiary, then in such event, the trust shall be administered for the benefit of such descendants in accordance with the same terms and provisions applicable to the primary beneficiary of such trust as hereinabove described. In such event, the trust shall continue until the youngest child of the primary beneficiary attains forty (40) years of age, at which time all unpaid taxes and administrative expenses of the trust shall be paid, and the balance of the property remaining in the trust shall then be distributed to the then living descendants of the deceased primary beneficiary, *per stirpes*, thereby terminating the trust. If the youngest child of the primary beneficiary shall die before attaining forty (40) years of age, the trust shall be terminated when the youngest living child attains age forty (40), or all children of the primary beneficiary shall have died, whichever shall first occur.
- H. Notwithstanding any other provision herein to the contrary, if at the time trust property becomes distributable to a beneficiary such beneficiary is involved in a lawsuit, addicted to gambling or to alcohol, drugs or other chemical substances, is a

party to a pending divorce or other legal proceedings, is ill or incapacitated, is in bankruptcy, insolvent, a judgment debtor or otherwise experiencing adverse financial circumstances, or other circumstances exist with respect to such beneficiary under which my Trustee, in his discretion, determine that such distribution is or may be subject to claims of a spouse, a creditor or any other person, or such beneficiary's ability to reasonably, prudently and effectively manage and use such distribution is or may be impaired, then my Trustee may, in his discretion, defer or withhold part or all of such distribution until such time my Trustee determines that such circumstances no longer exist or have been mitigated to such an extent that it is reasonably prudent to make such distribution or any part thereof. The decision of or my Trustee to defer or withhold part or all of any such distribution shall not be subject to question by any beneficiary or other person, and my Trustee shall not be liable to any beneficiary or other interested person for making such decision in good faith. If my Trustee defers all or any part of the distribution of principal beyond such beneficiary's attainment of forty (40) years of age, my Trustee may continue to distribute income and principal to or for the benefit of such beneficiary as hereinabove provided. In making a determination that a beneficiary is addicted to gambling or to alcohol, drugs or other chemical substances, my Trustee may rely upon the opinion of a physician who has examined the beneficiary. The term "physician" shall include for this purpose any licensed psychologist or psychiatrist. My Trustee may request that the beneficiary be examined by a physician designated by my Trustee, and if the beneficiary refuses to be examined by such physician, my Trustee shall not make any distributions to the beneficiary until such time as the beneficiary agrees to be examined by such physician.

#### ARTICLE EIGHT

##### **Property Vested In Minor Beneficiary**

Whenever any property, whether principal or income, vests pursuant to the provisions of this Will in a minor, persons acting hereunder as Executor or Trustee, as the case may be, shall have the

right as donees of a power during minority, upon distribution of such property, to hold and manage the same until such minor attains his or her majority and may exercise in respect of such property, and the income thereof, all powers conferred by this Will, or by law, upon my Executor or Trustee, including the power to apply any such property or the income thereof to the use or for the benefit of such minor. Said donees shall be entitled to receive such compensation as they would be entitled to receive if they were holding the property as Co-Trustees of a separate trust under this Will and shall not be required to render periodic accounts to any Court. My Executor or Trustee are not required to exercise the power granted under this Article of my Will, and may, in his or their discretion, elect to distribute property to or for the benefit of the minor in whom such property has vested, or to such minor's natural or legal guardian, or to an eligible custodian under the Mississippi Uniform Transfers to Minors Act (and my Executor and Trustee shall not be prohibited from serving as custodian unless otherwise prohibited by law), and upon obtaining receipt therefor shall have no further obligation with respect to such property as Executor or Trustees.

ARTICLE NINE

**Trust Provisions**

To the extent permitted or required by law, it is my intention and I hereby direct, with respect to any trust created under the terms of this, my Last Will and Testament, that:

- A. Neither the principal nor the income of any trust created hereunder, nor any part of same, shall be liable for the debts or torts of any beneficiary hereunder, nor shall the same be subject to seizure by any creditor of any beneficiary hereunder and no beneficiary hereunder shall have any power to sell, assign, transfer, encumber or in any manner to anticipate or dispose of his or her interest in any trust, or any part of same, or the income produced from said trust, or any part of same. No part of any trust created hereunder, principal, income or increment shall be attachable, assignable, trustable or liable to be taken at law or in equity for or on account of any debt, tort, obligation or contract of the beneficiary hereunder. No beneficiary's interest in income or principal or both of any trust created hereunder is subject to voluntary or involuntary transfer.
- B. Any trust created under this, my Last Will and Testament, shall be a private trust, and the Trustee shall not be required to obtain the order or approval of any Court for the exercise of any power or discretion herein given. The Trustee shall not be required to return to any Court any periodic formal accounting of her administration of any trust, but said Trustee shall render annual accounts to each beneficiary of each trust.
- C. No person paying money or delivering property to the Trustee shall be required to see to its application. No bond or other security shall be required of my Trustee. The Trustee of any trust created hereunder are authorized to receive and retain for his

services in administering each trust reasonable compensation in accordance with that which is customarily and generally charged for performing trust services of the nature involved in such trust.

- D. Notwithstanding any other provision of this Will to the contrary, I direct that any trust created hereunder shall terminate within the time prescribed by the then applicable Rule against perpetuities or similar statute or law. I further direct that in the event such termination is required, the principal of any trust then in effect shall be paid over to the primary income beneficiary of such trust, or if there are more than one, then in equal shares to the income beneficiaries, thereby terminating such trust.

**ARTICLE TEN**

**Powers of Executor and Trustee**

I hereby authorize and empower my Executor, with respect to my estate, and my Trustee, with respect to any trust created hereunder, in their absolute discretion, to do the following.

1. To exercise all of the powers, rights and discretions granted by virtue of the "Uniform Trustees' Powers Law," being §§ 91-9-101 through 91-9-119, inclusive, of the Mississippi Code of 1972, Annotated, as now enacted, or as hereafter amended, which "Uniform Trustees' Powers Law" is hereby incorporated by reference as though fully and completely copied herein. Should said "Uniform Trustee' Powers Law" be repealed, then my Executor and Trustee herein named shall continue to have all of the powers, rights and discretions granted by said "Uniform Trustee' Powers Law," the same as if it were still in effect.
2. To purchase or otherwise acquire and to retain, whether originally a part of the estate or subsequently acquired, any and all stocks, bonds, notes or other securities, or shares or interests in investment trusts and common trust funds, or in any other property, real, personal or mixed, as they may deem advisable, whether or not such investments or property be of the character permissible by fiduciaries, without being liable to any person for such retention or investment.
3. To pay all necessary expenses of administering the estate and any trust including taxes, trustee's fees, fees for the services of accountants, agents and attorneys, and to reimburse said parties for expenses incurred on behalf of the estate or any trust hereunder.
4. To determine what is principal and what is income with respect to all receipts and disbursements; to establish and maintain reserves for depreciation, depletion, obsolescence, taxes, insurance premiums, and any other purpose deemed necessary and proper by them and to partite and to distribute property of the estate or trust in kind or in undivided interests, and to determine the value of such property. The Trustee is hereby authorized and empowered to hold and invest the assets of any trust created hereunder jointly and in undivided shares or interests.
5. To perform such acts, to participate in such proceedings and to exercise such other rights and privileges in respect to any property, as if they were the absolute owner thereof, and in connection therewith to enter into and execute any and all agreements binding my estate and any trust created hereunder.

