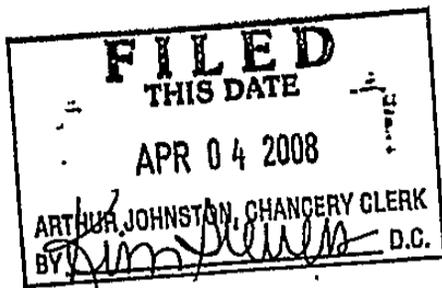


## LAST WILL AND TESTAMENT



OF

CHARLES LYNNWOOD DUNN 2008-173

STATE OF MISSISSIPPI

COUNTY OF MADISON

I, CHARLES LYNNWOOD DUNN, a resident of Madison County, Mississippi, being of sound and disposing mind and memory and above the age of twenty-one (21) years, do hereby make and publish this, my LAST WILL AND TESTAMENT, hereby revoking all Wills and Codicils at any time heretofore made by me.

## ITEM I

Simultaneously with the execution of this, my LAST WILL AND TESTAMENT, I am executing what, under Mississippi law, is termed a "Living Will."

## ITEM II

I herewith desire and direct that subsequent to my decease, any or all of my body organs may be used for transplant purposes to any other living person, but specifically prohibit the use of any of my body organs for research or any other purpose. However, I desire a Christian memorial service be held in regard to my death, which service shall be arranged by my Executrix, hereinafter named and appointed.

## ITEM III

I desire and direct that all my just debts, if any, be paid without unnecessary delay by my Executrix, hereinafter named and appointed.

## ITEM IV

I am married to PATRICIA MATHIS DUNN, and all references in this Will to "my spouse" are references to this person.

*CLD*

My children are COURTNEY ELIZABETH DUNN, born July 22, 1986, and ANNA LEIGH DUNN, born December 14, 1990. I have no deceased children. All references in this Will to "my children" include any child hereafter born to or adopted by me.

ITEM V

It is my intention by this Will to dispose of all of the separate property which I may own.

Knowing that during the administration of any estate, the possibility arises that a possible heir might claim that he or she was not made a part of this instrument either through unintentional omission or mistake, I herewith inform all my relatives and in-laws that this document was prepared only after long and considerable thought and meditation and it does set forth the distribution of my estate as I have intended.

ITEM VI

I give, devise and bequeath all of my estate, of whatsoever kind or nature and wheresoever situated, to my spouse, provided that my spouse survives me by thirty (30) days.

ITEM VII

Notwithstanding anything contained in this Will to the contrary, if any legatee or devisee dies within a period not exceeding thirty (30) days after the date of my death, all bequests, legacies or devises in this Will for the benefit of such legatee or devisee shall lapse and this Will shall be construed as though the fact were that such legatee or devisee predeceased me.

ITEM VIII

In the event that at the time of my death, I am the owner of any real estate, insurance settlement, bank account, savings account, government bond or security or instrument of indebtedness that is registered, recorded, held, or issued in the names of myself and another person so that by construction of law, or otherwise, apparently the other person is to become entitled to the whole on my death as tenant by the entirety, as joint tenant with right to survivorship, or as named beneficiary

CLD

on my death, I declare it to be my intention that all interest in such property shall pass to such surviving person, whether or not it would have vested in or passed to him by operation of law upon my death, and to the extent that it does not do so, I give and devise the same to such surviving person. I make this provision in order to eliminate any question as to the right of any such person to the full possession and ownership of such property upon my death.

ITEM IX

If my spouse should predecease me or fail to survive me by thirty (30) days, but any children of mine survive me, then I give, devise and bequeath all of the residue of my estate, both real, personal, and mixed, wherever situated to my Trustee, as herein appointed, to be held, administered, and distributed in trust in accordance with the following provisions:

A. PAYMENT AND DISTRIBUTION OF INCOME AND PRINCIPAL

(1) My Trustee shall hold my Trust Estate as a single trust to be held, administered and distributed for the benefit of my children who may be living at the date of my death pursuant to the terms thereof.

(2) My Trustee shall apply and distribute the net income and principal of my Trust Estate for the benefit of my then living children as follows:

(a) Until my youngest child attains the age of twenty-five (25), my Trustee shall pay to, or apply for the benefit of my children in monthly or other convenient installments so much of the net income and, if the net income is insufficient, so much of the principal up to the whole thereof from my Trust Estate, as the Trustee in her discretion deems advisable for my children's proper welfare, support, maintenance, education and comfort. My Trustee shall accumulate and add to the principal of this Trust Estate the balance, if any, of the said net income.

*CLJ*

(b) When my youngest child attains the age of twenty-five (25), my Trustee shall distribute the balance of my Trust Estate, including both principal and interest, equally to my children then living.

(c) While it is my intent to terminate this Trust Estate upon the twenty-fifth birthday of my youngest child, if any of my children should die prior to attaining the age of twenty-five (25) years and there are at that time no other children under the age of twenty-five (25) years, then such Trust Estate shall be terminated and my Trustee shall distribute all of the balance thereof equally to my children then living.

(d) The following terms, as used in this Will, mean:

(1) All references to the "Trust" or the "Trust Estate" unless otherwise specifically provided for herein, refer to the single trust and Trust Estate herein provided for.

(2) The term "education" refers to post-secondary education and includes both college and post graduate study or vocational or technical training at an accredited institution for any period of time that in the judgment of my Trustee is advantageous to the beneficiary. My Trustee may provide adequate amounts for all related living and travel expenses of the beneficiary within reasonable limits.

(3) In the event that one of my children should require the judicial appointment of a legal guardian of his or her person or property as a result of some unforeseen mental or physical incapacity, it is my desire that the Trust Estate established herein shall not terminate upon the

twenty-fifth (25) birthday of my youngest child, but shall continue throughout the duration of such incapacity, with all income of this trust payable to the maintenance of the ward.

(4) The Trust provided for herein shall in any event terminate on the death of the last survivor of all my children in being at the time of death.

(5) My Trustee in exercising her discretionary authority with respect to the payment of income or principal of the Trust Estate to any beneficiary shall take into consideration any income or other resources available to such beneficiary from sources outside of this Trust that may be known to the trustee. My Trustee may accept as final and conclusive the written statement of the beneficiary receiving payment as to other available income or resources. The determination of my Trustee with respect to the necessity for advisability of making payments out of income or principal to the beneficiary shall be conclusive on all persons howsoever interested in the Trust.

(6) Realizing that one child may require the expenditure of more funds than another, the payment or expenditure of net income to or for the beneficiaries need not be equal, but may be in such proportions as the Trustee may determine in her sole discretion, such determination being final and conclusive upon all beneficiaries. It is my desire, however, that insofar as consistent with the circumstances, in the Trustee's discretion, the income be paid or used in equal shares for my living children. Any income not so used shall be accumulated and added to the corpus of this Trust. The Trustee shall have the power in her discretion to encroach upon the corpus of this Trust Estate in such amounts and at such times as she may deem necessary in order to provide for the support, maintenance, care, and education of any one or more of said beneficiaries.

(7). It is my desire and intention that all of my children be treated equally with respect to the amount of money spent by me and/or this Trust for college, professional, and post graduate training. Therefore, if some of my children have received all or part of their post-secondary education at my expense, while others have not, encroachments may be made under this subparagraph and not deducted from a particular's child's share, so as to equalize, as nearly as practicable, the sums spent by me and/or this Trust for the post-secondary education of my children. If any of my children desire to receive more education than others, I desire that, as nearly as practicable, any greater sums expended by me prior to my death and/or from this Trust, for college education for one child over another, shall be deducted without interest from that particular child's share upon final distribution or upon division into separate shares.

After any of my children has finished his or her education, the Trustee shall not be required to make any payment for the support of such child unless in the judgment of the Trustee, there is ample property to support and educate my other children, or such child is unable to support himself or herself.

(8) The Trustee is authorized to encroach upon the corpus of this Trust Estate in such amounts as she may deem necessary or desirable to enable any of my children to marry, enter a trade, profession or business, purchase, or make the down-payment on a home, or for similar purposes, if the Trustee shall deem such distribution for the best interest of such child. Any payment, expenditure, or applications made under the provisions of this subparagraph shall be deducted without interest from that particular child's share upon final distribution or division into separate shares.

(9) In making the aforesaid payments for the welfare, support, maintenance, education and comfort of each of the

*CHD*

aforsaid beneficiaries, my Trustee shall give a liberal interpretation to the discretionary authority conferred by this Will so as to alleviate any undue burden on the guardian of the person of the children and on the guardian's family that might be caused in any way by the presence of the children in the guardian's home.

(10) No beneficiary or remainderman of any Trust shall have any right to alienate, encumber, or hypothecate his or her interest in the principal or income of the Trust in any manner, nor shall any interest of the beneficiary or remainderman be subject to claims of his or her creditors or liable to attachment, execution, or other process of law.

(11) If on termination of the administration of my probate estate, there has been no distribution in Trust to the Trustee and events have occurred which would require my Trustee under the terms of this Will to make immediate distribution of all property to the beneficiaries, my Executor shall perform all of the acts necessary to complete such distribution and for that purpose shall have all the powers granted by this Will to my Trustee.

B. GENERAL ADMINISTRATIVE POWERS OF THE TRUSTEE

In order to carry out the purposes of any Trust established by this Will, my Trustee, in addition to all other powers and discretions granted by this Will or by law, shall have the following powers and discretions, subject to any limitations specified elsewhere in this Will:

(1) To retain any property received by the Trust Estate for as long as my Trustee considers it advisable.

(2) To invest and reinvest in every kind of property and investment which men of prudence, discretion, and intelligence acquire for their own accounts.

(3) To manage, control, repair, and improve all trust property.

(4) To sell, for cash or on terms, and to exchange any trust property.

(5) To adjust or compromise any claims for or against the Trust, and to agree to any rescission or modification of any contract or agreement.

(6) To lease any property for terms within or beyond the duration of the Trust for any purpose which may. Trustee in her discretion may deem advisable, with or without an option to purchase, and to make such improvements or effect such repairs or replacements to any real estate subject to this Trust, and to insure such real estate against fire or any other risks, and to charge the expense, therefore to principal or income or part thereof to each as my Trustee may deem proper, and to develop such property, to subdivide it, dedicate it to public use, or grant easements therein as my Trustee may consider advisable.

(7) To borrow money and to mortgage or pledge or otherwise encumber or hypothecate trust assets as my Trustee may, in her discretion, deem advisable either from herself individually or from others.

(8) To distribute property of the Trust Estate in money or in kind, including undivided interests, or partly in money and partly in kind, including undivided interests as my Trustee deems proper; to exercise such powers, herein conferred, after the termination of the Trust Estate, until final distribution of the trust assets; and to evaluate trust property for purposes of determining the amount of the trust principal to be distributed to each beneficiary named herein, which valuation, in the absence of a showing of bad faith, shall be conclusive and binding on all concerned.

C. OPERATION PROVISIONS

(1) My Trustee shall determine what is income and what is principal of the Trust established under this Will, and what expenses, costs, taxes and charges of any kind whatsoever shall be charged against principal in accordance with the applicable statutes of the State of Mississippi as of the date of my death.

CLD

(2) I hereby appoint EMMA JEAN DUNN as the Trustee of the Trust herein established provided that she is appointed and serves as Guardian of the person of my minor children according to Paragraph XII below.

(3) No bond for the faithful performance of duties shall be required of any person appointed in this Will as Trustee.

(4) No Trustee qualified to serve as fiduciary of the Trust created under this Will shall at any time be held liable for any action or default of my Trustee or my Trustee's agent or any other person in connection with the administration of the Trust Estate, unless caused by the Trustee's own gross negligence or by a Willful commission by my Trustee of an act in breach of trust.

(5) The validity and administration of the Trust established under this Will and all questions relating to the construction and interpretation of the Trust shall be governed by the laws of the State of Mississippi.

ITEM X

(1) My Independent Executrix, whether original, substitute, or successor, and whether male or female, is referred to herein as my "Executrix". I appoint my wife, PATRICIA MATHIS DUNN, as the Independent Executrix of this Will. If my wife is unable or unwilling to act or to continue to act in that capacity, then I appoint EMMA JEAN DUNN the substitute Independent Executrix of this Will. I direct that my Executrix shall not be required to make any inventories, appraisals, or reports or returns to any court, but that said Executrix shall be excused therefrom.

(2) No bond shall have, in extension and not in limitation of the powers given by law or by other provisions of this Will, the following powers with respect to the settlement and administration of my probate estate:

*Chd*

- (a) To exercise with regard to the probate estate all of the powers and authority conferred by this Will on the Trustee over the Trust Estate.
- (b) To employ any attorney, investment advisor, accountant, broker, tax specialist, or any other agent, deemed necessary by the Executrix; and to pay from my estate reasonable compensation for all services performed by any of them.
- (c) When paying legacies or dividing or distributing my estate, to make such payments, divisions, or distribution wholly or partly in kind by allotting and transferring specific securities or other personal or real properties or undivided interests therein as a part of the whole or any one or more payments or shares as undivided in the manner deemed advisable by my Executor.

All of the above powers may be exercised from time to time in the discretion of my Executrix without further court order or license.

#### ITEM XI

In the management, care and disposition of my estate and of every trust, I confer upon the Executrix of this my LAST WILL AND TESTAMENT, and the Trustee of every trust created by this Will, and their successors in office, the power to do all things and execute such instruments as may be deemed necessary or proper, including the powers, all of which may be exercised without the order of or report of any Court. Said Executrix and Trustee shall serve without making and filing inventory and appraisal, without filing any annual or other returns or reports to any Court and without giving bond, but shall furnish at least annually a statement of receipts and disbursements to the income beneficiaries.

(CH)

If my spouse does not survive me, then I appoint EMMA JEAN DUNN guardian of my children, so long as he serves as Trustee as provided in Paragraph IX above. No bond shall be required of any person named herein for the faithful performance of the duties as Guardian.

XIII

My spouse and I are executing Wills at approximately the same time in which each of us is the primary beneficiary of the Will of the other. These Wills are not because of any agreement between my spouse and myself. Either Will may be revoked at the sole discretion of the maker thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal to this Will appearing on the signature page and the \_\_\_ preceding pages, each of which preceding page is identified by initials, this 20<sup>th</sup> day of May, 1993.

*Charles Lynnwood Dunn*  
CHARLES LYNNWOOD DUNN

Signed, sealed, published and declared by CHARLES LYNNWOOD DUNN as testator and we at HIS request and in HIS presence, and in the presence of each other have hereto subscribed our names as witnesses the date and year above set.

*John Barry Howell*  
WITNESS

*657 Storm Avenue*

*Brookhaven, Ma 39601*

*Dorothy Jean Doyier*  
WITNESS

*P.O. Box 81*

*Bottom, MS 39041*

Before me, the undersigned authority, on this day personally appeared CHARLES LYNNWOOD DUNN, and John Barry Newell and \_\_\_\_\_, known to me to be the testator and the witnesses, respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities, and, all of said persons being by me duly sworn, CHARLES LYNNWOOD DUNN, testator, declared to me and to the said witnesses in my presence that said instrument is his LAST WILL AND TESTAMENT and that he had willingly made and executed it as his free act and deed for the purposes therein expressed. The witnesses, each, on his or her oath, stated to me in the presence and hearing of the testator that the testator had declared to them that the instrument is his LAST WILL AND TESTAMENT and that he executed same as such and wanted each of them to sign as a witness; and upon his oath each witness stated further that he or she did sign the same as witness in the presence of the testator and at his request; that he was at the time eighteen (18) years of age or over and was of sound mind; and that each of said witnesses was then at least eighteen (18) years of age.

