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635 3rd Ave So
See Page 6
R.D.S.

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KNOW ALL MEN BY THESE PRESENTS, that I, NELLIE W. SMITH, of the County of Montgomery and State of Tennessee, being of sound and disposing mind, do hereby revoke all wills heretofore made by me, and make and publish this paper writing as and declare it to be my Last Will and Testament.

ITEM ONE: It is my will that my Executor shall pay all of my just debts as soon after my death as may be practical.

ITEM TWO: It is my will that any insurance on my life payable to my estate may be used for the payment of debts, taxes, and costs of administration, and any surplus thereof to be treated as a part of my general estate.

ITEM THREE: My first husband, Robert B. Lester, deceased, and I owned several items of property, real and personal, as tenants by the entireties. At his death, I claimed and now claim all of said jointly-owned items as my individual property under the laws governing tenancy by the entireties, free from any of the trusts established in his Will. One such item is a certain warehouse and frozen food plant located on East Pettus Street, Clarksville, Tennessee, the same being that leased by me to R. B. Lester Company, Inc. I also own an adjoining storehouse and lot situated to the East of said frozen food plant, which storehouse and lot I purchased from Coy D. Baggett and W. G. Ogles. It is my will that my present husband,

Nellie W. Smith

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IDENTIF. REFERENCE

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FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

Paul D. Smith, shall have and own absolutely said warehouse and storage plant and said storehouse and lot.

ITEM FOUR: Other items of jointly-owned property which I have claimed as my own are certain certificates of common stock of R. B. Lester Company, Inc., aggregating seventy-five per cent (75%) of the common stock of such corporation. I direct that my present husband, Paul D. Smith, who has been largely responsible for the continuation of said business on a profitable basis, shall have and own absolutely all of said stock.

ITEM FIVE: Northern Bank of Tennessee, as Trustee under the Will of the said R. B. Lester, deceased, is presently holding and administering a certain trust, consisting of stocks and bonds which were owned individually by the said R. B. Lester. By the Will of the said R. B. Lester, I was given a general power of appointment to direct the said Trustee to pay the corpus of such trust estate to the individuals named in this my Will. I desire that the following specific bequests be paid by said Trustee, and should the amount of said trust estate be insufficient to pay all of said bequests, I wish to direct the method by which any bequest shall be proportionately reduced. I desire and direct that said Trustee shall pay: To Mrs. Virginia Anderson, Raleigh, North Carolina, Two Thousand Dollars ($2,000.00); to Mrs. Joseph Holliday, Raleigh, North Carolina, One Thousand Dollars ($1,000.00); to Mrs. Nathan Sewell, Lansdale, Pennsylvania, One Thousand Dollars ($1,000.00); to Mrs. Robert Seaton, Maryville, Tennessee, One Thousand Dollars

Nellie N. Smith

($1,000.00); to George Hibbett, Florence, Alabama, One Thousand Dollars ($1,000.00); to my former maid, Margureet Peacher Williams, Jackson, Tennessee, Five Hundred Dollars ($500.00); and to the Trustees of First Christian Church in Clarksville, One Thousand Dollars ($1,000.00), for use in carrying out the activities of the spiritual functions of the said First Christian Church in Clarksville, Tennessee. In the event the assets of such trust estate be insufficient to pay all of said specific bequests, I direct that all of my said bequests be decreased proportionately. In the event there is any surplus remaining after the payment of such bequests, said surplus shall pass under the residuary clause of this Will.

ITEM SIX: It is my will that my Executor shall permit my present maid, Corrine Poindexter, to occupy, rent free, the house which she is now occupying and which belongs to me; provided, however, the said Corrine Poindexter will be required to pay all real estate taxes and hazard insurance premiums to cover such insurance as my Executor shall consider proper, and, in addition, she shall maintain the property in reasonably good condition. If she fails to do so, this bequest to her shall terminate. Upon her death, or upon the termination of this bequest to her, said dwelling house shall become a part of the residuary estate.