*M L M*  
M. L. M.

6. To borrow money from such source or sources and upon such terms and conditions as my Executor or Trustee shall determine, and to give such security therefor as my Executor or Trustee may determine.
7. To participate in any plan of reorganization, consolidation, dissolution, redemption, or similar proceedings involving assets comprising my estate or any trust created hereunder, and to deposit or withdraw securities under any such proceedings.
8. To compromise, settle or adjust any claim or demand by or against my estate, or any trust, to litigate any such claims, including, without limitation, any claims relating to estate or income taxes, and to agree to any rescission or modification of any contract or agreement.
9. To sell, exchange, assign, transfer and convey any security or property, real or personal, held in my estate, or in any trust, at public or private sale, at such time and price and upon such terms and conditions (including credit) as my Executor or Trustee may deem advisable and for the best interest of my estate, or any trust. I hereby waive any requirement of issuing summons, giving notice of any hearing, conducting or holding any such hearing, filing bond or other security, or in any way obtaining court authority or approval for any such sale, exchange, assignment, transfer or conveyance of any real or personal property.
10. To lease any real or personal property for such term and upon such terms and conditions and rentals and in such manner as may be deemed advisable (with or without privilege of purchase), and any lease so made shall be valid and binding for the full term thereof even though the same shall extend beyond the duration of the administration of my estate, or any trust created hereunder, all without the approval or authority of any court; and to insure against fire or other risks, to make repairs, replacements and improvements, structural or otherwise, to any real property, to improve any real property and to pay the cost out of principal.
11. Unless otherwise specifically provided, to make distributions (including the satisfaction of any pecuniary bequest) in cash or in specific property, real or personal, or in an undivided interest therein, or partly in cash and partly in other property, and to do so with or without regard to the income tax basis of specific property allocated to any beneficiary and without making pro rata distributions of specific assets.
12. To settle, adjust, dissolve, wind up or continue any partnership or other business entity in which I may own a partnership or equity interest at the time of my death, subject, however, to the terms of any partnership or other agreement to which I am a party at the time of my death. I authorize my Executor to continue in any partnership or other business entity for such periods and upon such terms as he shall determine. My Executor shall not be disqualified by reason of being a partner, director, officer or other title holder in such firm from participating on behalf of my estate in any dealings herein authorized to be carried on between my Executor and the partners or equity owners of any such partnership or other business entity.
13. To make any elections and to take any actions necessary in connection therewith which are available under the Internal Revenue Code of 1986, as amended, including, but not limited to, Section 2032, Section 2032A, and Section 6166.
14. To disclaim any property which my estate or any trust created hereunder may otherwise be entitled to receive and to take any and all necessary or proper actions to make and fully effectuate a qualified disclaimer or disclaimers under Internal Revenue Code Section 2518, or any similar provision which may be subsequently

enacted, and under any disclaimer statute or law which may at any time be in effect under Mississippi law.

15. To change the domicile or situs of any trust created hereunder.
16. To divide any trust created hereunder into shares that are treated as separate trusts and to divide any trust created hereunder in such manner as may be advantageous for the beneficiaries thereunder.
17. To consolidate and merge any trust created hereunder with any other trust created by me or any other person, whether inter vivos or by Will, if the beneficiaries are the same and the terms of that other trust are substantially the same as the trust created hereunder.

All authorities and powers hereinabove granted unto my Executor and Trustee shall be exercised from time to time in their absolute discretion and without prior authority or approval of any Court, and I intend that such powers be construed in the broadest possible manner.

#### ARTICLE ELEVEN

##### Appointment of Executor

I hereby appoint **HOUSTON MITCHELL MINNIECE, JR.**, of Okolona, Mississippi, to be Executor of this, my Last Will and Testament, and my estate. In the event that **HOUSTON M. MINNIECE, JR.**, shall not survive me, or for any other reason shall fail to qualify or cease to act as my Executor, then, in that event, I appoint **KATHLEEN HODGES MINNIECE**, of Oxford, Mississippi, to be successor Executrix of this, my Last Will and Testament and my estate. Any reference herein to my "Executor" shall mean and refer to my Executor and my successor Executrix herein named, and I hereby confer upon said successor Executor all of the rights, powers, duties, discretions and obligations conferred upon my original Executor hereinabove named. My Executor and my successor Executrix, hereinabove named, shall serve without any bond or other security, which is hereby waived, and I hereby further waive the necessity of preparing or filing any inventory, accounting or formal appraisal of my estate. It is my desire that my Executor or successor Executrix be adequately compensated for the time devoted to serving in such capacity.

#### ARTICLE TWELVE

##### Appointment of Trustee

I hereby appoint **GEORGE R. "BOB" REA, JR.**, of Meridian, Mississippi, and **HOUSTON M. MINNIECE, JR.**, of Okolona, Mississippi, to be Co-Trustees of each trust created

under this, my Last Will and Testament. If **GEORGE R. "BOB" REA, JR.**, shall be unable or unwilling to accept appointment as Trustee or for any reason shall discontinue his service as Trustee or shall resign as Trustee, then **GEORGE R. "BOB" REA, JR.** shall appoint a successor Trustee, or if he shall not do so within thirty (30) days of a vacancy in the office of Trustee, then his brother, **CHARLES E. "CHUCK" REA**, shall serve as successor to **GEORGE R. REA, JR.** If **HOUSTON M. MINNIECE, JR.**, shall be unable or unwilling to accept appointment as Trustee or for any reason shall discontinue his service as Trustee or shall resign as Trustee, then **HOUSTON M. MINNIECE, JR.**, shall appoint a successor Trustee, or if he shall not do so within thirty (30) days of a vacancy in the office of Trustee, then **KATHLEEN HODGES MINNIECE** shall be successor Trustee to **HOUSTON M. MINNIECE, JR.** If at any time there is no Trustee serving, then upon the request of any interested party, the public accounting firm of **REA, SHAW, GIFFIN & STEWART** of Meridian, Mississippi, shall designate a successor Trustee. A member of **REA, SHAW, GIFFIN & STUART** may be selected as successor Trustee in such event.