Charles Lynnwood Dunn  
 CHARLES LYNNWOOD DUNN

John Barry Newell  
 WITNESS

657 Storm Avenue  
Brookhaven, Ms 39601

\_\_\_\_\_  
 WITNESS

Sworn to and subscribed before me by CHARLES LYNNWOOD DUNN, testator, and sworn to and subscribed before me by

\_\_\_\_\_ and \_\_\_\_\_, witnesses, this 20<sup>th</sup> day of May, 1993.

Dorothy Jean Doyier  
 NOTARY PUBLIC  
 My Commission Expires Jan. 12, 1997

(SEAL)

AFFIDAVIT OF SUBSCRIBING WITNESSES 2008-173

STATE OF MISSISSIPPI

COUNTY OF Lincoln

**FILED**  
 THIS DATE  
 APR 04 2008  
 ARTHUR JOHNSTON, CHANCERY CLERK  
 BY Kim Newell D.C.

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, John Barry Newell, who after being duly sworn, on oath stated as follows:

That the instrument titled Last Will and Testament of Charles Lynnwood Dunn, herinafter referred to as "Testator", dated May 20, 1993 was exhibited by the said Testator to affiant and Dorothy Gean Dozier as Testator's Last Will and Testament, and was signed by Testator on said date in the presence of affiant and Dorothy Gean Dozier, declaring the same to be the Last Will and Testament of the Testator, and at the Testator's request and in the Testator's presence and in the presence of each other, the affiant and Dorothy Gean Dozier signed the same as witnesses.

That the Testator was on the 20<sup>th</sup> day of May, 1993, of sound and disposing mind and memory and was over the age of twenty-one years.

John Barry Newell  
John Barry Newell

SWORN TO AND SUBSCRIBED before me, this the 14<sup>th</sup> day of

March, 2008.

Lanelle S. Blairlock

NOTARY PUBLIC



My Commission Expires:

April 24, 2010

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES APRIL 24, 2010  
BONDED THRU STEGALL NOTARY SERVICE

MARCH 14, 2008

GREGORY J. WEBER  
ATTORNEY AT LAW  
POST OFFICE BOX 2353  
MADISON, MISSISSIPPI 39130

RE: CHARLES LYNNWOOD DUNN

DEAR MR. WEBER,

IN REGARDS TO ONE CHARLES LYNNWOOD DUNN, YES, THIS IS MY SIGNATURE ON A WILL THAT HE SIGNED ON MAY 20, 1993, AS I WAS A NOTARY AT THAT TIME. THIS MAN WAS COMPETENT ON THE DATE THE WILL WAS SIGNED OR I WOULD NOT HAVE SIGNED AS A WITNESS. AS FAR AS BEFORE THIS DATE OR AFTER THIS DATE, AS I DO NOT KNOW HIM OR HIS FAMILY AND HAVE NO RECOLLECTION OF HIM AT ALL AS THIS HAS BEEN 15 YEARS AGO, I DO NOT HAVE THE FAINTEST IDEA OF ANYTHING REGARDING THIS PERSON AS I DO NOT KNOW HIM.

*John Barry Newell*  
JOHN BARRY NEWELL

*Lanette L. Blacklock*  
Public

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES APRIL 24, 2010  
BONDED TO REGULATE NOTARY SERVICE

Sworn to and subscribed before  
me, this the 14<sup>th</sup> day of March,  
2008.

OF

CHARLES LYNNWOOD DUNN

STATE OF MISSISSIPPI

COUNTY OF MADISON

I, CHARLES LYNNWOOD DUNN, a resident of Madison County, Mississippi, being of sound and disposing mind and memory and above the age of twenty-one (21) years, do hereby make and publish this, my LAST WILL AND TESTAMENT, hereby revoking all Wills and Codicils at any time heretofore made by me.

ITEM I

Simultaneously with the execution of this, my LAST WILL AND TESTAMENT, I am executing what, under Mississippi law, is termed a "Living Will."

ITEM II

I herewith desire and direct that subsequent to my decease, any or all of my body organs may be used for transplant purposes to any other living person, but specifically prohibit the use of any of my body organs for research or any other purpose. However, I desire a Christian memorial service be held in regard to my death, which service shall be arranged by my Executrix, hereinafter named and appointed.

ITEM III

I desire and direct that all my just debts, if any, be paid without unnecessary delay by my Executrix, hereinafter named and appointed.

ITEM IV

I am married to PATRICIA MATHIS DUNN, and all references in this Will to "my spouse" are references to this person.

CLD

My children are COURTNEY ELIZABETH DUNN, born July 22, 1986, and ANNA LEIGH DUNN, born December 14, 1990. I have no deceased children. All references in this Will to "my children" include any child hereafter born to or adopted by me.

## ITEM V

It is my intention by this Will to dispose of all of the separate property which I may own.

Knowing that during the administration of any estate, the possibility arises that a possible heir might claim that he or she was not made a part of this instrument either through unintentional omission or mistake, I herewith inform all my relatives and in-laws that this document was prepared only after long and considerable thought and meditation and it does set forth the distribution of my estate as I have intended.

## ITEM VI

I give, devise and bequeath all of my estate, of whatsoever kind or nature and wheresoever situated, to my spouse, provided that my spouse survives me by thirty (30) days.

## ITEM VII

Notwithstanding anything contained in this Will to the contrary, if any legatee or devisee dies within a period not exceeding thirty (30) days after the date of my death, all bequests, legacies or devises in this Will for the benefit of such legatee or devisee shall lapse and this Will shall be construed as though the fact were that such legatee or devisee predeceased me.

## ITEM VIII

In the event that at the time of my death, I am the owner of any real estate, insurance settlement, bank account, savings account, government bond or security or instrument of indebtedness that is registered, recorded, held, or issued in the names of myself and another person so that by construction of law, or otherwise, apparently the other person is to become entitled to the whole on my death as tenant by the entirety, as joint tenant with right to survivorship, or as named beneficiary

CLD

on my death, I declare it to be my intention that all interest in such property shall pass to such surviving person, whether or not it would have vested in or passed to him by operation of law upon my death, and to the extent that it does not do so, I give and devise the same to such surviving person. I make this provision in order to eliminate any question as to the right of any such person to the full possession and ownership of such property upon my death.

ITEM IX

If my spouse should predecease me or fail to survive me by thirty (30) days, but any children of mine survive me, then I give, devise and bequeath all of the residue of my estate, both real, personal, and mixed, wherever situated to my Trustee, as herein appointed, to be held, administered, and distributed in trust in accordance with the following provisions:

A. PAYMENT AND DISTRIBUTION OF INCOME AND PRINCIPAL

(1) My Trustee shall hold my Trust Estate as a single trust to be held, administered and distributed for the benefit of my children who may be living at the date of my death pursuant to the terms thereof.

(2) My Trustee shall apply and distribute the net income and principal of my Trust Estate for the benefit of my then living children as follows:

(a) Until my youngest child attains the age of twenty-five (25), my Trustee shall pay to, or apply for the benefit of my children in monthly or other convenient installments so much of the net income and, if the net income is insufficient, so much of the principal up to the whole thereof from my Trust Estate, as the Trustee in her discretion deems advisable for my children's proper welfare, support, maintenance, education and comfort. My Trustee shall accumulate and add to the principal of this Trust Estate the balance, if any, of the said net income.

*CLD*

(b) When my youngest child attains the age of twenty-five (25), my Trustee shall distribute the balance of my Trust Estate, including both principal and interest, equally to my children then living.

(c) While it is my intent to terminate this Trust Estate upon the twenty-fifth birthday of my youngest child, if any of my children should die prior to attaining the age of twenty-five (25) years and there are at that time no other children under the age of twenty-five (25) years, then such Trust Estate shall be terminated and my Trustee shall distribute all of the balance thereof equally to my children then living.

(d) The following terms, as used in this Will, mean:

(1) All references to the "Trust" or the "Trust Estate" unless otherwise specifically provided for herein, refer to the single trust and Trust Estate herein provided for.

(2) The term "education" refers to post-secondary education and includes both college and post graduate study or vocational or technical training at an accredited institution for any period of time that in the judgment of my Trustee is advantageous to the beneficiary. My Trustee may provide adequate amounts for all related living and travel expenses of the beneficiary within reasonable limits.

(3) In the event that one of my children should require the judicial appointment of a legal guardian of his or her person or property as a result of some unforeseen mental or physical incapacity, it is my desire that the Trust Estate established herein shall not terminate upon the

twenty-fifth (25) birthday of my youngest child, but shall continue throughout the duration of such incapacity, with all income of this trust payable to the maintenance of the ward.

(4) The Trust provided for herein shall in any event terminate on the death of the last survivor of all my children in being at the time of death.

(5) My Trustee in exercising her discretionary authority with respect to the payment of income or principal of the Trust Estate to any beneficiary shall take into consideration any income or other resources available to such beneficiary from sources outside of this Trust that may be known to the trustee. My Trustee may accept as final and conclusive the written statement of the beneficiary receiving payment as to other available income or resources. The determination of my Trustee with respect to the necessity for advisability of making payments out of income or principal to the beneficiary shall be conclusive on all persons howsoever interested in the Trust.

(6) Realizing that one child may require the expenditure of more funds than another, the payment or expenditure of net income to or for the beneficiaries need not be equal, but may be in such proportions as the Trustee may determine in her sole discretion, such determination being final and conclusive upon all beneficiaries. It is my desire, however, that insofar as consistent with the circumstances, in the Trustee's discretion, the income be paid or used in equal shares for my living children. Any income not so used shall be accumulated and added to the corpus of this Trust. The Trustee shall have the power in her discretion to encroach upon the corpus of this Trust Estate in such amounts and at such times as she may deem necessary in order to provide for the support, maintenance, care, and education of any one or more of said beneficiaries.

(7) It is my desire and intention that all of my children be treated equally with respect to the amount of money spent by me and/or this Trust for college, professional, and post graduate training. Therefore, if some of my children have received all or part of their post-secondary education at my expense, while others have not, encroachments may be made under this subparagraph and not deducted from a particular's child's share, so as to equalize, as nearly as practicable, the sums spent by me and/or this Trust for the post-secondary education of my children. If any of my children desire to receive more education than others, I desire that, as nearly as practicable, any greater sums expended by me prior to my death and/or from this Trust, for college education for one child over another, shall be deducted without interest from that particular child's share upon final distribution or upon division into separate shares.

After any of my children has finished his or her education, the Trustee shall not be required to make any payment for the support of such child unless in the judgment of the Trustee, there is ample property to support and educate my other children, or such child is unable to support himself or herself.

(8) The Trustee is authorized to encroach upon the corpus of this Trust Estate in such amounts as she may deem necessary or desirable to enable any of my children to marry, enter a trade, profession or business, purchase, or make the down-payment on a home, or for similar purposes, if the Trustee shall deem such distribution for the best interest of such child. Any payment, expenditure, or applications made under the provisions of this subparagraph shall be deducted without interest from that particular child's share upon final distribution or division into separate shares.

(9) In making the aforesaid payments for the welfare, support, maintenance, education and comfort of each of the

aforesaid beneficiaries, my Trustee shall give a liberal interpretation to the discretionary authority conferred by this Will so as to alleviate any undue burden on the guardian of the person of the children and on the guardian's family that might be caused in any way by the presence of the children in the guardian's home.

(10) No beneficiary or remainderman of any Trust shall have any right to alienate, encumber, or hypothecate his or her interest in the principal or income of the Trust in any manner, nor shall any interest of the beneficiary or remainderman be subject to claims of his or her creditors or liable to attachment, execution, or other process of law.

(11) If on termination of the administration of my probate estate, there has been no distribution in Trust to the Trustee and events have occurred which would require my Trustee under the terms of this Will to make immediate distribution of all property to the beneficiaries, my Executor shall perform all of the acts necessary to complete such distribution and for that purpose shall have all the powers granted by this Will to my Trustee.

**B. GENERAL ADMINISTRATIVE POWERS OF THE TRUSTEE**

In order to carry out the purposes of any Trust established by this Will, my Trustee, in addition to all other powers and discretions granted by this Will or by law, shall have the following powers and discretions, subject to any limitations specified elsewhere in this Will:

(1) To retain any property received by the Trust Estate for as long as my Trustee considers it advisable.

(2) To invest and reinvest in every kind of property and investment which men of prudence, discretion, and intelligence acquire for their own accounts.

(3) To manage, control, repair, and improve all trust property.

(4) To sell, for cash or on terms, and to exchange any trust property.

*CLD*

(5) To adjust or compromise any claims for or against the Trust, and to agree to any rescission or modification of any contract or agreement.

(6) To lease any property for terms within or beyond the duration of the Trust for any purpose which may Trustee in her discretion may deem advisable, with or without an option to purchase, and to make such improvements or effect such repairs or replacements to any real estate subject to this Trust, and to insure such real estate against fire or any other risks, and to charge the expense therefore to principal or income or part thereof to each as my Trustee may deem proper, and to develop such property, to subdivide it, dedicate it to public use, or grant easements therein as my Trustee may consider advisable.

(7) To borrow money and to mortgage or pledge or otherwise encumber or hypothecate trust assets as my Trustee may, in her discretion, deem advisable either from herself individually or from others.

(8) To distribute property of the Trust Estate in money or in kind, including undivided interests, or partly in money and partly in kind, including undivided interests as my Trustee deems proper; to exercise such powers, herein conferred, after the termination of the Trust Estate, until final distribution of the trust assets; and to evaluate trust property for purposes of determining the amount of the trust principal to be distributed to each beneficiary named herein, which valuation, in the absence of a showing of bad faith, shall be conclusive and binding on all concerned.

C. OPERATION PROVISIONS

(1) My Trustee shall determine what is income and what is principal of the Trust established under this Will, and what expenses, costs, taxes and charges of any kind whatsoever shall be charged against principal in accordance with the applicable statutes of the State of Mississippi as of the date of my death.

(2) I hereby appoint EMMA JEAN DUNN as the Trustee of the Trust herein established provided that she is appointed and serves as Guardian of the person of my minor children according to Paragraph XII below.

(3) No bond for the faithful performance of duties shall be required of any person appointed in this Will as Trustee.

(4) No Trustee qualified to serve as fiduciary of the Trust created under this Will shall at any time be held liable for any action or default of my Trustee or my Trustee's agent or any other person in connection with the administration of the Trust Estate, unless caused by the Trustee's own gross negligence or by a Willful commission by my Trustee of an act in breach of trust.

(5) The validity and administration of the Trust established under this Will and all questions relating to the construction and interpretation of the Trust shall be governed by the laws of the State of Mississippi.

ITEM X

(1) My Independent Executrix, whether original, substitute, or successor, and whether male or female, is referred to herein as my "Executrix". I appoint my wife, PATRICIA MATHIS DUNN, as the Independent Executrix of this Will. If my wife is unable or unwilling to act or to continue to act in that capacity, then I appoint EMMA JEAN DUNN the substitute Independent Executrix of this Will. I direct that my Executrix shall not be required to make any inventories, appraisals, or reports or returns to any court, but that said Executrix shall be excused therefrom.