ITEM SEVEN: It is my will that my husband, Paul D. Smith, shall have and own absolutely all of the rest and residue of my property, real and personal, wherever situated and whenever acquired.

Nellie N. Smith

ITEM EIGHT: In order that my Executor shall clearly understand my wishes, I direct that all estate and inheritance taxes and all expenses of the administration of my estate, and all debts, shall be paid out of my residuary estate, and if said residuary estate is insufficient to be able to pay such taxes and expenses, I direct that the deficiency be made up from the special bequests set out in Item Five hereof, each special bequest being reduced proportionately. My express desire is that the bequest of said warehouse and plant and adjoining lot and said stock of R. B. Lester Company, Inc., to the said Paul D. Smith, shall be made in full prior to the reduction of my estate by virtue of such taxes and expenses or the special bequests in money to the various parties named in Item Five hereof.

ITEM NINE: It is my will that my husband, Paul D. Smith, shall be Executor of this Last Will and Testament, without making bond or inventory or settlement with any Court. In the event the said Paul D. Smith is unwilling or unable to serve as Executor, then I direct that Northern Bank of Tennessee and W. M. Daniel shall serve as Executors, without bond or inventory, but being required to file a final accounting with the Probate Court. It is my desire that my Executor or Executors shall have full power to execute any and all deeds, conveyances, and other documents as may be necessary to dispose of any of my property, real or personal, during the administration of my estate.

IN WITNESS WHEREOF, I have affixed my hand to each sheet of this paper writing at Clarksville, Tennessee, on this

Nellie N. Smith

W.W.D.

31 August 1973, in the presence of Frances A. Harris and W. M. Daniel, who, there and then, and at my request and in my presence and in the presence of each other, signed as witnesses.

Nellie W. Smith

NELLIE W. SMITH affixed her hand to each sheet of this paper writing as and declare it to be her Last Will and Testament, at Clarksville, Tennessee, on the date set out above, in our presence, and we, there and then, and at her request and in her presence and in the presence of each other, signed as witnesses.

Frances A. Harris

W M Daniel

CODICIL NO. ONE

I, NELLIE W. SMITH, do make and publish this paper writing as and declare it to be Codicil No. One to my Last Will and Testament executed by me on 31 August 1973.

I own an interest in certain commercial property situated at 635 Third Avenue, South, Nashville, Tennessee, which came through my father's estate. It is my will that any interest I may own in said property at the time of my death shall pass to and vest in my brother, HENRY P. WILLS, absolutely and in fee simple.

IN WITNESS WHEREOF, I have affixed my hand to this paper writing at Clarksville, Tennessee, on this 26 October 1973, declaring the same to be Codicil No. One to my Last Will and Testament executed by me on 31 August 1973, in the presence of Frances A. Harris and W. M. Daniel, who, there and then, and at my request, and in my presence and in the presence of each other, signed as witnesses.

Nellie W. Smith

NELLIE W. SMITH affixed her hand to this paper writing at the place and on the date set out above, declaring the same to be Codicil No. One to her Last Will and Testament executed by her on 31 August 1973, in our presence, and we, there and then and at her request and in her presence, and in the presence of each other, signed as witnesses.

Frances A. Harris

W. M. Daniel

STATE OF TENNESSEE

MONTGOMERY COUNTY

I, Lula W. Bagwell, Clerk of the County Court of Montgomery County, Tennessee, hereby certify the foregoing to be a true copy of the WILL of NELLIE W. SMITH, deceased, as the same appears on record in this office in Will Book AE, page 233.

Witness my hand and official seal at office in Clarksville, Tennessee, this 28th day of September, 1978.

Lula W. Bagwell
County Clerk
Montgomery County, Tennessee

By: W. Drye
Deputy Clerk

COUNTY COURT SEAL MONTGOMERY COUNTY