ARTICLE THIRTEEN

**Construction**

Throughout this Will, the masculine gender shall be deemed to include the feminine and the neuter, the singular shall be deemed to include the plural, and vice versa. The headings used herein are for convenience only and shall not be construed or interpreted as limiting the scope of the Article to which the heading pertains.

IN WITNESS WHEREOF, I have hereunto affixed my signature in the presence of **Jamie G. Houston, III**, and **Judith A. Turnage**, whom I have requested to act as subscribing witnesses hereto on this 15th day of March 2005.

*Mary Lee Minniece*  
 \_\_\_\_\_  
 MARY LEE MINNIECE

WITNESS:

*Jamie G. Houston III*  
 \_\_\_\_\_  
 Jamie G. Houston, III

*Judith A. Turnage*  
 \_\_\_\_\_  
 Judith A. Turnage

We, each of the subscribing witnesses to the foregoing Last Will and Testament of MARY LEE MINNIECE, do hereby declare that we have acted as subscribing witnesses hereto at the request of the said MARY LEE MINNIECE, that she declared this instrument to be her Last Will and Testament to us; that she affixed her signature hereto in the presence of each of us; that we affixed our signatures hereto in her presence and in the presence of each other, all on the day and year above written; and that on said occasion, the said MARY LEE MINNIECE, was of sound and disposing mind and memory.

WITNESS OUR SIGNATURES on this 15th day of March 2005

WITNESS:

ADDRESS:

*Jamie G. Houston III*  
Jamie G. Houston, III

400 E. Capitol St., Suite 300  
Jackson, Mississippi 39201

*Judith A. Turnage*  
Judith A. Turnage

400 E. Capitol St, Suite 300  
Jackson, Mississippi 39201

STATE OF MISSISSIPPI  
COUNTY OF MADISON

Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, **Jamie G. Houston, III**, and **Judith A. Turnage**, credible and competent subscribing witnesses to the foregoing instrument of writing dated the 15th day of March 2005, purporting to be the Last Will and Testament of **MARY LEE MINNIECE**, each of whom having been first duly sworn, state on oath that the said **MARY LEE MINNIECE**, signed, made, published and declared said instrument as her Last Will and Testament on the 15th day of March 2005, the date of said instrument, in the presence of these affiants; that the Testatrix was then of sound and disposing mind and memory, and above the age of twenty-one (21) years; that the Testatrix was acting voluntarily without undue influence, fraud or restraint; that the affiants subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance of **MARY LEE MINNIECE**, and in the presence of **MARY LEE MINNIECE**, and in the presence of each other, that the Testatrix at the time of the attestation was mentally capable of recognizing, and actually conscious of said act and attestation; that the subscribing witnesses were, at the time of said attestation, competent witnesses under the laws of the State of Mississippi, that at the time of said attestation the Testatrix, **MARY LEE MINNIECE**, indicated to the affiants that she was a resident of and had a fixed place of residence in Madison County, State of Mississippi; and that this Proof of Will is attached to the original of that certain foregoing written instrument signed, made, published and declared by the said Testatrix, **MARY LEE MINNIECE**, as her Last Will and Testament on this 15th day of March 2005.

*Jamie G. Houston, III*  
\_\_\_\_\_  
**Jamie G. Houston, III**  
400 E. Capitol Street, Suite 300  
Jackson, MS 39201

*Judith A. Turnage*  
\_\_\_\_\_  
**Judith A. Turnage**  
400 E. Capitol Street, Suite 300  
Jackson, MS 39201

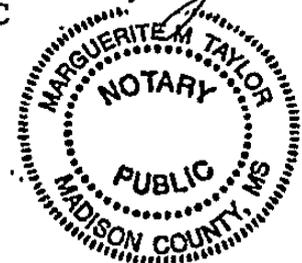
SWORN TO AND SUBSCRIBED before me on this 15th day of March 2005.

*Marguerite M. Taylor*  
\_\_\_\_\_  
NOTARY PUBLIC

Notary Public, State of Mississippi At Large  
My Commission Expires: April 29, 2006  
Bonded Thru Helden, Brooks & Garland,

MADISON COUNTY, MS This instrument was  
filed for record JANUARY 26, 2007

Book 41 Page 149  
ARTHUR JOHNSTON, C.C.  
BY: *K. Siewers* D.C.



LAST WILL AND TESTAMENT 5007-104

**FILED**  
THIS DATE  
FEB 08 2007  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY *[Signature]* D.C.

OF

**BOBBIE ABLES DUNCAN**

I, BOBBIE ABLES DUNCAN, an adult resident citizen of Madison County, Canton, Mississippi, being of sound and disposing mind, memory and understanding and fully able and competent to make a will, and not under the restraint and influence of any person do hereby make, declare, and publish this to be my last will and testament, hereby revoking any and all other wills and codicils heretofore made by me

I am married to Thomas M Duncan, Jr. who is also referred to herein as "my husband " We have four (4) children and they are as follows:

a son, Thomas M. Duncan, III, who was born on October 7, 1949, and

a son, John E. Duncan, who was born on January 6, 1955; and

a daughter, Pamela Duncan, who as born on February 6, 1957, and

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B.A.D.

a son, Robert Ellis Duncan, who was born on  
October 3, 1961

They may also be referred to herein as "my children". My said husband and children are now living at the time of the execution of this last will and testament and they now comprise the members of my immediate family. The word "descendants" as used in this will shall include any person hereafter born to any of my descendants. Each of the words "child", "children", and "descendants" shall be deemed to include an adopted child or adopted children, irrespective of any provisions of law establishing a contrary presumption.

#### ARTICLE I.

I appoint my son, ROBERT ELLIS DUNCAN, as Executor of this my Last Will and Testament. If my said son should predecease me or is unable or unwilling to serve in such capacity then I appoint my son, JOHN E. DUNCAN, to serve as Successor Executor. My Executor shall not be required to enter into any bond to insure the faithful performance of its duties, nor be required to return to any Court any formal appraisal, inventory or accounting, including final accounting, of the administration of my Estate

The terms "Executor", "Executrix" and "Administrator" may, where used in this Will, be used interchangeably and shall apply to whomever may be serving as personal representative of my estate and to any Successor Executor or Administrator.

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B.A.D.