(2) No bond shall have, in extension and not in limitation of the powers given by law or by other provisions of this Will, the following powers with respect to the settlement and administration of my probate estate:

*Chd*

- (a) To exercise with regard to the probate estate all of the powers and authority conferred by this Will on the Trustee over the Trust Estate.
- (b) To employ any attorney, investment advisor, accountant, broker, tax specialist, or any other agent deemed necessary by the Executrix; and to pay from my estate reasonable compensation for all services performed by any of them.
- (c) When paying legacies or dividing or distributing my estate, to make such payments, divisions, or distribution wholly or partly in kind by allotting and transferring specific securities or other personal or real properties or undivided interests therein as a part of the whole or any one or more payments or shares as undivided in the manner deemed advisable by my Executor.

All of the above powers may be exercised from time to time in the discretion of my Executrix without further court order or license.

ITEM XI

In the management, care and disposition of my estate and of every trust, I confer upon the Executrix of this my LAST WILL AND TESTAMENT, and the Trustee of every trust created by this Will, and their successors in office, the power to do all things and execute such instruments as may be deemed necessary or proper, including the powers, all of which may be exercised without the order of or report of any Court. Said Executrix and Trustee shall serve without making and filing inventory and appraisal, without filing any annual or other returns or reports to any Court and without giving bond, but shall furnish at least annually a statement of receipts and disbursements to the income beneficiaries.

*Chd*

ITEM XII

If my spouse does not survive me, then I appoint EMMA JEAN DUNN guardian of my children, so long as he serves as Trustee as provided in Paragraph IX above. No bond shall be required of any person named herein for the faithful performance of the duties as Guardian.

XIII

My spouse and I are executing Wills at approximately the same time in which each of us is the primary beneficiary of the Will of the other. These Wills are not because of any agreement between my spouse and myself. Either Will may be revoked at the sole discretion of the maker thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal to this Will appearing on the signature page and the preceding pages, each of which preceding page is identified by initials, this 20<sup>th</sup> day of May, 1993.

*Charles Lynnwood Dunn*  
CHARLES LYNNWOOD DUNN

Signed, sealed, published and declared by CHARLES LYNNWOOD DUNN as testator and we at HIS request and in HIS presence, and in the presence of each other have hereto subscribed our names as witnesses the date and year above set.

<i>John Barry Howell</i>	<i>657 Storm Avenue</i>
WITNESS	<i>Brookhaven, Ms 39601</i>
<i>Dorothy Jean Dyer</i>	<i>P.O. Box 81</i>
WITNESS	<i>Bellows, MS 39041</i>

Before me, the undersigned authority, on this day personally appeared CHARLES LYNNWOOD DUNN, and John Barry Newell and \_\_\_\_\_, known to me to be the testator and the witnesses, respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities, and, all of said persons being by me duly sworn, CHARLES LYNNWOOD DUNN, testator, declared to me and to the said witnesses in my presence that said instrument is his LAST WILL AND TESTAMENT and that he had willingly made and executed it as his free act and deed for the purposes therein expressed. The witnesses, each on his or her oath, stated to me in the presence and hearing of the testator that the testator had declared to them that the instrument is his LAST WILL AND TESTAMENT and that he executed same as such and wanted each of them to sign as a witness; and upon his oath each witness stated further that he or she did sign the same as witness in the presence of the testator and at his request; that he was at the time eighteen (18) years of age or over and was of sound mind; and that each of said witnesses was then at least eighteen (18) years of age.

Charles L. Dunn  
CHARLES LYNNWOOD DUNN

John Barry Newell  
WITNESS

657 Storm Avenue  
Brookhaven, Ms 39601

WITNESS \_\_\_\_\_

Sworn to and subscribed before me by CHARLES LYNNWOOD DUNN, testator, and sworn to and subscribed before me by \_\_\_\_\_ and \_\_\_\_\_, witnesses, this 20<sup>th</sup> day of May, 1993.

Dorothy Jean Doyier  
NOTARY PUBLIC My Commission Expires Jan 12, 1997

(SEAL)

Page Twelve

MADISON COUNTY MS, This instrument was filed for record April 4, 2008  
Book 42 Page 710  
ARTHUR JOHNSTON, C. C.  
BY: K. Stevens D.C.



**FILED**  
THIS DATE  
APR 04 2008  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY *[Signature]* D.C.

BOOK 042 PAGE 724

LAST WILL AND TESTAMENT OF  
ROY HAMILTON MCDANIEL

2008-0084

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

ITEM I

EXECUTOR AND SUCCESSORS

I appoint my son, Donald H. McDaniel, as Executor of my Estate under this Will. If Donald H. McDaniel is unable or unwilling to serve as Executor, I appoint my son, David Borden McDaniel, and my daughter, Susan Elizabeth Steinberg, as successor Co-Executors of my Estate under this Will. If either of the successor Co-Executors should be or become unwilling or unable to serve as Co-Executor, the other shall continue to serve as sole Executor hereunder. My Executor and his successors are herein referred to as "my Executor".

ITEM II

WIFE AND CHILDREN

My wife's name is Mildred Borden McDaniel, and she is sometimes referred to herein as "my wife". I have three (3) children now living, and they are David Borden McDaniel, Donald Hamilton McDaniel, and Susan Elizabeth Steinberg, all of whom are adults. They are herein referred to as "my children".

ITEM III

PAYMENT OF DEBTS AND EXPENSES

I direct my Executor to pay all of my just debts and obligations which are probated, registered and allowed against my estate as soon as may be conveniently done.

I further direct my Executor to pay all of my funeral expenses (including the cost of a suitable monument at my grave), expenses of my last illness, and the costs of administration of my estate as soon as practicable after my death; provided, however, my Executor

shall not be required to pay any obligation in advance of its maturity. My Executor, in my Executor's sole discretion, may pay from my domiciliary estate all or any portion of the costs of ancillary administration and similar proceedings in other jurisdictions.

ITEM IV

PERSONAL EFFECTS AND HOME

A. If Wife Survives Me. I give, devise and bequeath to my wife, Mildred Borden McDaniel, if she survives me, all of my household furniture and furnishings, chinaware, silverware and linens, automobiles, clothing, jewelry, sport equipment and other tangible personal property located in my home, and policies of insurance thereon, but not including cash, bank accounts, securities or intangible property.

B. If Wife Does Not Survive Me. If my wife does not survive me, the tangible personal property described above shall be distributed in equal shares to my children to divide as they agree, or if they fail to agree within six months from the date of my death, as they may select by casting lots to determine the order in which they shall select, with each of them to select in the aggregate items of comparable value in this rotating fashion.

I direct that any expenses incurred in safeguarding or delivering such property be paid from my estate as an administration expense thereof.

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

ITEM V

RESIDUE

If my wife survives me, I devise and bequeath to her for her lifetime only all the rest and residue of my estate.

A. My wife shall be entitled to the use, possession and occupancy of all property in which she holds a life estate by virtue of this Item of my Will. She shall not be required to furnish any inventory, bond or other security for any part of this property or to account to the remainder beneficiaries for any waste, injury, or damage to or depreciation of the property. She shall not be liable for the payment of any encumbrances or assessments on the property in which she holds a life interest, all of which shall be paid from principal of the life estate property or by the remaindermen.

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

C. The net income realized from the assets herein conveyed to my wife shall be paid to her in convenient installments, and no less often than annually. She shall continue to receive the net income as long as she shall live.

D. Upon the death of my wife any income earned by the

property of this life estate which has not been distributed to my wife shall be distributed to her estate or as she appoints by her Last Will and Testament. The entire remaining property conveyed to my wife by this Item of my Will, in whatever form it may then exist, shall be paid over and distributed according to Item VI of this Will.

ITEM VI

RESIDUE IF WIFE DOES NOT SURVIVE OR UPON HER DEATH

In the event that my wife does not survive me or upon her death, the rest, residue and remainder of my estate shall be divided into equal shares and distributed outright to my children, per stirpes. If one or more of my children shall not be living at the time any distribution to my children is required under any provision of this Will, the interest of such deceased child shall be distributed to his children, per stirpes.

ITEM VII

SIMULTANEOUS DEATH

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

ITEM VIII

EXECUTOR POWERS

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

B. Waiver of Bond, Appraisal, Inventory and Accounting. I direct that neither my Executor nor any successor Executor or

personal representative shall be required to make any bond as Executor. To the extent permissible by law, I waive the requirement that my Executor or any successor Executor be required to make a formal appraisal, provide an inventory or file an accounting for my estate with any court.

C. Discretion to Select Property to be Distributed. My Executor shall have discretion to select property to be distributed in satisfaction of any devise or bequest provided in this Will. My Executor shall exercise this discretion in a manner which is impartial to all beneficiaries under this Will. My Executor may satisfy any pecuniary bequest provided in this Will in cash or in kind or partly in cash and partly in kind; however, any asset distributed in kind shall be valued at its date of distribution value. My Executor shall not exercise this discretion in any manner which will result in a loss of or decrease in the marital deduction otherwise allowable in determining the federal estate tax due by my estate.

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

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

F. Executor to Have All Powers Conferred by Law. My Executor shall have the power to exercise all powers conferred by law upon trustees by the Uniform Trustees' Powers Law of Mississippi and all powers conferred by law upon executors and all

powers granted herein without prior authority from any Court; however, my Executor may seek Court authority if doing so is the best interest of my Executor, my estate or my beneficiaries.

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

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

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

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

K. Right to Sell or Lease Without Court Approval. My Executor shall not be required to reduce all or any of my personal or real property to cash during the administration of my estate,

but in my Executor's discretion may sell or lease any of my property in such manner and on such terms and conditions as my Executor may deem advisable, without notice and without the necessity of Court approval or authorization. In connection with a sale or lease, my Executor may execute and deliver such deeds, leases or other instruments relating thereto.

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

IN WITNESS WHEREOF, I have signed and declared this to be my Last Will and Testament on this the 6<sup>th</sup> day of August, 1994.

Roy Hamilton McDaniel  
ROY HAMILTON MCDANIEL

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

Thomas D. G...  
WITNESS

of 714 EAGLE AVE JACKSON, MS  
ADDRESS

Susan A. Sober  
WITNESS

of 714 Eagle Ave Jxn, MS  
ADDRESS

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
ROY HAMILTON MCDANIEL, DECEASED

CIVIL ACTION,  
FILE NO. 2008-0084

PROOF OF WILL

STATE OF Tennessee  
COUNTY OF Hardin

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction above mentioned, Thomas D. Gober, one of the subscribing witnesses to a certain instrument of writing purported to be the Last Will and Testament of ROY HAMILTON MCDANIEL, who being duly sworn, deposed and said that the said ROY HAMILTON MCDANIEL published and declared said instrument as his Last Will and Testament on the 6th day of August, 1994, the day of the date of said instrument, in the presence of this deponent and in the presence of Susan J. Gober, and that said Testator was then of sound and disposing mind and memory and more than twenty-one (21) years of age, and this deponent and Susan J. Gober subscribed and attested said instrument as witnesses to the signature and publication thereof at the special instance of said Testator and in the presence of said Testator and in the presence of each other on the day and year of the date of said instrument.

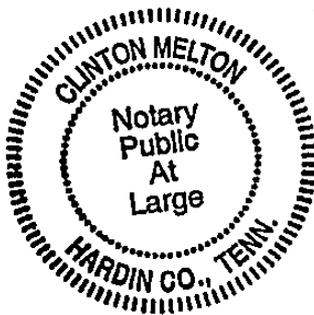
WITNESS MY SIGNATURE on this the 24<sup>th</sup> day of March, 2008.

Thomas D. Gober  
THOMAS D. GOBER

SWORN TO AND SUBSCRIBED BEFORE ME on this the 24<sup>th</sup> day of March, 2008.

Clinton Melton  
NOTARY PUBLIC

My Commission Expires:  
11-02-2011  
(SEAL)



IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
ROY HAMILTON MCDANIEL, DECEASED

CIVIL ACTION,  
FILE NO. 2008-0084

PROOF OF WILL

STATE OF MISSISSIPPI  
COUNTY OF Alcorn

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction above mentioned, Susan J. Gober, one of the subscribing witnesses to a certain instrument of writing purported to be the Last Will and Testament of ROY HAMILTON MCDANIEL, who being duly sworn, deposed and said that the said ROY HAMILTON MCDANIEL published and declared said instrument as his Last Will and Testament on the 6th day of August, 1994, the day of the date of said instrument, in the presence of this deponent and in the presence of **Thomas D. Gober**, and that said Testator was then of sound and disposing mind and memory and more than twenty-one (21) years of age, and this deponent and Susan J. Gober subscribed and attested said instrument as witnesses to the signature and publication thereof at the special instance of said Testator and in the presence of said Testator and in the presence of each other on the day and year of the date of said instrument.

WITNESS MY SIGNATURE on this the 12 day of March, 2008.

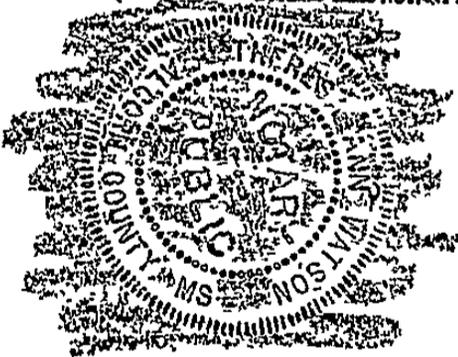
Susan J. Gober Sellers  
SUSAN J. GOBER

SWORN TO AND SUBSCRIBED BEFORE ME on this the 12 day of March, 2008.

Shereen A. Watson  
NOTARY PUBLIC

My Commission Expires:

(SEAL) NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: May 21, 2009  
BOGGED TERU NOTARY PUBLIC UNDERWRITERS



MADISON COUNTY MS. This instrument was  
filed for record April 7 2008.

Book 42 Page 731  
ARTHUR JOHNSTON, C. C.  
BY: R. Sellers D.C.



LAST WILL AND TESTAMENT  
OF  
JAMES E. ATWOOD

I, the undersigned, JAMES E. ATWOOD, being of sound and disposing mind and over the age of twenty-one years, do hereby make, publish, and declare this to be my Last Will and Testament:

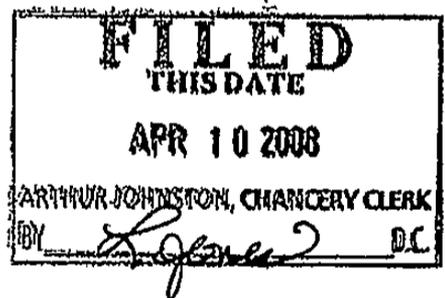
1. I desire that all of my just debts be paid.
2. All the remainder and residue of my estate, after payment of my just debts, I hereby will, bequeath, and devise unto my beloved wife, NETTIE BERRYHILL ATWOOD.
3. In the event my wife and I are killed in a common disaster, then I hereby will, devise, and bequeath all of my estate remaining after payment of debts to my daughter, Sherrill Ann Atwood.
4. I hereby appoint my said wife, Nettie Berryhill Atwood, as Executrix of this Will and specifically waive any requirement that she post any bond, make appraisal of my estate, or make any reports to any court.

WITNESS MY SIGNATURE this the 25 day of September, 1972.

James E. Atwood  
JAMES E. ATWOOD

WITNESSES:

Mrs. William D. Seale, Jr.  
Minest M. Lamm



CERTIFICATE

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

Witness our signatures this the 25 day of September, 1972

Mrs. William D. Seale, Jr.  
Minest M. Lamm



IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE LAST WILL  
AND TESTAMENT OF JAMES EDWARD ATWOOD

CAUSE NO. 2008-254

NETTIE BERRYHILL ATWOOD, PETITIONER

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF MADISON

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Mrs. William D. Seale, Jr., who by me being first duly sworn, deposes and states on oath that she is one of the subscribing witnesses to that certain instrument of writing purporting to be the Last Will and Testament of James Edward Atwood; that said James Edward Atwood signed, published and declared said instrument to be his Last Will and Testament on September 25, 1972, in the presence of this affiant and W. Ernest McLaurin, the other subscribing witness to said instrument; and that said Testator was then of sound and disposing mind and memory, and over the age of eighteen (18) years; that this affiant and W. Ernest McLaurin subscribed and attested said instrument as witnesses to the signature and publication thereof at the special instance and request and in the presence of said Testator and in the presence of each other.

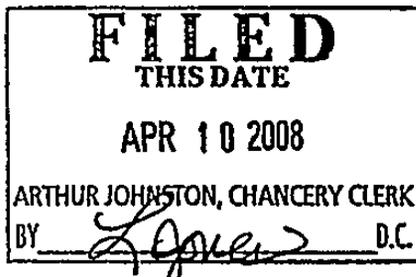
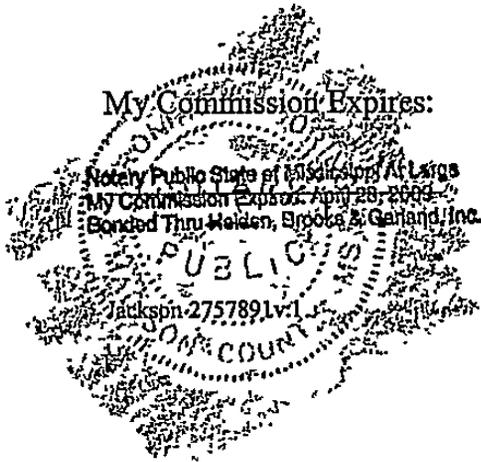
The original of said Last Will and Testament is attached to this affidavit and this affidavit is executed by this affiant in proof of said Last Will and Testament, and for the purpose of probating the same in the Chancery Court of Madison County, Mississippi.

Mrs. William D. Seale, Jr.  
Mrs. William D. Seale, Jr.

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

2008.

Armonia C. Collins  
NOTARY PUBLIC



MADISON COUNTY MS This instrument was filed for record April 10, 2008.

Book 42 Page 734  
ARTHUR JOHNSTON, C. C.

BY: [Signature] D.C.



CODICIL OF ROY HAMILTON MCDANIEL 2008-0084

I, Roy Hamilton McDaniel, an adult resident citizen of Jackson, Hinds County, Mississippi, being of sound and disposing mind and memory, hereby make, publish and declare this to be a codicil to my Last Will and Testament dated August 6, 1994.

Item IV, paragraph B is hereby amended to read as follows:

B. If wife does not survive me, the tangible personal property described above shall be distributed 40% to my daughter, Susan M. Steinberg, 30% to my son, David B. McDaniel, and 30% to my son, Donald H. McDaniel.

I direct that any expenses incurred in safeguarding or delivering such property be paid from my estate as an administration expense thereof

Item VI is hereby amended to read as follows

In the event that my wife does not survive me or upon her death, the rest, residue and remainder of my estate shall be divided 40% to my daughter, Susan M. Steinberg, 30% to my son, David B. McDaniel and 30% to my son Donald H. McDaniel. If one or more of my children shall not be living at the time any distribution to my children is required under any provision of this Will, the interest of such deceased child shall be distributed to his or her children, per stirpes.

In other respects my aforesaid Last Will and Testament shall remain unchanged.

IN WITNESS WHEREOF, I have signed and declared this to be my Codicil to my Last Will and Testament dated August 6, 1994, on this 21<sup>st</sup> day of Nov, 1998.

Roy Hamilton McDaniel
ROY HAMILTON MCDANIEL

This instrument was, on the day and year shown above, signed, published, and declared by Roy Hamilton McDaniel to be his Codicil to his Last Will and Testament dated August 6, 1994, in our presence and we have subscribed our names as witnesses in his presence and in the presence of each other.

Cecilia S. Sherf
WITNESS

Of 110 Windsor Hills Dr.
Madison, Ms. 39110
Address

Jannel G. Shaw
WITNESS

Of 110 Windsor Hills Drive
Madison, MS 39110
Address

FILED
THIS DATE
APR 14 2008
ARTHUR JOHNSON, CHANCERY CLERK
BY [Signature] D.C.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
ROY HAMILTON MCDANIEL, DECEASED

CIVIL ACTION,  
FILE NO. 2008-0084

PROOF OF WILL

STATE OF MISSISSIPPI  
COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction above mentioned, Cadien P. Shaw, Jr., one of the subscribing witnesses to a certain instrument of writing purported to be the Codicil of ROY HAMILTON MCDANIEL, who being duly sworn, deposed and said that the said ROY HAMILTON MCDANIEL published and declared said instrument on November 21, 1998, the day of the date of said instrument, in the presence of this deponent and in the presence of Joanne A. Shaw, and that said Testator was then of sound and disposing mind and memory and more than twenty-one (21) years of age, and this deponent and Joanne A. Shaw subscribed and attested said instrument as witnesses to the signature and publication thereof at the special instance of said Testator and in the presence of said Testator and in the presence of each other on the day and year of the date of said instrument.

WITNESS MY SIGNATURE on this the 7 day of <sup>February</sup>~~January~~, 2008.

Cadien P. Shaw Jr.  
CADIEN P. SHAW, JR.

SWORN TO AND SUBSCRIBED BEFORE ME on this the 7<sup>th</sup> day of <sup>February</sup>~~January~~, 2008.

Darlene R. Parker  
NOTARY PUBLIC

My Commission Expires:



BOOK 042 # 737  
IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
ROY HAMILTON MCDANIEL, DECEASED

CIVIL ACTION,  
FILE NO. 2008-0084

PROOF OF WILL

STATE OF MISSISSIPPI  
COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction above mentioned, Joanne A. Shaw, one of the subscribing witnesses to a certain instrument of writing purported to be the Codicil of ROY HAMILTON MCDANIEL, who being duly sworn, deposed and said that the said ROY HAMILTON MCDANIEL published and declared said instrument on November 21, 1998, the day of the date of said instrument, in the presence of this deponent and in the presence of Cadien P. Shaw, Jr., and that said Testator was then of sound and disposing mind and memory and more than twenty-one (21) years of age, and this deponent and Cadien P. Shaw, Jr. subscribed and attested said instrument as witnesses to the signature and publication thereof at the special instance of said Testator and in the presence of said Testator and in the presence of each other on the day and year of the date of said instrument.

WITNESS MY SIGNATURE on this the 28<sup>th</sup> day of January, 2008.

Joanne A. Shaw  
JOANNE A. SHAW

SWORN TO AND SUBSCRIBED BEFORE ME on this the 28<sup>th</sup> day of January, 2008.

Darlene R. Parker  
NOTARY PUBLIC



MADISON COUNTY MS This instrument was  
filed for record April 14, 2008  
Book 42 Page 735  
ARTHUR JOHNSTON, C. C.  
BY: K. S. [Signature] D.C.

3-3

**FILED**  
THIS DATE  
APR 15 2008  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY *Ben Smith* D.C.

BOOK 042 PAGE 738

2008-302

LAST WILL AND TESTAMENT OF  
WILLIAM G. SMITH

~~William G. Smith~~, of Madison County, Mississippi, declare this to be my Will and hereby revoke any Will or Codicil I may have made.

Article I.

I devise and bequeath all of my estate being all of my property, both real and person, wherever situated, in which I may have an interest at the date of my death not otherwise effectively disposed of to my wife, Margaret Smith.

Article II.

In the event that my wife predeceases me, I devise and bequeath all of my estate to my daughter, Elizabeth S. Kendrick, and to two of my granddaughters, Amy Campbell Bingley and Melissa Elaine Campbell with fifty percent to go to my daughter Elizabeth S. Kendrick; and the two named granddaughters to equally share the remaining fifty percent. If my daughter, Elizabeth S. Kendrick, shall predecease me, I give her share of my estate to my Trustee, George Kendrick, to be held in trust for the two children of Elizabeth S. Kendrick and George Kendrick, to share equally.

A.

The Trustee shall hold and administer the assets of the Trust for the use and benefit of the Beneficiaries for the purpose of their health, education and general welfare in accordance with their accustomed standard of living as much as is possible, considering the value of the Trust property and their other sources of income until each beneficiary reaches the age of twenty-three (23).

*WGS*  
WILLIAM G. SMITH

7-23-04  
DATE

B.

The Trustee, may in his discretion, distribute to or for the benefit of the named Beneficiaries, such portions of the income and principal of the Trust as he in his sole discretion shall determine to be necessary to accomplish the purposes of this Trust. The Trustee may make such distributions as often or as seldom as he may determine in his sole discretion without the necessity of any court authority or approval, this being a private trust.

Article III

Neither the principal nor the income of any Trust provision contained in this Will nor any part of same shall be liable for the debts of any Beneficiary hereunder, nor shall the same be subject to seizure by any Creditor of any Beneficiary, and no Beneficiary therein shall have any power to sell, assign, transfer, encumber, or in any manner to anticipate or dispose of his or her interest in the Trust fund, nor any part of same nor the income produced from said fund nor any part of same.

Article IV.

In the event that my wife, Margaret Smith, and I die under circumstances where it is difficult to determine who died first, I direct that she be deemed to have survived me and the terms of her Will shall take precedence over any Will or Codicil that I may have made, notwithstanding any provisions of the law to the contrary

Article V

I appoint my wife, Margaret Smith, as Executor of my Will, or if she fails to qualify or ceases to act, I appoint my nephew, Leland S. Smith, III, all to serve without bond, inventory,

W G S  
WILLIAM G. SMITH

7-23-04  
DATE

appraisal or accounting to any Court and to have all the powers during the administration of my estate as are granted to Trustees under the Mississippi Uniform Trustee's Powers Act or any other law including the power to sell any of my real or personal property at public auction or private sale, for cash or credit, or to mortgage it or to lease it, all to be exercised without Court order.

I, William G. Smith, having signed this Will in the presence of Linda S. Phillips  
\_\_\_\_\_ and Angela M. Gillespie who attested it at my request on this the  
23 day of July, 2004.

William G. Smith

The above and foregoing Will of William G. Smith was declared by him in our presence to be his Will and was signed by the said William G. Smith in our presence and at her request and in her presence and in the presence of each other, we, the undersigned witnessed and attested the due execution of the Will of William G. Smith on this the 23 day of July, 2004.

Linda S. Phillips  
WITNESS  
ADDRESS: 875 William Blvd, #210  
Ridgeland, MS 39157

Angela M. Gillespie  
WITNESS  
ADDRESS: 655 Ralfe Circle  
Ridgeland, MS 39157

MADISON COUNTY MS This instrument was  
filed for record April 15, 2008.

Book 42 Page 738

ARTHUR JOHNSTON, C. C

BY: K. Stewis D.C.



## LAST WILL AND TESTAMENT 2008-321

OF

ANNIE LAURIE GOFF EASTER ROBERTS

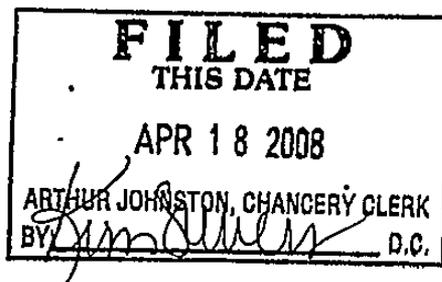
KNOWN ALL MEN BY THESE PREMISES, that I, ANNIE LAURIE GOFF EASTER ROBERTS, an adult resident citizen over the age of eighteen (18) years, of Madison County, Mississippi, being of sound mind and disposing memory, do hereby make, publish and declare this to be my Last Will and Testament, and I do hereby revoke all other Wills and Codicils heretofore made by me.

ARTICLE I.

I direct my Executrix to pay out of the principal of my estate all my just debts, general expenses and cost of administration of my estate. I further direct my Executrix to pay, without right of reimbursement and as a part of the expenses of administration my estate, all inheritance, estate, transfer and succession taxes, including interest and penalties thereon, which may be assessed by reason of my death on any property, or interest therein, included in my gross estate for tax purposes.

ARTICLE II.

I hereby designate and appoint my Daughter, LILLIAN ANN EASTER MCCORMICK serve as Executrix of this my Last Will and Testament, and to serve without the necessity of bond. I further hereby waive the necessity of an inventory and/or appraisals and/or accounting, subject to the request and/or requirement of a Court of competent jurisdiction upon probate of this my Last Will and Testament.



ARTICLE III.

I give, devise and bequeath all of my property, both real and personal to be distributed as follows:

To my Daughters, LILLIAN ANN EASTER MCCORMICK and BEVERLY ELAINE EASTER REDD (MONTGOMERY) I give, devise and bequeath any and all real property which I may own at the time of my death which shall include my home and contents located at 236 Roberts Road, Canton, Madison County, Mississippi.

To my Daughter, FRANCES DIANE HILL, I give, devise and bequeath any and all of the livestock and china that I may have at the time of my death. In the event she does not want the china, I give, devise and bequeath any and all of the china to Rebecca Lynn Redd.

To my Daughter, BEVERLY ELAINE EASTER REDD (MONTGOMERY), I give, devise and bequeath all of the knives and forks that I may have at the time of my death which match the set that she owns.

To my Grandson, DAVID REDD, I give, devise and bequeath any and all of the firearms and guns that I may own at the time of my death.

To my Granddaughter, REBECCA LYNN REDD, I give, devise and bequeath my Piano, all music, and any and all Crystal that I may own at the time of my death.

In the event there shall be any residual assets, real or personal property not disposed of above, then I give, devise and bequeath same to my Daughters, LILLIAN ANN EASTER MCCORMICK, BEVERLY ELAINE EASTER REDD (MONTGOMERY) and FRANCES DIANE HILL, to share and share alike.

WITNESS MY SIGNATURE, this the \_\_\_\_\_ day of \_\_\_\_\_, 2002.