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

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

**ARTICLE II.**

I direct my Executor to pay all expenses of my last illness, funeral, the debts properly probated against my estate, and the cost of administration of my estate, as well as, all federal and state estate, inheritance, succession and transfer or other death taxes which are assessed on account of life insurance proceeds or other property which shall be included in my gross estate, whether or not included in my estate for probate purposes, out of my residuary estate.

**ARTICLE III.**

I may leave a memorandum, written in my own handwriting, signed and dated, directing disposition of certain household property, automobiles, trucks, jewelry, china, silverware, furniture, pictures, furnishings, appliances, tools, equipment and supplies, books, ornaments, works of art and personal effects. My Executor shall carry out the directions of such memorandum. If I leave such

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B.A.D.

memorandum covering some of these types of items, but not all, or if I leave no such memorandum, any of these types of items not disposed of by such memorandum I give and bequeath to three (3) of my children being JOHN E DUNCAN, PAMELA DUNCAN and ROBERT ELLIS DUNCAN, to be divided equally.

If my said children, or any of them, shall not survive me, I bequeath to said children who are living at the time of my death, and to the living issue per stirpes those who have predeceased me, all of the above described personal property owned by me or in which I shall have any interest at the time of my death, which is not covered by a memorandum as mentioned above. It is my wish that each of them will select the items that they shall prefer to the extent that they will agree about the selections; otherwise, my Executor shall determine the approximate equal distribution to be made, by lot or other method of division deemed to be fair and practical and the Executor's determination shall be conclusive and binding on the legatees. If a legatee is to receive any property under this Article and is a minor at the time of distribution of such assets, his or her Guardian shall act for them and take and retain possession of same until their Guardian deems it appropriate to make delivery outright to them, but delivery shall be made no later than the twenty-first (21st) birthday of each child.

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*BAD*

B A.D.

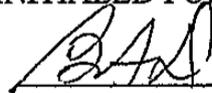
## ARTICLE IV.

I give, devise and bequeath unto my husband, THOMAS M. DUNCAN, JR., all of my interest in the home we are presently living in, being located at 925 East Academy Street, Canton, MS 39046, or such other homestead that we may have at the time of my death. If my said husband predeceases me, this provision shall lapse and my interest in a homestead shall pass under the residuary clause set forth below.

## ARTICLE V.

I give, devise and bequeath all of the rest, residue and remainder of my property of every kind and description, real and personal, tangible and intangible, wheresoever situated and howsoever held, including lapsed legacies and devises, and whether acquired before or after the execution of this Will, to three (3) of my children, being JOHN E. DUNCAN, PAMELA DUNCAN and ROBERT ELLIS DUNCAN in equal shares. However, if a beneficiary has died, his or her share shall be distributed to his or her living descendants, per stirpes, if any, and if none, then to my living descendants, per stirpes. I have expressly made no provision in this Will for my son, THOMAS M. DUNCAN, III. knowing that my other children will see to his care

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B.A.D.

ARTICLE VI.

The income of any beneficiary under this will shall accrue from the date of my death. During the administration of my estate and until the property is distributed to the beneficiaries, I authorize the beneficiaries to request of my Executor, in which case my Executor shall comply with that request, to pay at least annually out of my estate advanced payments of income to the beneficiaries of the estate. These payments shall be an amount which, in the joint judgment of the beneficiaries and the Executor, equals the income which the beneficiaries would receive had the property been distributed.

ARTICLE VII.

In the administration of my estate, I give and grant to my Executor all of the powers and discretions given Trustees under statutes of the Uniform Trustees' Powers Law of Mississippi as set forth in the Miss. Code Ann. (1972), and any additional powers and discretions as may result from subsequent legislation. No legislation subsequent to the date of the execution of this will shall reduce or limit these powers and discretions

In addition to the powers afforded to my Executor by the aforesaid statutes of the Miss. Code Ann. (1972), which statutes are hereby adopted by reference thereto, I specifically give and grant to them the continuing, absolute, discretionary power to deal with any property, real or

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B.A.D.

personal, held in my estate, as freely as I might in the handling of my own affairs This shall include the power to sell and transfer any interest I may own in a home or any real estate or personal property of any kind including my personal effects and household goods without prior or subsequent approval of any judicial authority, and without any inventory, appraisement, or accounting to any judicial authority.

**ARTICLE VIII**

No persons dealing with my Executor hereunder 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 such fiduciary to enter into and consummate the same upon such terms as he may deem advisable

**ARTICLE IX.**

The Executor shall be entitled to reasonable and normal fees for his services and he is hereby also fully empowered to engage the services of attorneys, accountants, or others capable of rendering services in pursuance of the administration of my estate

IN WITNESS WHEREOF, I, BOBBIE ABLES DUNCAN, have hereunto subscribed my

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\_\_\_\_\_

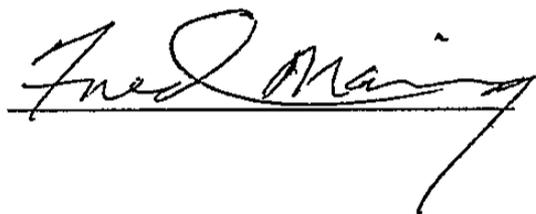
B A D.

name to this, my Last Will and Testament consisting of \_\_\_\_ pages, in the presence of two (2) witnesses, who have attested the same in my presence, and at my request and in the presence of each other, on this the \_\_\_\_ day of January, 2003.

  
BOBBIE ABLES DUNCAN

WITNESSES.





ATTESTATION

We, FRANK S. Street and Fred Manning, the subscribing witnesses to the above and foregoing last will and testament of **BOBBIE ABLES DUNCAN**, certify that the said Testatrix declared to us that the above and foregoing instrument is her true last will and testament and that she especially requested us to act as subscribing and attesting witnesses thereto, that said Testatrix signed said instrument in our presence on the day and year therein mentioned, that we signed said instrument as attesting witnesses on said day and year in the presence of said Testatrix, and in the presence of each other; and that to the personal knowledge of each of us the said Testatrix was at such time above the age of eighteen (18) years and of sound and disposing mind, memory and understanding.

This the 22 day of January, 2003.

Frank S. Street

Address P.O. Box # 248

Center, Mo 63046

Fred Manning

Address 353 E. Peace St

Center, Mo. 63046

PROOF OF WILL

STATE OF MISSISSIPPI

COUNTY OF Madison

We FRANK S. STREET and Fred Manning on oath state that we are the subscribing witnesses to the attached written instrument dated the 22 day of January, 2003, which purports to be the Last Will and Testament of BOBBIE ABLES DUNCAN, who indicated to us that she is a resident of and has a fixed place of residence in the County of Madison, State of Mississippi. On the execution date of the instrument, the Testatrix in our presence and in the presence of each of us, signed the instrument at the end thereof and declared the instrument to be her Will and requested that we attest to the execution thereof whereupon, in the presence of the Testatrix and in the presence of each other, each of us signed our respective names as attesting witnesses. At the time of the execution of the instrument, the Testatrix was over eighteen (18) years of age, and in our opinion was of sound mind, in full possession of her mental faculties, and acting without undue influence, fraud or restraint.