*Annie Laurie Goff Easter Roberts*  
ANNIE LAURIE GOFF EASTER ROBERTS

SUBSCRIBING WITNESSES:

*Eryn Kocel*  
WITNESS

1515 Sunset Dr. Canton, ms 39044  
ADDRESS

*Rebecca Lynn Redd*  
WITNESS

270 Moss Rd, Canton ms 39044  
ADDRESS

ATTESTATION CLAUSE  
AND AFFIDAVIT OF SUBSCRIBING WITNESSES

STATE OF MISSISSIPPI

COUNTY OF Madison

PERSONALLY, appeared before me this date, the undersigned authority in and for the jurisdiction aforesaid, the within named Eryn Rourke and Priscilla Lott, who, respectively, after being by me duly sworn on their oath, state that the two (2) of them are the subscribing witnesses to the Last Will and Testament of ANNIE LAURIE GOFF EASTER ROBERTS, and that they, respectively and jointly, certify that said instrument was declared by the said ANNIE LAURIE GOFF EASTER ROBERTS, to be her Last Will and Testament and same was so declared in their joint and immediate presence and that they signed their names thereon as subscribing witnesses at the request of ANNIE LAURIE GOFF EASTER ROBERTS, Testator, in her immediate presence and in the immediate presence of each other; and further, they state, respectively, that they are adult resident citizens of the State of Mississippi and that they are competent to testify as to the matter contained herein; that they are respectively acquainted with ANNIE LAURIE GOFF EASTER ROBERTS on a personal basis, and they know, from their own personal knowledge that said Testator is a resident citizen of Madison County, Mississippi, over the age of eighteen (18) years and of sound and disposing mind and memory and fully capable of appreciating the acts and the consequences thereof on this date of signature and for some time theretofore.

Eryn Rourke  
WITNESS

Priscilla Lott  
WITNESS

1515 Sunset Dr.  
ADDRESS

270 Moss Rd  
ADDRESS

Canton, ms 39044  
CITY, STATE AND ZIP CODE

Canton ms 39044  
CITY, STATE AND ZIP CODE

SWORN TO AND SUBSCRIBE BEFORE ME, this the 21<sup>st</sup> day of March, 2002.

Jay Watts Carter  
NOTARY PUBLIC

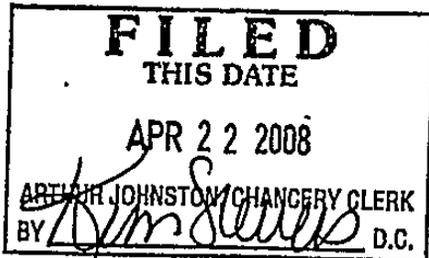
MY COMMISSION EXPIRES:



MADISON COUNTY MS. This instrument was filed for record April 18, 2008.  
Book 42 Page 743  
ARTHUR, JOHNSTON, C. C.  
BY A. Sullivan D.C.



## LAST WILL AND TESTAMENT 2008-307



OF

JOHNNIE P. WAGGENER

I, JOHNNIE P. WAGGENER, being one and the same person as Johnnie Perry Waggener, a resident of Madison County, Mississippi, being above the age of twenty-one years and being of sound and disposing mind and memory, and desiring to arrange my worldly affairs and material possessions in an orderly and just manner, and to better safeguard the interest of those to whom I am most obligated, do this day, make, ordain, declare and publish in the presence of witnesses this instrument of writing as my Last will and Testament, hereby expressly revoking any and all former wills and codicils thereto heretobefore made by me.

## ITEM I

I hereby name, nominate and appoint Perry C. Waggener as Executor of my Estate and of whom no bond, security, inventory, appraisal or accounting shall be required by the Court for his serving in such capacity. In the event that he should be unable or unwilling to so serve, I hereby name, nominate and appoint Charles K. Waggener, to serve in the place and stead of Perry C. Waggener, and upon the same terms and conditions as herein set forth for him.

Except as may be otherwise herein set forth, I hereby give my Executor absolute power and authority to sell at public or private sale, for cash or credit, with or without security, to mortgage, lease and dispose of and distribute in kind, all property, real, personal and mixed,

at such times and upon such terms and conditions as he may determine in his sole discretion and judgment, all without the necessity of approval, Order or Judgment of any Court; and to execute good and sufficient deeds and other instruments necessary or proper to convey and transfer the same to one or more purchasers and said purchasers shall not be bound to see to the application of the purchase money. I hereby give and grant my Executor the power to retain accountants, custodians, counsel and such other persons as he may deem advisable in the administration of my estate, and to make such payments therefor as he may deem reasonable.

#### ITEM II

I hereby direct my Executor to pay out of my Estate all of my just debts, including the expenses of my last illness and funeral to accord my body a Christian burial commensurate with my station in life and in accordance with the rites of my faith, and to settle any uncertain or disputed claim against my Estate in his sole and absolute discretion. I further direct my Executor to pay all federal and state estate, inheritance, succession, transfer 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 gross estate for the purpose of such taxes, whether or not included in my estate for probate purposes.

#### ITEM III

I hereby declare that such advancements as I may have made or may hereafter make to any person named in this Last Will and Testament shall be in addition to, and not in satisfaction of any legacies, shares, portions, or other benefits given them under my Will and their gift, devise or bequest set forth herein shall not be reduced by any such advancement.

ITEM IV

I hereby give, devise and bequeath unto my son, Perry C. Waggener, the following property from my estate:

- My Oak Table & Chairs;
- My TV & Entertainment Center;
- My Dining Table & 6 Chairs;
- My Glass Top Buffet;
- My Sideboard Table;
- My Settee Couch & Chairs;
- My Sidearm Chair in the Extra Bedroom; and
- One-third of my Money in any Bank Account (after all debts are paid).

ITEM V

I hereby give, devise and bequeath unto my son, Charles K. Waggener, the following property from my estate:

- My Wicker Furniture;
- My Marie Hull Picture;
- My Recliner;
- My Secretary Desk;
- My Library Table;
- My Bed in my bedroom;
- My Small Round Table w/Glass Top;

My Tall Clock;

My Coo Coo Clock;

My Two Old Paintings (Aunt Bera);

One 18K Diamond Ring 4-prong Solitaire (Eva's Ring);

One 14K White Gold 7 Diamond Fashion Ring; and

One-third of my Money in any Bank Account (after all debts are paid).

ITEM VI

I hereby give, devise and bequeath unto my son, Dennis Alton Waggener, Jr., the following property from my estate:

My Couch & Love Seat;

My End Tables in the Living Room;

My Coffee Table in the Living Room;

My 2 Pink Chairs;

My Desk, Bed & Chair in the Extra Bedroom;

My Quilt Rack;

My 2 Oak End Tables in my Bedroom;

My Long Coffee Table in my Bedroom;

My Small Jewelry Box in my bedroom;

My Small TV (Trinitron);

One-half of the diamonds in my 14K 2-Diamond Pendant;

One-third of my Money in any Bank Account (after all debts are paid), and

My automobile which I own at the time of my death, subject however to the right of the exclusive use and possession thereof by Sarah Eva Perry for such period

of time after my death as Perry C. Waggener and Charles K. Waggener shall deem to be convenient or necessary for the benefit of Sarah Eva Perry.

**ITEM VII**

I hereby give, devise and bequeath unto Casey Waggener, the following property from my estate:

One-half of the diamonds in my 14K 2-Diamond Pendant.

**ITEM VIII**

I hereby give, devise and bequeath unto Jacey Waggener, the following property from my estate:

My One Chest of Silver (Rogers Stainless); and

My 14K Diamond Ring (27 Diamond Fashion Ring).

**ITEM IX**

I hereby give, devise and bequeath unto Stephanie Waggener, the following property from my estate.

My Naken's Chest & Silver (German silver, buttercup pattern); and

My Tall Jewelry Chest w/White Wood, but not the contents.

**ITEM X**

I hereby give, devise and bequeath unto JoAnn Waggener, the following property from my estate:

My Multi-Drawer Jewelry Box, but not the contents.

**ITEM XI**

All of the rest, remainder and residue of my estate of whatsoever nature and description,

wheresoever situated and however acquired, which I now own or may hereafter acquire, or over which I have power of testamentary disposition, I hereby give, devise and bequeath unto my beloved children, share and share alike.

IN WITNESS WHEREOF I, JOHNNIE P. WAGGENER, have in the presence of witnesses, signed, sealed, ordained, declared and published this instrument consisting of these six (6) typewritten pages, including this page, to be my Last Will and Testament on this the 19<sup>th</sup> day of September, 2005.

*Johnnie P. Waggener*  
JOHNNIE P. WAGGENER, Testatrix

ATTESTATION CLAUSE

The above and foregoing writing was, on the day and date set forth therein, signed, sealed, ordained, declared and published by Johnnie P. Waggener to be her Last Will and Testament in our presence, and at her special instance and request, we have subscribed our names as witnesses in her presence, and in the presence of each other.

THIS the 19<sup>th</sup> day of September, 2005.

*Phillip M. Nelson*  
WITNESS  
P. O. Box 2734  
ADDRESS  
Madison MS 39130

*Janice D. Nelson*  
WITNESS  
P.O. Box 2734  
ADDRESS  
Madison, MS 39130

MADISON COUNTY MS This instrument was filed for record April 22, 2008.

Book 42 Page 744  
ARTHUR JOHNSTON, C. C.  
BY K. Sowers C.



IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
JOHNNIE P. WAGGENER, DECEASED

PROBATE FILE NO. 2008 307-G

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI  
COUNTY OF MADISON

**FILED**  
THIS DATE  
APR 22 2008  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY *[Signature]* D.C.

PERSONALLY APPEARED BEFORE ME, the undersigned

state and county aforesaid, the within named Phillip M. Nelson, one of the subscribing witnesses of that certain instrument of writing being dated September 19, 2005 and purporting to be the Last Will and Testament of Johnnie P. Waggener, now deceased, who having been by me first duly sworn, did state on his oath that the said Johnnie P. Waggener, did, on the 19th day of September, 2005, in the presence of Phillip M. Nelson and Janice D. Nelson, being all of the subscribing witnesses to said instrument, sign her name thereon, and publish and subscribe and declare said instrument to be her Last Will and Testament; and

That at the signing of her said Last Will and Testament, Johnnie P. Waggener was of sound disposing mind and memory and above the age of 21 years, and fully capable of executing and competent to execute the said Last Will and Testament.

Affiant herein, and the other subscribing witnesses, did subscribe and attest said Last Will and Testament, as witnesses to the subscription and publication thereof at the special instance and request of the said Johnnie P. Waggener, in her presence

and in the presence of each other.

WITNESS MY HAND this the 19th day of March, 2008.

*Phillip M. Nelson*  
PHILLIP M. NELSON

SWORN TO AND SUBSCRIBED BEFORE ME, this the 19th day of  
March, 2008.

*Janice Drucilla Nelson*  
NOTARY PUBLIC

MY COMMISSION EXPIRES:



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

MADISON COUNTY MS This instrument was  
filed for record April 22 2008.  
Book 42 Page 750  
ARTHUR JOHNSTON, C. C.  
BY *K. S. [Signature]* D.C.



2008-299-G  
LAST WILL AND TESTAMENT  
OF  
MILDRED G. JARRETT

BOOK

042

PAGE

752

KNOW ALL MEN BY THESE PRESENTS, That I, the undersigned, MILDRED G. JARRETT, of the City of Jackson, County of Hinds, State of Mississippi, being above the age of twenty-one 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, 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.

ARTICLE II.

I hereby give, devise and bequeath all of my property, real, personal and mixed, and wherever situated, of which I may die seized or possessed, or in which I may have any interest at the time of my death, unto my husband, Harvey B. Jarrett, if he survives me.

ARTICLE III.

If my said husband does not survive me, or if my husband and I should die or be killed in a common accident or disaster under such circumstances that it shall be impractical to decide which of us survived the other, then, in either of such events, I hereby give, devise and bequeath all of my property, real, personal

Mildred G. Jarrett

and mixed, and wherever situated, of which I may die seized or possessed, or in which I may have any interest at the time of my death, unto my son, Tommy Alan Jarrett.

ARTICLE IV.

I appoint my husband, Harvey B. Jarrett, as Executor of this my Last Will and Testament. Should my said husband be unable or unwilling to serve as such, either before or after entering upon his duties, I appoint my said son, Tommy Alan Jarrett, as alternate Executor of this my Last Will and Testament. I direct that my Executor and/or my alternate Executor 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.

During the period of the administration thereof my estate shall be considered as a trust within the meaning of the Uniform Trustees' Powers Act, Chapter 372, Mississippi Laws of 1966 (Section 672-121, et seq., Mississippi Code of 1942, as amended), and my Executor and/or my alternate Executor shall have all of the powers during the period of administration that are afforded to trustees in and by the terms and provisions of said statute, as now or hereafter amended.

WITNESS MY SIGNATURE, this the 25 day of May, 1973.

Mildred G. Jarrett  
MILDRED G. JARRETT

WITNESSES:

Joy A. Martin

Betty L. Talbert

ATTESTATION

We, the undersigned, as subscribing witnesses, do hereby

Mildred G. Jarrett

acknowledge and affirm that the foregoing written instrument was exhibited to us by MILDRED G. JARRETT 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 25th day of May, 1973.

Jay A. Travis

Betty L. Lambert



IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

ESTATE OF MILDRED G. JARRETT,  
DECEASED

NO. 08-0299

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF Hinds

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

1. That this affiant is one of the subscribing witnesses to an instrument of writing purporting to be the Last Will and Testament of Mildred G. Jarrett, deceased, who was personally known to the affiant, and whose signature is affixed to said Last Will and Testament, which Last Will and Testament is dated May 25, 1973.

2. That on May 25, 1973, the said Mildred G. Jarrett 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 Bettye L. Talbert, the other subscribing witness to said instrument.

3. That the said Mildred G. Jarrett 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 Bettye L. Talbert, 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 Mildred G. Jarrett, and in the presence of each other.

Jay A. Travis III  
JAY A. TRAVIS, III

SWORN TO AND SUBSCRIBED BEFORE ME, this the 24<sup>th</sup> day of March, 2008.

Florence L. Timmer  
NOTARY PUBLIC



ANGELA B. HEALY - BAR # 9795  
NIPPES & HEALY, PLLC  
6360 I-55 NORTH, SUITE 250  
POST OFFICE BOX 13492  
JACKSON, MISSISSIPPI 39236-3492  
(601) 952-2592

2

MADISON COUNTY MS. This instrument was  
filed for record April 30, 2008.  
Book 042 Page 755  
ARTHUR JOHNSTON, C.C.  
BY: D. Temel D.C. 

**FILED**  
THIS DATE  
VS  
MAY 1, 2008  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY Dan Tenell D.C.

BOOK 042 PAGE 757

**Last Will and Testament**  
of  
Mr. Henry Rogers, Jr.

**Section I. Declaration**

I hereby let it be known that I, Mr. Henry Rogers, Jr., residing at 30 Madison Street, Madison, Mississippi; Madison County; having a Social Security Number of 426-66-4996; a date of birth of September 28, 1937; being of sound mind and memory, under no duress, hereby make and declare this to be my *Last Will and Testament*, thereby revoking all previous wills and codicils made by me at any time.

**Section II. Appointment**

I appoint as Executor, that is, the person to execute my will and be my Personal Representative, Ronny Glasper, my son, residing at 1563 West Northside Drive, Clinton, Mississippi 39056. As alternate Executor, in the event the named Executor can not serve or is not willing to serve, I appoint Betty Mae Jones, my family friend, residing at 115 Harris Lane, Madison, Mississippi; Madison County. I hereby give authority to this personal representative to pay all of my just debts, obligations, and funeral expenses, and furthermore to carry out all provisions of my Will. My Executor shall not be required to obtain a surety bond in any way connected to this Last Will and Testament.

**Section III. Division of My Estate**

I give, devise, and bequeath to my son, Ronny Glasper, the following described property, which is Recorded in Book 18 and Page 471 in Land Records, Madison County, Mississippi.

Beginning at the intersection of the south side of Main Street with the west side of the first street on the west side of the I.C.R.R. in the Village of Madison, running thence northwesterly along the south side of Main Street for a distance of 185.3 feet to the west side of an alley now in use, thence south 19 degrees 50 minutes west along said alley 212.7 feet to the beginning point of the lot to be described, thence north 19 degrees 50 minutes east 41.7 feet to the northeast corner of said lot, thence north 89 degrees 30 minutes west 149.7 feet to the west corner of said lot, thence southeasterly 141 feet to the point of beginning in the SE1/4 SW1/4 of Section 8, Township 7, Range 2, East.

I further give, devise, and bequeath to my son Ronny Glasper, *ALL* interior and exterior contents of my house, which is situated on the above described land; including but not limited to all fixtures, clothing, jewelry, televisions, tools, dishes, pots and pans, silverware and utensils, linens,

Henry Rogers

Ronny J.

PEJ

Last Will and Testament of Mr. Henry Rogers, Jr. [S.S.N. 426-66-4996]

Page 2 of 3

and furniture, (with exceptions of the brown couch and unfinished wooden wardrobe).

I further give, devise, and bequeath to my daughter Peggy Glasper, and my son, Ronny Glasper, to share equally, any and all funds in my checking account at Trustmark National Bank; Account number 1007679103.

I further give, devise, and bequeath to my dear friend, Christine Williams, having as her Social Security Number 587-52-6338, and being a resident of Tchula, Holmes County, Mississippi, my 1998 Ford Truck, Model F15, white in color and having as VIN#1FTZF1769WNB97333.

I further give, devise, and bequeath to my dear friend, Christine Williams, my solid brown couch and the unfinished wooden wardrobe which was handmade as a gift to her from me.

I further give, devise, and bequeath to L.C. Hobson, my lawnmower and weed-eater.

IN WITNESS, WHEREOF, I have signed this my Last Will and Testament on this 31<sup>st</sup> day of January, 2008.

Henry Rogers Jr  
HENRY ROGERS, JR., TESTATOR

On the date written above, the foregoing document was signed in our presence by Mr. Henry Rogers, Jr., testator, who declared it to be his Last Will and Testament, and at the same time, at the request of Mr. Henry Rogers, Jr., testator, in his presence and in the presence of each other, we have signed our names as witnesses. We attest that at the time of executing this Last Will and Testament, we believe that Mr. Henry Rogers, Jr., testator, to be of sound mind and memory, and under no duress, and that said Mr. Henry Rogers, Jr., testator, executed the foregoing, Last Will and Testament as his free act and deed.

Percy E Jackson  
Mr. Percy Jackson, Witness

251 Arapaho Lane  
Madison, MS 39110 1/31/08  
Address Date

Betty M. Jones  
Mrs. Betty Mae Jones, Witness

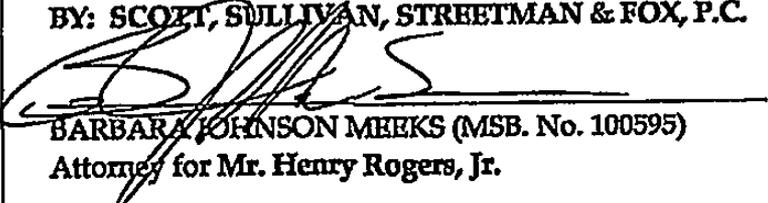
115 Harris Lane  
Madison, MS 39110 1/31/08  
Address Date

*This is a Legal Document.*

BOOK 042 PAGE 759

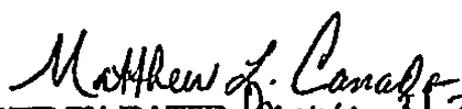
PREPARED, WITNESSED, AND APPROVED BY:

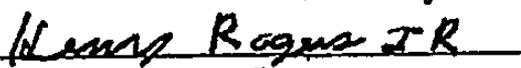
BY: SCOTT, SULLIVAN, STREETMAN & FOX, P.C.

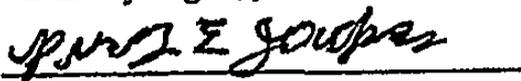
  
BARBARA JOHNSON MEEKS (MSB. No. 100595)  
Attorney for Mr. Henry Rogers, Jr.

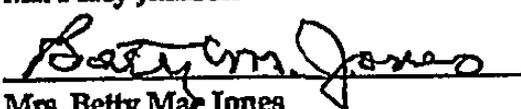
OF COUNSEL:

SCOTT, SULLIVAN, STREETMAN & FOX, P.C.  
725 Avignon Drive  
Ridgeland, MS 39157  
P.O. Box 13847  
Jackson, MS 39236-3847  
(601) 607-4800 - Telephone  
(601) 607-4801 - Facsimile

  
SIGNED BY: DATED: January 31, 2008

  
Mr. Henry Rogers, Jr.

  
Mr. Percy Jackson

  
Mrs. Betty Mae Jones

MATTHEW L. CANADA  
Mississippi Statewide Notary Public  
My Commission Expires August 27, 2010

**FILED**  
 AS THIS DATE  
 MAY 1, 2008  
 ARTHUR JOHNSTON, CHANCERY CLERK  
 BY Debra Smith D.C.

STATE OF MISSISSIPPI

COUNTY OF Madison

We, Percy E. Jackson and Betty Mae Jones on oath state that we are the subscribing witnesses to the attached written instrument dated \_\_\_\_\_ day of \_\_\_\_\_, 2008, which purports to be the Last Will and Testament of HENRY ROGERS, JR., who indicated us that he 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 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 the 31<sup>st</sup> day of January, 2008.

Betty Mae Jones

Percy E. Jackson

Subscribed and sworn to before me on this the 31<sup>st</sup> day of January, 2008.

Matthew Canada  
 NOTARY PUBLIC

My Commission Expires:



Exhibit "B"

MADISON COUNTY MS, This instrument was filed for record May \_\_\_\_\_, 2008.  
 Book 42 Page 757  
 ARTHUR JOHNSTON, C. C.  
 BY: R. Smith D.C.



and testament, to serve without bond, and, to the fullest extent allowed by law, I do hereby waive and release my executrix from the requirement of having to make and file any accounting, inventory or appraisal in connection with the administration of my estate. Should my husband, Samuel Newton Holliday, Jr. fail or refuse, for any reason, to qualify and serve as my executrix, then in that event I do hereby name, constitute and appoint ELIZABETH H. ARRINGTON and KATHRYN H. CARTER to serve as co-executrixes of my estate, without bond, and, to the fullest extent allowed by law, I do hereby waive and release my said co-executrixes from the requirement of having to make or file any accounting, inventory or appraisal in connection with the administration of my estate.

SIGNED, PUBLISHED AND DECLARED by me to be my Last Will and Testament this the 5<sup>th</sup> day of July, 1990, in the presence of these witnesses, who also signed the same as witnesses hereto, at my request, in my presence and in the presence of each other, on this day.

Grace S. Holliday  
GRACE S. HOLLIDAY

THIS INSTRUMENT, consisting of this and one (1) preceding page, was on the date hereto signed, published and declared by GRACE S. HOLLIDAY, to be her Last Will and Testament, in our presence, and we, at her request, subscribed our names hereto as witnesses in her presence on said date, and in the presence of each other.

WITNESSES:

J M Ritchey  
Peggy Sutton



IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
GRACE S. HOLLIDAY, DECEASED

CIVIL ACTION, FILE NO. 2008-424

PROOF OF WILL

STATE OF MISSISSIPPI

COUNTY OF Madison

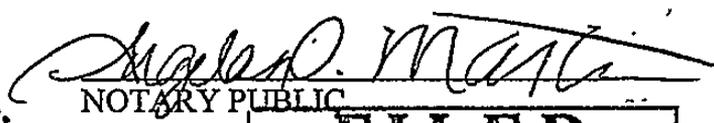
PERSONALLY APPEARED BEFORE the undersigned authority in and for said County and State, J. M. RITCHEY, one of the subscribing witnesses to a certain instrument of writing, a copy of which is attached hereto, purporting to be the Last Will and Testament of GRACE S. HOLLIDAY, who, being duly sworn, deposed and said that the said Grace S. Holliday signed, published and declared said instrument as her Last Will and Testament on the 5th day of July, A.D., 1990, the day of the date of said instrument, in the presence of this deponent, and in the presence of Peggy Fulton, the other subscribing witness, and that said Testatrix was then of sound and disposing mind and memory, and more than twenty-one years of age, and having her usual place of abode in Madison County, Mississippi, and this deponent and Peggy Fulton subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance of said Testatrix, and in the presence of the said Testatrix and in the presence of each other, on the day and year of the date of said instrument.

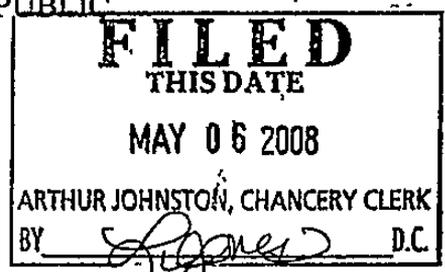
  
J. M. RITCHEY

SWORN TO AND SUBSCRIBED BEFORE ME, this the 23 day of April, 2008.

MY COMMISSION EXPIRES



  
NOTARY PUBLIC



LAST WILL AND TESTAMENT  
OF  
GRACE S. HOLLIDAY

I, GRACE S. HOLLIDAY, an adult resident citizen of Madison County, Mississippi, and being of sound and disposing mind and memory, do hereby make, publish and declare this instrument to be my Last Will and Testament; and by so doing, I do hereby revoke any and all other wills and codicils thereto which have been heretofore made by me.

ITEM ONE

I do hereby give, devise and bequeath all of my property, real, personal and mixed, and wherever situated, unto my husband, SAMUEL NEWTON HOLLIDAY, JR.

ITEM TWO

Should my husband, Samuel Newton Holliday, Jr., predecease me, then in that event, I do hereby give, devise and bequeath all of my property, real, personal and mixed, and wherever situated, unto my three children, namely: SAMUEL NEWTON HOLLIDAY, III, ELIZABETH H. ARRINGTON, and KATHRYN H. CARTER, in equal shares, share and share alike. However, should my son, SAMUEL NEWTON HOLLIDAY, III, be indebted to me at the time of my death, then in that event, I do hereby direct that the total amount of my son's then outstanding indebtedness to me shall be set-off against and reduce his one-third share of my estate, and that the total amount of such indebtedness, which is so withheld from and not distributed to my said son, shall be paid over and delivered in equal shares to my daughters, ELIZABETH H. ARRINGTON and KATHRYN H. CARTER, to share and share alike. Should any of my said children predecease me, then in that event I direct that their share of my estate shall not lapse but shall instead be paid over and delivered to their surviving issue, per stirpes.

ITEM THREE

I do hereby name, constitute and appoint my husband, SAMUEL NEWTON HOLLIDAY, JR., as executrix of this my last will

and testament, to serve without bond, and, to the fullest extent allowed by law, I do hereby waive and release my executrix from the requirement of having to make and file any accounting, inventory or appraisal in connection with the administration of my estate. Should my husband, Samuel Newton Holliday, Jr. fail or refuse, for any reason, to qualify and serve as my executrix, then in that event I do hereby name, constitute and appoint ELIZABETH H. ARRINGTON and KATHRYN H. CARTER to serve as co-executrices of my estate, without bond, and, to the fullest extent allowed by law, I do hereby waive and release my said co-executrices from the requirement of having to make or file any accounting, inventory or appraisal in connection with the administration of my estate.

SIGNED, PUBLISHED AND DECLARED by me to be my Last Will and Testament this the 5<sup>th</sup> day of July, 1990, in the presence of these witnesses, who also signed the same as witnesses hereto, at my request, in my presence and in the presence of each other, on this day.

Grace S. Holliday  
GRACE S. HOLLIDAY

THIS INSTRUMENT, consisting of this and one (1) preceding page, was on the date hereto signed, published and declared by GRACE S. HOLLIDAY, to be her Last Will and Testament, in our presence, and we, at her request, subscribed our names hereto as witnesses in her presence on said date, and in the presence of each other.

WITNESSES:

J M Ritchey  
Peggy Fulton

MADISON COUNTY MS This instrument was  
filed for record May 6, 2008.

Book 42 Page 763  
ARTHUR JOHNSTON, C. C.

BY: L. Jones D.C.



February 7, 2005

2008-424

Dear Newton, Beth and Kathy,

I want to make a codicil to my will that was written on July 5, 1990.

1 - I want to forgive any balance on the debt that Newton owes me.

2 - On November, 2002, I loaned Kathy \$105,000.00 to purchase a new home. Whatever the balance on this loan is at the time of my death, shall be taken from her one third of my estate.

My love will always be with you.

Mama

Grace S. Holliday

FILED  
THIS DATE  
MAY 06 2008  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY L. Jones D.C.

MADISON COUNTY MS This Instrument was filed for record May 6, 2008.

Book 42 Page 766  
ARTHUR JOHNSTON, C. C.

BY: L. Jones D.C.



FILED  
THIS DATE  
MAY 06 2008  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY [Signature] DC

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
GRACE S. HOLLIDAY, DECEASED

CIVIL ACTION, FILE NO. 2008-424

AFFIDAVIT TO HOLOGRAPHIC CODICIL

STATE OF MISSISSIPPI  
COUNTY OF Madison

PERSONALLY APPEARED BEFORE the undersigned authority in and for said County and State, CAROLYN S. COLLINS, who being by me first duly sworn according to law, says on oath:

(1) That this Affiant has examined a certain instrument of writing, a copy of which is attached hereto, purporting to be the Codicil to the Last Will and Testament of GRACE S. HOLLIDAY, deceased, who was personally known to the Affiant, and whose signature is affixed to said Codicil, said Codicil being dated February 7, 2005.

(2) That said instrument of writing is wholly written and subscribed by Grace S. Holliday and that this Affiant has been familiar with the handwriting and signature of the Testatrix for many years, and is the youngest sister of the Testatrix.

(3) That this Affiant is in no wise interested in the estate of Grace S. Holliday, and that the said Grace S. Holliday was on the 7<sup>th</sup> day of February, 2005, of sound and disposing mind and memory, and well above the age of twenty-one (21) years.

[Signature]  
CAROLYN S. COLLINS

SWORN TO AND SUBSCRIBED BEFORE ME, this the 20<sup>th</sup> day of April, 2008.

[Signature]  
NOTARY PUBLIC

MY COMMISSION EXPIRES:  
Sept. 2, 2010



MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES SEPT. 2, 2010  
BONDED THRU STEGALL NOTARY SERVICE

February 7, 2005

Dear Newton, Beth and Kathy:

I want to make a Codicil to my will that was written on July 2, 1990.

1 - I want to forgive any balance on the debt that Newton owes me.

2 - On November, 2002, I loaned Kathy \$105,000.00 to purchase a new home. Whatever the balance on this loan is at the time of my death, shall be taken from her one third of my estate.

My love will always be with you.

Mama

Grace S. Holliday



MADISON COUNTY MS This instrument was  
filed for record May 6, 2008.

Book 42 Page 767  
ARTHUR JOHNSTON, C. C.

BY: L. Jones D.C.