DATED this the 22 day of January, 2003.

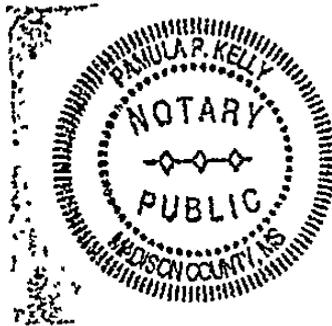
Frank S. Street

Fred Manning

Subscribed and sworn to before me on this the 22 day of January, 2003.

Parula P. Kelly  
NOTARY PUBLIC

My Commission Expires:  
NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES Aug 11, 2006  
BOBBED TERU NOTARY PUBLIC UNDERWRITERS



1041/LWT BAD

MADISON COUNTY MS This instrument was filed for record February 8, 2007.

Book 44 Page 165  
ARTHUR JOHNSTON, C. C.  
BY: R. Siver C.C.



2007-120

# Last Will and Testament

OF

ROSA VERNELL LATHAM WILLIAMS

I, ROSA VERNELL LATHAM WILLIAMS, an adult resident citizen of Greenville, Washington County, Mississippi, being over the age of twenty-one years, and of sound and disposing mind, memory and understanding, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all other Wills and Codicils made by me at any time heretofore.

## ARTICLE I.

I hereby direct that all of my just debts which may be probated, registered and allowed against my estate be paid as soon as may be conveniently done. For tax purposes, I direct that my Executor shall have the option and election to charge to and pay all costs of administration of my estate out of any portion thereof, whether income or principal, as he deems advisable.

## ARTICLE II.

After payment of my legal debts and the necessary expenses of administration, I hereby give, devise and bequeath unto my husband, ROBERT FELLIE WILLIAMS, my entire estate, real, personal and mixed, being all of the property of which I may die seized and possessed, and to which I may be entitled at the time of my death, of whatsoever kind or nature and wheresoever situated.

## ARTICLE III.

In the event that our deaths should occur simultaneously, or approximately so, or in the same

*Rosa Vernell Latham Williams*  
ROSA VERNELL LATHAM WILLIAMS

**FILED**  
THIS DATE  
FEB 09 2007  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY *[Signature]* D.C.

*R.V.L.  
7/1/07*

common accident or calamity, or under circumstances causing doubt as to which of us survived the other, or should my husband predecease me or die within thirty (30) days of my death, then and in that event only, I give, devise and bequeath all of the rest, residue and remainder of my property, real, personal and mixed, of whatsoever kind and nature, and wheresoever situated to my son, ROBERT CLARK WILLIAMS, and same shall be his absolutely.

ARTICLE IV.

In the event that my husband, Robert Fellie Williams, my son, Robert Clark Williams, and my death should occur simultaneously, or approximately so, or in the same common accident or calamity, then and in that event only, I give, devise and bequeath all the rest, residue and remainder of my property, real, personal and mixed, of whatsoever kind and nature, and wheresoever situated to my daughter-in-law, LAURIE R. WILLIAMS, and same shall be hers absolutely.

ARTICLE V.

I hereby appoint, nominate and constitute my husband, ROBERT FELLIE WILLIAMS, as Executor of this my Last Will and Testament, and in the event that he shall be unable or unwilling to serve as Executor, then and in that event only, I appoint my son, ROBERT CLARK WILLIAMS, as Executor and grant to him the same powers as set forth for my Executor. My Executor shall have full and plenary power and authority to do and perform any act deemed by him to be for the best interest of my estate, without any limitations whatsoever, and without surety bond, inventory or accounting, and said authority shall include, but shall not be limited to the right to

*Rosa Vernell Latham Williams*  
ROSA VERNELL LATHAM WILLIAMS

A.W.L.  
MKB

take possession, hold, manage, invest and reinvest the same, and to collect the income, dividends, rents, interests and profits therefrom, and to employ and to pay any attorneys, agents or accountants that he may deem necessary and for the best interest of my estate and to pay unto himself a just and reasonable compensation as Executor.

The foregoing Will consists of Three Pages, at the bottom of each of which I have signed my name.

IN WITNESS WHEREOF, I have hereunto set my hand to this my Last Will and Testament, on this the 1st day of April, 1988.

Rosa Vernell Latham Williams  
ROSA VERNELL LATHAM  
WILLIAMS

R.W.  
m/B

STATE OF MISSISSIPPI

COUNTY OF Madison

We each of the subscribing witnesses to the Last Will and Testament of Rosa Vernell Latham Williams, do hereby certify that said instrument was signed by the said Rosa Vernell Latham Williams, in our presence and in the presence of each of us, and that the said Rosa Vernell Latham Williams, declared the same to be her Last Will and Testament in the presence of each of us, and that we each signed as subscribing witnesses to said Will at the request of Rosa Vernell Latham Williams, in her presence and in the presence of each other.

Robert W. Long  
Address: 807 Planters Point  
Canton, MS. 39046

Mavis N. Bales  
Address: Route 3, Box 6  
Canton, Mo. 39046

IN THE CHANCERY COURT OF MADISON COUNTY  
STATE OF MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
ROSA VERNELL LATHAM WILLIAMS, DECEASED

CAUSE NO: 2007-120

STATE OF MISSISSIPPI  
COUNTY OF MADISON

AFFIDAVIT OF SUBSCRIBING WITNESS

This day personally appeared before me, the undersigned authority in and for the above named county and state, Robert W. Long, one of the subscribing witnesses to the Last Will and Testament of Rosa Vernell Latham Williams, Deceased, late of Madison County, Mississippi, and said subscribing witness, having been by me first duly sworn, stated on his oath:

That the deceased on the 1<sup>st</sup> day of April, 1988, the day and date of said Last Will and Testament, freely and without any restraint, coercion or undue influence, signed, published and declared in Canton, Madison County, Mississippi, said instrument to be her Last Will and Testament in his presence as one of the witnesses to said Will. That the said deceased was then of sound and disposing mind and memory and was more than twenty-one (21) years of age. That he then and there in the presence of said decedent, at her special insistence and request, and in the presence of Marie H. Banes, subscribed and attested said instrument as one of the witnesses to the signature and publication thereof. That said decedent at the time of said attestation by said subscribing witness was mentally capable of recognizing and was actually conscious of the act of attestation and that he was

at the time of said attestation a competent witness under the laws of the State of Mississippi.