FILED  
THIS DATE  
MAY 06 2008  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY L. Jones DC

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
GRACE S. HOLLIDAY, DECEASED

CIVIL ACTION, FILE NO 2008-424

AFFIDAVIT TO HOLOGRAPHIC CODICIL

STATE OF MISSISSIPPI

COUNTY OF Madison

PERSONALLY APPEARED BEFORE the undersigned authority in and for said County and State, EARL COLLINS, who being by me first duly sworn according to law, says on oath:

(1) That this Affiant has examined a certain instrument of writing, a copy of which is attached hereto, purporting to be the Codicil to the Last Will and Testament of GRACE S. HOLLIDAY, deceased, who was personally known to the Affiant, and whose signature is affixed to said Codicil, said Codicil being dated February 7, 2005.

(2) That said instrument of writing is wholly written and subscribed by Grace S. Holliday and that this Affiant has been familiar with the handwriting and signature of the Testatrix for many years, and is the brother-in-law of the Testatrix.

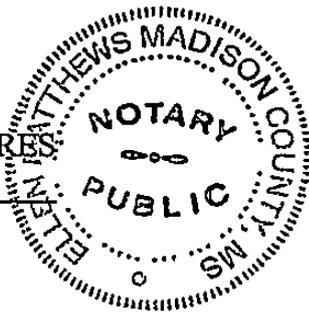
(3) That this Affiant is in no wise interested in the estate of Grace S Holliday, and that the said Grace S. Holliday was on the 7<sup>th</sup> day of February, 2005, of sound and disposing mind and memory, and well above the age of twenty-one (21) years.

Earl Collins  
EARL COLLINS

SWORN TO AND SUBSCRIBED BEFORE ME, this the 20 day of April, 2008.

Ellen Matthews  
NOTARY PUBLIC

MY COMMISSION EXPIRES:  
Sept 2, 2010



MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES SEPT. 2, 2010  
BONDED THRU STEGALL NOTARY SERVICE

February 7, 2005

Dear Newton, Beth and Kathy,

I want to make a codicil to my will that was written on July 5, 1990.

1 - I want to forgive any balance on the debt that Newton owes me.

2 - On November, 2002, I loaned Kathy \$105,000.00 to purchase a new home. Whatever, the balance on this loan is at the time of my death, shall be taken from her one third of my estate.

My love will always be with you

Mama

Grace S. Halliday



MADISON COUNTY MS This instrument was  
filed for record May 6, 2005.

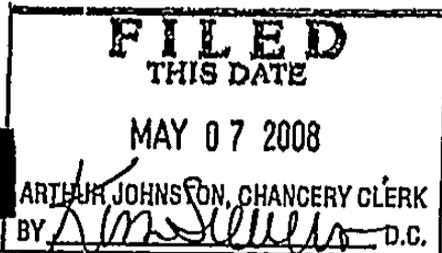
Book 42 Page 769  
ARTHUR JOHNSTON, C. C.

BY: Legner D.C.



## LAST WILL AND TESTAMENT

2008-394



OF

CECIL INEZ QUINN JENKINS

I, CECIL INEZ QUINN JENKINS, of Ridgeland, Madison County, Mississippi, being of sound and disposing mind and memory, declare this to be my Last Will and Testament, hereby revoking any and all other Wills and Codicils heretofore made by me, intending hereby to dispose of all my worldly goods.

## ARTICLE I.

I hereby nominate and appoint my husband, SMITH LAVERT JENKINS, to be Executor of this my Last Will and Testament, and my estate and direct that he, or any successor executors, shall serve without bond and, to the extent allowed by law, waive the necessity of preparing or filing any inventory, accounting or formal appraisal of my estate. In the event SMITH LAVERT JENKINS predeceases me, or is unable or unwilling to serve as my Executor, I hereby nominate and appoint REVEREND JAMES EDWARD YOUNG and my wife's daughter, MARGARET PHYLIS QUINN CANNON, to serve as my Co-Executors under the same terms. In the event that either of them should be unable or unwilling to so serve, the other of them shall serve as my Executor or Executrix, as the case may be, on the same terms as hereinabove set forth.

Page One of Three Pages: C I J

ARTICLE II.

I hereby authorize and direct my Executor to pay all of my funeral expenses and expenses of my last illness, if any, and any other just debts that I may owe as soon as possible after my death.

ARTICLE III.

I give, devise and bequeath to my daughter, MARGARET PHYLIS QUINN CANNON, my diamond ring and family birthstone ring.

ARTICLE IV.

I give, devise and bequeath to my son, MARVIN PHILLIP QUINN, the property located at 607 Ralde Circle, Ridgeland, Mississippi, however, subject to a life estate hereby granted to my husband, SMITH LAVERT JENKINS.

ARTICLE V.

I give, devise and bequeath all of the rest, residue and remainder of my property, both real, personal and mixed and wheresoever located, to my husband, SMITH LAVERT JENKINS, if he shall survive my death.

ARTICLE VI.

In the event that both my said husband and I should die in a common accident, or under such circumstances that it cannot be determined which of us is the survivor, I hereby declare that my husband, SMITH LAVERT JENKINS shall be deemed to have predeceased me, and this Last Will and Testament and all of its provisions shall be construed upon that assumption.

ARTICLE VII.

In the event that my husband predeceases me, I give, devise and bequeath the rest, residue and remainder of my property, both real and personal to the following:

Margaret Phylis Quinn Cannon- 25%  
Marvin Phillip Quinn- 75%

IN WITNESS WHEREOF, I have affixed my signature to the foregoing page, this page and the next page of this my Last Will and Testament on this the 7th day of March, 2005 in the presence of the undersigned whom I have requested to act as subscribing witnesses hereto.

Cecil Inez Quinn Jenkins  
CECIL INEZ QUINN JENKINS

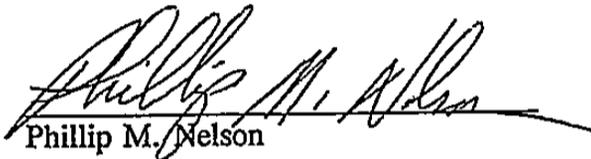
Phillip M. Nelson  
Witness

Janice D. Nelson  
Witness

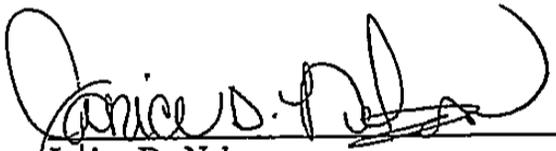
ATTESTATION CLAUSE

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

WITNESS OUR SIGNATURES on this, the 7th day of March, 2005.



Phillip M. Nelson  
1220 Highway 51 North  
Madison, Mississippi 39110  
1-601-856-8869

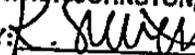


Janice D. Nelson  
1220 Highway 51 North  
Madison, Mississippi 39110  
1-601-856-8869

MADISON COUNTY MS This instrument was  
filed for record May 7, 2008.

Book 42 Page 771

ARTHUR JOHNSTON, C. C.

BY:  D.C.



LAST WILL AND TESTAMENT 2008-186

FILED  
THIS DATE  
MAY 07 2008  
ARTHUR JOHNSTON, CHANCERY CLERK  
BY *Arthur Johnston* D.C.

OF

SENORA B. HARPER

I, SENORA B. HARPER, of 319 Cisne Avenue, Canton, Mississippi 39046, a female being over the age of eighteen (18) years of age and of sound and disposing mind, realizing the certainty of death and the uncertainty of life, declare this to be my Last Will and Testament and revoke any other wills and codicils I may have heretofore made.

I.

I hereby nominate and appoint my daughter, Janice M. Smith, of 4901 McWillie Circle, #1403, Jackson, Mississippi 39206, as Executrix of my Last Will and Testament and estate. If she is unable or unwilling to serve or does not survive me, I hereby appoint my husband, John L. Harper, of 319 Cisne Avenue, Canton, Mississippi 39046 as contingent Executor of my Last Will and Testament and estate. In such event, I direct that no bond, appraisal, inventory or accounting be required insofar as same can be legally waived.

II.

I hereby direct my Executrix to pay all of my just debts, including funeral expenses as soon as possible.

III.

I hereby give, devise and bequeath to my husband, John L. Harper, my home and real property lying and being situated in Madison County, Mississippi located at 319 Cisne Avenue, Canton, Mississippi more fully described as:

*SH*

Lot Nine (9), Block G, MARIS TOWN ADDITION, a lot or parcel of land fronting 60 feet on the West side of Cisne Avenue and being all in Canton, Madison County, Mississippi.

In the event he does not survive me, I hereby give, devise and bequeath the above described property to my daughter, Janice M. Smith.

IV.

I hereby give, devise and bequeath to my daughter, Janice M. Smith the following described real property situated in Madison County, Mississippi, more particularly described as follows, to-wit:

A parcel of land lying and situated in NW 1/4 of Section 6, Township 8 North, Range 4 East, Madison County, Mississippi, more particularly described as follows:

Commence at a concrete monument representing the NE corner of the NW 1/4 of the NW 1/4 of Section 6, Township 8 North, Range 4 East, Madison County, Mississippi and run thence S 0 degrees 13 minutes 44 seconds E for a distance of 208.70 feet to an iron pin; thence continue S 0 degrees 13 minutes 44 seconds E for a distance of 1111.74 feet to a concrete monument; thence run N 89 degrees 56 minutes 18 seconds E for a distance of 15.38 feet to an iron pin; thence continue N 89 degrees 56 minutes 18 seconds E for a distance of 145.00 feet to an iron pin; thence continue N 89 degrees 56 minutes 18 seconds E for a distance of 145.00 feet to an iron pin; thence continue N 89 degrees 56 minutes 18 seconds E for a distance of 145.00 feet to an iron pin; thence continue N 89 degrees 56 minutes 18 seconds E for a distance of 145.00 feet to an iron pin; thence continue N 89 degrees 56 minutes 18 seconds E for a distance of 145.00 feet to an iron pin; thence continue N 89 degrees 56 minutes 18 seconds E for a distance of 147.28 feet to an iron pin; thence continue N 89 degrees 56 minutes 18 seconds E for a distance of 147.28 feet to an iron pin; thence continue 89 degrees 56 minutes 18 seconds E for a distance of 150.50 feet to an iron pin; thence continue N 89 degrees 56 minutes 18 seconds E for a distance of 152.00 feet to an iron pin; thence continue N 89 degrees 56 minutes 18 seconds E for a distance of 154.00 feet to an iron pin, which is the Point of Beginning of the parcel herein described. From the Point of Beginning continue thence N 89 degrees 56 minutes 18 seconds E for a distance of 154.50 feet to a concrete monument; thence run N 0 degrees 03 minutes 19 seconds E for a distance of 1283.90 feet to an iron pin on the south right of way line of Pine Grove Road; thence run N 89 degrees 40 minutes 55 seconds W along said right of way line for a distance of 131.51 feet to an iron pin; thence run S 0 degrees 00 minutes 00 seconds W for a distance of 305.06 feet to an iron pin; thence run S 1 degree 24 minutes 59 seconds W for a distance of 980.03 feet to the Point of Beginning. This parcel contains 4.13 acres, more or less.

V.

I give, devise and bequeath all of my household goods, furnishings and personal effects to my daughter Janice M. Smith.

RESIDUARY ESTATE

All of my residuary estate, being all of my other property, real, personal, or mixed, wherever situated, in which I may have any interest at the time of my death, not otherwise effectively disposed of, I give, devise and bequeath to my husband John L. Harper. In the event he does not survive me, I hereby give, devise and bequeath my residuary estate to my daughter, Janice M. Smith.

IN WITNESS WHEREOF, I, SENORA B. HARPER, have signed, published, and declared this instrument as my Last Will and Testament, in the City of Jackson, Hinds County, Mississippi, on the 19 day of August 2004.

  
SENORA B. HARPER

ATTESTATION

We, the undersigned subscribing witnesses to the within and foregoing Last Will and Testament of SENORA B. HARPER, do hereby acknowledge and attest that the same was exhibited to us by the said SENORA B. HARPER as her Last Will and Testament, that she signed same in our presence and, in the presence of each other, we signed the same as subscribing witnesses thereto.

This, the 19th day of August 2004.

Lee B. Fields  
WITNESS SIGNATURE

LEE B. FIELDS  
PRINTED NAME

343 CISNE AVE  
ADDRESS

CANTON MS 39046  
ADDRESS

Vernita Hamblin  
WITNESS SIGNATURE

Vernita Hamblin  
PRINTED NAME

376 North Cisne st.  
ADDRESS

Canton MS. 39046  
ADDRESS

MADISON COUNTY MS. This Instrument was filed for record May 7, 2008.

Book 42 Page 775

ARTHUR JOHNSTON, C. C.

BY: K. Sivers D.C.



I, JOHN MURPHY, of BAYSIDE NEW YORK being of sound and disposing mind, do hereby make, publish and declare the following to be my Last Will and Testament, revoking all previous will and codicils made by me.

I declare that I am married to MURRAY, to which I have referred to herein as my "spouse", and that I have NO children now living whose names and birth dates are: (List Children's Names and Birth dates)

I have NO deceased children.

All references to "my children" in this will include all of the above-named children and also any child hereafter born or adopted by me.

I

My spouse and I are executing wills at approximately the same time in which each is the primary beneficiary of the other. These wills are not being made because of any contractual agreement between us, and either will may at any time be revoked by either maker at the sole discretion thereof

II

I appoint my spouse as personal representative of my will If unable or unwilling to act, or to continue to act, as executor of my will, I then appoint MAE BOZEMAN as personal representative of my will

No bond or other security of any kind shall be required of any personal representative appointed in this will.

My personal representative, whether original, substitute or successor, shall hereafter also be referred to as my "executor".

III

I direct that my executor pay all of my funeral expenses, all state and federal estate, inheritance and succession taxes, administration costs and all of my debts subject to statute of limitations, except mortgage notes secured by real estate, as soon as practical.

<b>FILED</b>
THIS DATE
MAY 14 2008
ARTHUR JOHNSTON, CHANCERY CLERK
BY <u>[Signature]</u> D.C.

**IV**

I give, devise and bequeath my entire estate of whatever kind and character, and wherever located to my spouse, and with my spouse's agreement, at any time before, or upon her death, certain gifts are to be given to persons named in this Will.

**V**

If my spouse does not survive me, then I give, devise and bequeath my Estate as such: Any land holdings are to be split according to my spouse's Will at the time of her death. Any remainder, residue and whatever character shall be shared equally among the surviving sisters of my spouse, however any holding derived from the estate of Margaret Murphy shall be shared equally among my surviving brothers or their families should they be deceased.

**VI**

My executor shall have the following additional powers with respect to my estate, to be exercised from time to time at my executor's discretion without further license or order of any court

**Business Interest**

To sell or otherwise liquidate, or to continue to operate my executor's discretion, any corporation, partnership or other business interest received by my estate.

**Property of my Estate**

To retain, any and all property and securities of my estate, in the name of my executor, as executor, or in my executor's own name.

**Retention of Assets**

To retain all property and securities of my estate for as long as my executor deems advisable.

**Management of Estate**

To invest, lease, rent, mortgage, insure, repair, improve or sell any and all real and personal property belong to my estate as my executor deems advisable.

**Mortgages, Pledges and Deeds of Trust**

To enforce any and all mortgages, pledges and deeds of trust held by my estate and to purchase at any sale thereunder any such real or personal property subject to any mortgage, pledge or deed of trust.

**Litigation**

To initiate or defend, at my executor's discretion, any litigation affecting my estate.

**Attorneys, Advisors and Agents**

To employ and to pay from my estate reasonable compensation to such attorneys, accountants, brokers, and investment, tax and other advisors as my executor shall deem advisable.

**Adjustment of Claims**

To submit to arbitration, to compromise or to release or otherwise adjust, with or without compensation, any and all claims affecting the trust estate.

**Distribution of My Estate**

In distributing my estate, to make said distribution wholly or partly in kind by transferring or allotting such real or personal property or undivided interest therein

**VII**

If any person, whether or not related to me by blood or in any way, shall attempt, either directly or indirectly, to set aside the probate of my will or oppose any of the provisions hereof, and such person shall establish a right to any portion of my estate, then I give and bequeath the sum of one dollar (\$1.00), only that, and no further interest whatever in my estate to such person.

**VIII**

In the event that any of my property, or all of it, at the time of my death is community property under the laws of any jurisdiction, then my will shall be construed as referring only to my community-property interest therein.

IX

If any portion of my will shall be held illegal, invalid or otherwise inoperative, it is my intention that all of the other provisions hereof shall continue to be fully effective and operative insofar as is possible and reasonable.

IN WITNESS WHEREOF, I have hereto set my hand and seal this 26 day of MARCH, 2003.

*John Murphy*

Signed, sealed, published and declared to be the Last Will and Testament by John Murphy in the presence of all of us, who, in the presence and at the request, and in the presence of each other, have hereunto subscribed our names as witnesses:

WITNESS NAMES AND SIGNATURES WITNESS ADDRESS

Name: Thomas Val Marigan

Name: Robert Englander *RHE*

10 Myron Rd Plainville NY 11803

Name: Thomas W. [Signature]

SONDRA S. WITZ  
MATTY PUGH  
New York

02/23/2003  
Quality  
02/23/2003

AFFIDAVIT

BOOK 042 PAGE 783

STATE OF NEW YORK  
COUNTY OF NASSAU

I, Robert Englander, whose name is signed to the attached Last Will and Testament of John Murphy, being first duly sworn, does hereby declare to the undersigned authority that the Testator, John Murphy, signed and executed said instrument as his last will and testament in the presence and hearing of the witnesses, and that he signed it willingly, and that he executed it as his free and voluntary act and deed for the purposes therein expressed, and that each of the witnesses at the request of the Testator in the presence and hearing of the Testator and each other, signed the will as witnesses, and that to the best of his knowledge the Testator was at the time at least eighteen years of age or emancipated, of sound mind and under no constraint, duress, fraud or undue influence.

  
\_\_\_\_\_  
ROBERT ENGLANDER  
Witness

Subscribed, sworn to and acknowledged before me by the said witness,  
Robert Englander, this 2 day of APRIL, 2008.

  
\_\_\_\_\_  
Notary Public

RONA BORDONARO  
Notary Public, State of New York  
No. 4894681  
Qualified In Suffolk County 2011  
Term Expires May 11, \_\_\_\_\_

My commission expires on

MADISON COUNTY MS This instrument was  
filed for record May 14, 2008  
Book 3042 Page 779  
ARTHUR JOHNSTON, C C  
BY: R. Summers DC 

2008-348

## LAST WILL AND TESTAMENT

OF

MARGUERITE ALDRIDGE LESTER

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

## ITEM I

EXECUTOR AND SUCCESSORS

I appoint my son, WILLIAM CAREY LESTER, JR. as Executor of my Estate under this Will. If he is or becomes unable or unwilling to serve, as Executor, I appoint my sons, ROBERT ALDRIDGE LESTER and JOHN ADAMS LESTER, as Successor Co-Executors.

## ITEM II

CHILDREN

I have three (3) children now living and they are WILLIAM CAREY LESTER, JR., ROBERT ALDRIDGE LESTER and JOHN ADAMS LESTER. They are referred to herein as "my children."

## ITEM III

PAYMENT OF DEBTS AND EXPENSES

I direct my Executor to pay all of my just debts and obligations which are probated, registered and allowed against my estate as soon as may be conveniently done, provided, however, that my Executor shall specifically be authorized to pay any debt of my estate which does not exceed \$1,000 without the necessity of probating said debt. I further direct my Executor to pay all of my funeral expenses (including the cost of a suitable marker at my grave), expenses of my last illness, any unpaid charitable pledges (regardless of whether said pledges may be enforceable obligations of my estate), and the costs of administration of my estate as soon as practicable after my death; provided, however, my Executor shall not be required to pay any obligation in advance of its maturity. My Executor, in my Executor's sole discretion, may pay from my domiciliary estate all or any portion of the costs of ancillary administration and similar proceedings in other jurisdictions.

## ITEM IV

PERSONAL EFFECTS

A. Personal Effects to Children. I give, devise and bequeath in equal shares, per stirpes, to my children, all of my household furniture and furnishings, chinaware, silverware and linens, clothing, jewelry, sports equipment and other tangible personal property located in my home, and policies of insurance thereon, but not including cash, bank accounts, securities or intangible property. If my children or their descendants as the case may be fail to agree within six months of the date of my death upon the

division of such property, such division shall be made by my Executor in his sole discretion on an equal basis according to value.

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

#### ITEM V

##### SPECIFIC BEQUEST OF LESTER FAMILY LIMITED PARTNERSHIP

Any interests in the Marguerite Aldridge Lester Family Limited Partnership that I own at the time of my death, I give, devise and bequeath in trust to the Trustee of the Marguerite Aldridge Lester Irrevocable Trust established on \_\_\_\_\_, 1997. Any interest in the Family Limited Partnership and its assets of any kind shall be held, administered and distributed pursuant to the terms and condition of said Marguerite Aldridge Lester Irrevocable Trust.

#### ITEM VI

##### RESIDUE

A. Residue Outright to Children. Upon my death, I direct my Executor to divide the residue of my estate into three equal and separate shares, one for each of my then living children and one share for each child of mine who is deceased but who is survived by children. My Executor shall distribute the shares created for my then living children to said children outright and free

of trust. The shares created for the children of a deceased child of mine shall be held by my son, WILLIAM CAREY LESTER, JR., as Trustee. The shares shall be held, administered and distributed according to the following provisions:

1. The Trustee shall distribute to or for the benefit of the beneficiaries of each trust the net income of the trust for the education, support, maintenance and health of the beneficiaries; for the maintenance of each beneficiary's accustomed standard of living; or for any medical, hospital or other institutional care which any beneficiary may require.

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

3. As and when the youngest child of a deceased child of mine attains the age of twenty-five (25) years, the Trustee shall distribute in equal shares to the beneficiaries of that trust, per stirpes, the remainder of the trust estate, free and clear of any trust. In satisfying this bequest, my Executor shall select and distribute to my children cash, securities or such other assets as my Executor may determine, using asset values current at the date or dates of distribution.

B. Beneficiary's Right to Disclaim. Any beneficiary shall have the right to disclaim all or any part of his or her interest in any property which I have devised or bequeathed to him or her, whether outright or in trust. Any such disclaimer shall be made in writing, clearly stating the portion or assets disclaimed, and shall be delivered to my Executor within the time period required for the disclaimer to qualify under Section 2518 of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any future law. If a beneficiary disclaims in whole or in part, the property in which he or she disclaims his or her interest shall be distributed according to the intestacy laws then in effect in Mississippi as if the disclaiming person were deceased.

C. Alternate Distribution. If one or more of my children predeceases me leaving no surviving descendants, then his share shall be divided equally among my surviving children, per stirpes.

D. Distribution if Children and Grandchildren Deceased. If all the persons and classes designated as beneficiaries of my estate die prior to distribution of all the assets of my estate, upon the death of the survivor of them, the assets shall be distributed outright and free of trust to my heirs at law, in accordance with the intestacy laws then in effect in the State of Mississippi.

#### ITEM VII

#### MISCELLANEOUS TRUST PROVISIONS

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

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

C. Distributions to Minor or Incapacitated Beneficiary. In making distributions to the beneficiaries from a trust created under this Will, and especially where a beneficiary is a minor or incapable of transacting business due to incapacity or illness, the Trustee may make distributions either (a) directly to the beneficiary, (b) to the legal or natural guardian of the beneficiary, (c) to a relative or guardian of the person of the beneficiary who has custody and care of the beneficiary, or (d) by applying the payments for the benefit of the beneficiary by paying expenses directly. In any event, the Trustee shall require such reports and take such steps as the Trustee deems necessary to assure and enforce the application of such payments for the exclusive benefit of the beneficiary. However, the Trustee of any trust qualifying for the estate tax marital deduction shall have no power to accumulate the income even though the beneficiary may be incapacitated.

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

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

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

G. Trustee's Discretion in Making Distributions. In making distributions of both principal and income, the Trustee may make a non pro rata distribution of property in kind. The judgment of the Trustee concerning values and purposes of such division or distribution of the property or securities held in the trust shall be binding and conclusive on all interested parties. The Trustee shall not be liable to any beneficiary for any decisions made pursuant to this paragraph. In making a division or distribution, the Trustee is specifically excused from a duty of impartiality with respect to the income tax basis of the property distributed. The Trustee may select assets to be allocated or distributed without regard to the income tax basis of the property and without regard to the types of assets distributed to individual beneficiaries.

H. Trustee May Keep Trust in Existence. Notwithstanding the distribution of all of the assets of a trust created herein, the Trustee may keep in existence any trust created herein if the Trustee deems such action necessary or advisable for the trust to receive additional property at a later date.

#### ITEM VIII

##### MISCELLANEOUS AND SUCCESSOR TRUSTEE PROVISIONS

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

money or delivering property to the Trustee shall be required to see to its application.

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

C. Successor Trustees. If WILLIAM CAREY LESTER, JR. dies, resigns or becomes unable to serve as Trustee of any trust created hereunder, regardless of the cause, then my sons, ROBERT ALDRIDGE LESTER and JOHN ADAMS LESTER shall serve as successor Co-Trustees. If either successor Co-Trustee should not be willing or able to serve or resigns as Co-Trustee, the remaining son shall serve alone as successor Trustee.

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

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

F. Compensation if Bank is Trustee. Any bank serving as Trustee shall receive reasonable compensation based on the services it is required to perform. Such compensation shall be approved by the adult beneficiaries of the trust, or if none, by the guardians of the minor beneficiaries. Any

individual serving as Trustee shall receive reasonable compensation based upon the then current hourly rates being charged in Jackson, Mississippi, for services comparable to those being rendered by the individual Trustee. Compensation shall be paid regularly and shall be shown on the Trustee's annual account.

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

#### ITEM IX

#### TRUSTEE POWERS

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

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

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

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

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

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

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

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

H. May Receive, Retain and Invest in Certain Property. To receive and retain all types of property and especially to receive, invest in and retain shares of stock in closely-held corporations partnership interests in general and limited partnerships, and non-income producing real estate or other

property regardless of where it may be situated, without liability and without regard to the proportion such property or property of a similar character so held may bear to the entire amount of the trust estate and whether or not such property is of the class in which trustees generally are authorized to invest by law. This power shall not apply to any trust which qualifies for the estate tax marital deduction.

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

J. Rights as to Securities. To retain or acquire stocks, bonds or securities for investments; to exercise stock subscriptions, rights and options; to vote or grant proxies; to vote all securities belonging to the trust; to pay assessments; to support, oppose or participate in any merger, reorganization, redemption or liquidation of any entity in which the trust owns an interest; to pledge any securities or other property as security for any loan made by the Trustee; and to accomplish any other purpose of any nature incidental to the administration of the trust.

K. Right to Borrow and Lend. To borrow money from any person or entity or lend money to any person or entity at such rate of interest as the

Trustee determines necessary for the administration of the trust or to facilitate any purchase, sale or other acquisition or disposition of trust property; to execute such notes and loan agreements required for such loans; to secure the repayment of such loans by executing such contracts, mortgages, deeds of trust, security instruments, or other instruments required for such loans; and, to assume any liabilities as consideration for the acquisition of assets or to acquire assets subject to such liabilities.

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

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

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

agreements, covenants, provisions or undertakings as the Trustee deems advisable.

O. Farm Property. To manage any farm property, including the authority to plant and harvest crops; to breed, raise, and sell farm animals, aquatic produce and farm produce of all kinds; to purchase and sell equipment; to make improvements; to construct, repair or demolish any buildings; to engage agents, managers and employees and delegate powers to them; to establish reasonable reserves for depreciation out of income; to replace improvements and equipment; to fertilize and improve the soil; to engage in the growing, improvement and sale of trees and other forest crops; and to perform any other acts deemed necessary or desirable to operate the farm property.

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

## ITEM X

EXECUTOR POWERSA. Successor Executor to Have Powers and Duties of Original Executor.

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

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

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

D. Third Parties Not Obligated to See to Application of Property Delivered to Executor. No person dealing with my Executor shall be

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

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

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

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

H. Executor May Continue Any Business Operations. To avoid depreciation in value of the interests or losses to my estate or my business associates, my Executor shall have authority to continue any business

operations in which I am engaged at my death for the time permitted by law. My Executor may continue to act as a partner, engage in any partnership, and take all actions with regard to any partnership my Executor deems advisable.

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

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

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

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

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

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

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

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

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

IN WITNESS WHEREOF, I have signed and declared this to be my Last Will and Testament on this the 10 day of October, 1997.

Marguerite Aldridge Lester  
MARGUERITE ALDRIDGE LESTER

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

Homer S. Adams

OF

Jackson, Mississippi

Clare M. Culloch

OF

Jackson, Mississippi

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN RE: IN THE MATTER OF THE  
WILL AND ESTATE OF  
MARGUERITE ALDRIDGE LESTER,  
DECEASED

NO. 2008-348-G

STATE OF MISSISSIPPI  
COUNTY OF HINDS

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Anne McCulloch, a subscribing witness to the Last Will and Testament of Marguerite Aldridge Lester, who, after having been by me first duly sworn, did state upon her oath the following facts and matters:

That she is a subscribing witness to the Last Will and Testament of Marguerite Aldridge Lester, executed by Marguerite Aldridge Lester on the 10th day of October, 1997, in her presence and in the presence of the other subscribing witness, Holmes S. Adams. Affiant and the other subscribing witness subscribed their names under said Last Will and Testament in the Testatrix's presence and in the presence of each other. At the time of the execution of her Last Will and Testament, Marguerite Aldridge Lester was over the age of eighteen years, was of sound and disposing mind and memory, competent in all respects, and that she requested the Affiant and the other subscribing witness to witness the execution of her Last Will and Testament, which Affiant and the other subscribing witness did in fact witness in accordance with law.

And further Affiant sayeth not.

Anne McCulloch  
Anne McCulloch

SWORN TO AND SUBSCRIBED BEFORE ME, this 3rd day of April, 2008.

Shelby Quick McMillan  
Notary Public  
My Commission Expires 6/10/2010  
At Large  
My Commission Expires  
June 10, 2010  
BONDED THRU  
HEIDEN, BROOKS & GARLAND, INC.  
PUBLIC  
RANKIN COUNTY, MS

MADISON COUNTY MS | This instrument was  
filed for record May 14, 2008

Book 42 Page 784

ARTHUR JOHNSTON, C. C

BY: D. Tennell D.C.

565261-1