Robert W. Long  
ROBERT W. LONG

SWORN TO AND SUBSCRIBED before me, this the 9<sup>th</sup> day of February 2007.

NOTARY PUBLIC:

Dorinda Lynn Davis

My commission expires:  
NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: Sept 15, 2010  
I AM SUBSTITUTED NOTARY PUBLIC UNDERWRITERS

OF COUNSEL:

Laurie R. Williams, Esq.  
MSB No. 5675  
820 Northbay Drive  
Madison, MS 39110  
(601)856-3911

MADISON COUNTY MS This instrument was  
filed for record February 9, 2007.

Book 41 Page 175  
ARTHUR JOHNSTON, C. C.

BY: R. Long D.C.



LAST WILL AND TESTAMENT  
LUCILE JONES ALLEN

2007-131

I, Lucile Jones Allen, a resident of Jackson, Hinds County, Mississippi, being above the age of eighteen years and being of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils heretofore made by me. My children, Henry Randolph Allen and Therrell Lane Allen Jr. are living at the time of execution of this Will. My grandchildren James Walter Allen, William Lane Allen, and Henry Randolph Allen Jr. are living at the time of execution of this will.

## Article I

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

## Article II

I direct that any estate and inheritance taxes (together with any interest or penalty thereon) shall be paid by my Executor out of the principle of my residuary estate, and I direct that no part of any such taxes be charged against (or collected from) the person receiving or in possession of the property taxed, or receiving the benefit thereof, it being my intention that all such persons receive full benefits without any diminution on account of such taxes.

## Article III

To the following individuals, I bequeath the following:

To my son, Henry Randolph Allen, the sum of \$60,000.

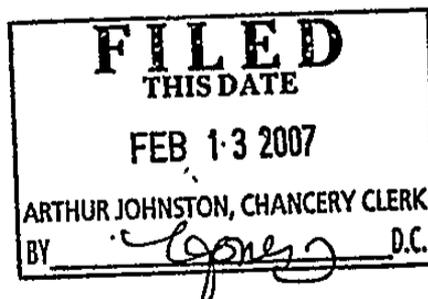
To my grandson, James Walter Allen, the sum of \$30,000.

To my grandson, William Lane Allen, the sum of \$30,000.

If any of the individual beneficiaries named in the Article shall not survive me, the bequest to such individuals(s) shall pass to his descendants, per stirpes.

## Article IV

All the residue of the property which I may own at the time of my death, real or personal, tangible and intangible, of whatsoever nature and wheresoever situated, including all property which I may acquire or become entitled to after the execution of this Will, I bequeath and devise in fee and in equal shares, to my sons Henry Randolph Allen and Therrell Lane Allen Jr. If either of the beneficiaries under this Article do not survive me, the bequest to such individual(s) shall pass to his descendants, per stirpes.



Article V

I hereby grant to my Executor(s) the continuing, absolute discretionary power to deal with any property, real or personal, held in my estate as freely as I might in handling my own affairs. Such power may be exercised independently without any prior or subsequent judicial authority, and no person dealing with the Executor shall be required to inquire into the propriety of their actions. I expressly confer upon my Executor the specific powers set forth in Miss. Code Ann. §§ 91-9-101 thru 91-9-109 (1972) as now enacted or hereafter amended. Without limiting the generality of the foregoing, I hereby grant my Executor, and to any Trustee hereunder, the following specific powers hereby and authority in addition to and not in substitution of the powers conferred by law:

To retain property without liability for loss or depreciation resulting from such retention  
To dispose of property by public or private sale, or exchange, or otherwise, and receive and administer the proceeds as part of my estate.

To vote stock, to exercise any option or privilege to convert bonds, notes, stocks, or other securities, and to exercise all other rights and privileges of a person owning similar property.

To lease any real property that may at any time form part of my estate.

To abandon, adjust, arbitrate, compromise, sue or defend, and otherwise deal with and settle claims in favor of or against my estate.

Article VI

I name Therrell Lane Allen Jr. and Henry Randolph Allen as my co-executors, to serve without bond. If either person shall for any reason fail to act as executor, I name the other to act alone as executor, without bond.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this my Last Will and Testament, on the 15<sup>th</sup> day of November 1998.

*Lucile Jones Allen*  
LUCILE JONES ALLEN

WITNESSES:

Suzanne Ruth Sharpe

Mary M. Smith

*L.J.A.*

ATTESTATION:

We, the undersigned, as subscribing witnesses, do hereby acknowledge and affirm that the foregoing written instrument was exhibited to us by Lucile Jones Allen as her Last Will and Testament, that she signed the same in our presence and in the presence of each of us, and that we, at her request, and in her presence and in the presence of each other, hereto affixed our signatures as subscribing witnesses thereto, this the 12 day of November, 1998.

Suzanne Smith Sharpe

Mary M. Smith

Lucile Jones Allen  
LUCILE JONES ALLEN

L.J.A.

**AFFIDAVIT OF SUBSCRIBING WITNESS  
TO LAST WILL AND TESTAMENT OF LUCILE JONES ALLEN**

**FILED**  
THIS DATE  
FEB. 13 2007  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY Agnes D.C.

STATE OF MISSISSIPPI  
COUNTY OF Clarks

THIS DAY PERSONALLY CAME and appeared before me, the undersigned authority, in and for the jurisdiction aforesaid, the within named **MARY M. SMITH**, who being first duly sworn, stated on oath the following, to-wit:

1. This Affiant is one of the subscribing witnesses to the instrument of writing purporting to be the Last Will and Testament of Lucile Jones Allen, deceased, who was personally known to the Affiant, and whose signature is affixed to said Last Will and Testament which is dated November 15, 1998.
2. On November 15, 1998, the said Lucile Jones Allen signed, published and declared said instrument of writing as her Last Will and Testament, in the presence of this Affiant and in the presence of Suzanne Smith Sharpe, the other subscribing witness to said instrument.
3. That the said Lucile Jones Allen was then and there of sound and disposing mind and memory, and well above the age of eighteen (18) years.
4. That this Affiant, together with Suzanne Smith Sharpe, 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 Lucile Jones Allen and in the presence of each other.

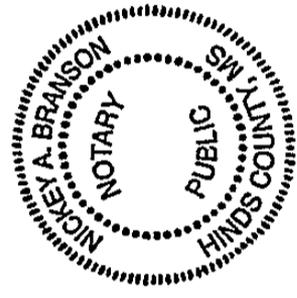
*Mary M. Smith*  
\_\_\_\_\_  
MARY M. SMITH  
Subscribing Witness

SWORN TO AND SUBSCRIBED BEFORE ME, this the 9 day of February, 2007.

*Nickey Branson*  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: Notary Public State of Mississippi At Large  
My Commission September 13, 2009  
Bonded Thru Garland, Inc.

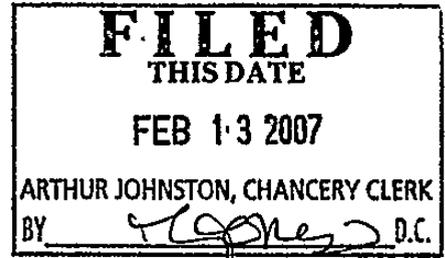
Notary Public State of Mississippi At Large  
My Commission Expires: September 13, 2009  
Bonded Thru: Garland, Inc.



Notary Public State of Mississippi At Large  
My Commission Expires: September 13, 2009  
Bonded Thru Heiden, Brooks & Garland, Inc.

**AFFIDAVIT OF SUBSCRIBING WITNESS  
TO LAST WILL AND TESTAMENT OF LUCILE JONES ALLEN**

STATE OF MISSISSIPPI  
COUNTY OF deudo



THIS DAY PERSONALLY CAME and appeared before me, the undersigned authority, in and for the jurisdiction aforesaid, the within named **SUZANNE SMITH SHARPE**, who being first duly sworn, stated on oath the following, to-wit:

1. This Affiant is one of the subscribing witnesses to the instrument of writing purporting to be the Last Will and Testament of Lucile Jones Allen, deceased, who was personally known to the Affiant, and whose signature is affixed to said Last Will and Testament which is dated November 15, 1998.
2. On November 15, 1998, the said Lucile Jones Allen signed, published and declared said instrument of writing as her Last Will and Testament, in the presence of this Affiant and in the presence of Mary M. Smith, the other subscribing witness to said instrument.
3. That the said Lucile Jones Allen was then and there of sound and disposing mind and memory, and well above the age of eighteen (18) years.
4. That this Affiant, together with Mary M. Smith, 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  
Lucile Jones Allen and in the presence of each other.

Suzanne Smith Sharpe  
SUZANNE SMITH SHARPE  
Subscribing Witness

SWORN TO AND SUBSCRIBED BEFORE ME, this the 5<sup>th</sup> day of February,  
2007.

Christye B. Sanders  
NOTARY PUBLIC

My Commission Expires: 10-20-2010

MADISON COUNTY MS This instrument was  
filed for record February 13, 2007.  
Book 41 Page 180  
ARTHUR JOHNSTON, C. C.  
BY: L. Jones D.C. 

#2007-158

B -41 P 187

LAST WILL AND TESTAMENT  
OF  
HENRY A. KAJDAN

A. A. L. L. L. L.  
THIS DATE  
FEB 15 2007  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY *Arthur Johnston* D.C.

KNOW ALL MEN BY THESE PRESENTS, That I, Henry A. Kajdan, an adult resident citizen of Ridgeland, Madison County, Mississippi, being of sound and disposing mind, memory and discretion and in a condition to make a will, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all prior testamentary disposition or dispositions of every kind, and now beginning anew, do declare as follows:

ITEM ONE: For the information of the court I make known that I have been married only once, then to Jean K. Kajdan. She has predeceased me. I have not remarried. I have two sons, Timothy P. Kajdan and Nelson A. Kajdan, and three daughters now living Stephanie Kajdan, Elizabeth Kajdan and Christine K. Hightower. My daughters Candace and Angela Kajdan predeceased me leaving no descendants. References to "my children" herein are to my five living children above. References to children, descendants and the like include adopted children.

ITEM TWO: I give devise and bequeath all of my estate, real, personal and mixed and wherever situate unto my five living children named above in equal shares. I have heretofore on occasions advanced sums to some of my children. At the time this will is written two of my children have advances still outstanding. I may in the future make further advances to them or to other children. In distribution of my estate I ask that such advances be treated as a part of my estate for distribution purposes only, that the division of the estate then be made and that the share of each child having such an outstanding advance be reduced in the amount of such advance.

*Jean* *H.K.*  
*ML*

ITEM THREE: Should one or more of my children named above die before I do leaving descendants, such descendants shall take their parent's share of my estate. Should any of such children die before me without leaving descendants, that child's share of my estate shall go to the surviving devisees indicated above, including the descendants of any deceased child.

ITEM FOUR: Should a descendant of mine become a beneficiary hereunder and be under disabilities of minority or incompetence, that beneficiary's share of my estate is given to the beneficiary's surviving parent in trust for the health, education, maintenance and welfare of the beneficiary. Every trustee of a trust created hereunder shall have all the powers and discretion granted under the Mississippi Uniform Trustee's Powers Act. Every trust created hereunder shall terminate when the beneficiary ceases to be under disabilities, but in any event within the time required under the Rule Against Perpetuities or any statute concerning such subject. The principal of any trust terminated under the preceding sentence of this item shall be distributed to the income beneficiary at the time of termination. Should a beneficiary's parent not be available to act as trustee for any reason or at any time, the Executrix, or the person who would be Executrix if my estate were then open, may appoint a successor trustee.

ITEM FIVE: I hereby nominate, constitute and appoint Stephanie Kajdan Executrix of this my Last Will and Testament. If she does not survive me, does not desire to serve, resigns or is unable at any time to serve as such for any reason, I nominate, constitute and appoint Elizabeth Kajdan Executrix hereof in her stead. Neither of my Executrices shall be required to enter into any bond to serve as such, nor report to any court her actions hereunder. To the estate now, or hereafter, possible I waive the appraisal of my

*Jan* *Harc*  
*12/11*

estate. I grant to my Executrix in the administration of my estate all power and discretion given Trustees under the Mississippi Uniform Trustee's Powers Act, including the power of sale of real or personal property without prior authorization or subsequent report to any court. My Executrix may pay any debt or claim against my estate which she finds to be valid, just and owing without requiring it to be probated, registered or allowed; however she shall not be required to pay any claim that has not been properly probated.

Witness my signature this the 19<sup>th</sup> day of June, 2006.

Henry A. Kajdan  
Henry A. Kajdan

WITNESSES:

Nancy C. Welsch

Julia A. Welsch

PROOF OF WILL

STATE OF MISSISSIPPI

COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and the aforesaid jurisdiction, the below named subscribing witnesses to that certain instrument dated the 19<sup>th</sup> day of June, 2006 styled the Last Will and Testament of Henry A. Kajdan, who, being by me first duly sworn state that Henry A. Kajdan signed, published and declared said instrument on that date in the presence of each of them; that each of the subscribing witnesses signed said instrument as subscribing witnesses at the request of said testator, in his presence and in the presence of each other; that the testator was then over the age of twenty-one (21) years and was of sound mind, memory and discretion and in condition to make a will, and that the address of each subscribing witness is shown below.

*John A. Welsch, Jr.*  
Signature

John A. Welsch, Jr.  
Print name above

Address. 105 Rolling Creek Dr

Jackson, Mississippi 39211

*Nancy C. Welsch*  
Signature

Nancy C. Welsch  
Print name above

105 Rolling Creek Dr.

Jackson, Mississippi 39211

SWORN TO AND SUBSCRIBED BEFORE ME, this the 19 day of June, 2006.

*Tiffany M. Hall*  
Notary Public

My commission expires: June 14, 2009

MADISON COUNTY MS This instrument was  
filed for record February 15<sup>th</sup>, 2007.

Book 41 Page 181  
ARTHUR JOHNSTON, C. C.

BY: Stotter D.C.



*THIS*

*SPACE LEFT*

*BLANK*

*INTENTIONALLY*

2007-190

**FILED**  
 THIS DATE  
 FEB 23 2007  
 ARTHUR JOHNSTON, CHANCERY CLERK  
 BY *Arthur Johnston* D.C.

LAST WILL AND TESTAMENT  
 OF  
 CHARLES DAVID CHRISTIAN

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

ARTICLE I.

I direct that all of my just debts (other than mortgages not due and payable), all taxes, and all expenses of my last illness and funeral be paid as soon after my death as conveniently can be done; provided, however, that nothing herein shall be construed to create a constructive trust for the payment of such amounts. I will and direct that the administration of my estate be closed as soon after my death as is reasonably possible. I direct that all taxes attributable to my estate be paid from my residuary estate.

*Charles D Christian*  
 \_\_\_\_\_  
 CHARLES D. CHRISTIAN

## ARTICLE II.

I hereby give, and bequeath all of my tangible personal property including my automobile, personal effects and all of my interest in household furniture and furnishing to my wife Frances H. Christian if she survives me. If my wife does not survive me, I give and bequeath all of such tangible properties to my children Elizabeth Marshall Christian and Charles D. Christian, Jr., in equal shares; provided however that my Executrix may sell any such property owned by me if she deems such to be in the best interest of my children and add the proceeds to my residuary estate. If either of my children is a minor at the time of distribution, my Executrix is authorized to deliver such tangible property to the guardian of my child or the adult with whom he or she is then residing.

## ARTICLE III.

I give and devise my interest in my homestead property to my wife Frances H. Christian if she survives me.

## ARTICLE IV.

I give, devise and bequeath all the rest, residue and remainder of my property unto the then acting Trustee of the Charles D. Christian Family Trust U/A 7/28, 1998.

Charles D Christian  
CHARLES D. CHRISTIAN

ARTICLE V.

Should my wife not survive me, or in the event of our simultaneous death, I appoint my sister Amelie Christian Weems as Guardian of the person and estate of such of my children as are under the age of twenty-one (21) years at the time of my death.

I hereby waive the furnishing by said Guardian of bond, inventory, and accounting. The Guardian appointed in this Article is hereby authorized to expend funds of my children, whether received from the trustee of a trust created under this will or from other sources for their clothing, food, entertainment, education, medical care and other miscellaneous expenses, and such Guardian may pay to herself any funds expended by the Guardian, individually, on behalf of my children for such purposes.

ARTICLE VI.

I appoint my wife, Frances H. Christian, as Executrix of this my Last Will and Testament. Should my said wife be unable or unwilling to serve as such, either before or after entering upon such duties, I hereby appoint my sister Amelie Christian Weems, as successor Executrix of this Will. I direct that my Executrix and/or successor Executrix be allowed to serve as such without bond and without accounting to any court and I hereby waive the requirement of an appraisal of my estate.

*Charles D Christian*

CHARLES D. CHRISTIAN

ARTICLE VII.

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

WITNESS MY SIGNATURE, this the 28 day of July, 1998.

Charles David Christian  
CHARLES DAVID CHRISTIAN

WITNESSES:

Stanley J. [Signature]  
Neil C. Butler

ATTESTATION

We, the undersigned, as subscribing witnesses, do hereby acknowledge and affirm that the foregoing written instrument was exhibited to us by Charles David Christian as his Last Will and

Testament, that he signed the same in our presence and in the presence of each of us, and that we, at his request, and in his presence and in the presence of each other, hereto affixed our signatures as subscribing witnesses thereto, this the 28 day of July, 1998.

Stan Black  
Hail C Butler

PROOF OF WILL

STATE OF MISSISSIPPI

COUNTY OF HINDS

We, D. CARL BLACK JR and GAIL C. BUTLER, on oath state that we are the subscribing witnesses to the attached written instrument dated the 28 day of July, 1998, which has been represented to be the Last Will and Testament of Charles David Christian, who indicated to us that he is a resident of and has a fixed place of residence in the City of Madison, County of Madison, State of Mississippi. On the execution date of the instrument, the Testator, in our presence and in the presence of each of us, signed the instrument at the end thereof and declared the instrument to be his Will, and requested that we attest to the execution thereof whereupon, in the presence of the Testator and in the presence of each other, each of us signed our respective names as attesting witnesses. At the time of the execution of the instrument, the Testator was over eighteen (18) years of age, and in our opinion was of sound mind, in full possession of his mental faculties, and acting without undue influence, fraud or restraint.

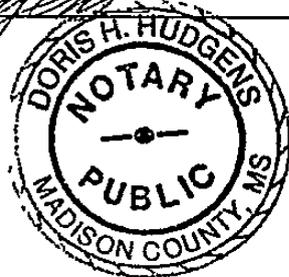
DATED this 28 day of July, 1998.

Doris H. Hudgens  
Name  
1704 Poplar Blvd  
Street Address  
Jackson, MS 39202  
City and State

Gail C Butler  
Name  
22 Marsilles St  
Street Address  
Brandon MS 39047  
City and State

Subscribed and sworn to before me on this the 28 day of July, 1998.

Doris H. Hudgens  
NOTARY PUBLIC



My Commission Expires: November 2, 2000

MADISON COUNTY MS This instrument was filed for record February 23, 2007.

Book 41 Page 192  
ARTHUR JOHNSTON, C. C.

BY: K. Sumer S.C.

