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BOOK 7811 PAGE 756

Last Will and Testament

OF

ANNIE OLEAN TURNER

I, ANNIE OLEAN TURNER, a resident of Davidson County, Tennessee, being of sound mind and disposing memory, do make and declare this to be my Last Will and Testament, hereby revoking any and all Wills and Codicils thereto at any time heretofore made by me.

ITEM ONE

I appoint my niece, KATHLEEN McGEE DUTTON, as Executrix of my Last Will and Testament, and direct that she serve without bond. If my Executrix is unable, unwilling, or later ceases to serve for any reason, I appoint COMMERCE UNION BANK OF NASHVILLE, TENNESSEE, as Successor Executor of my estate and direct that it serve without bond. I further appoint COMMERCE UNION BANK OF NASHVILLE, TENNESSEE, as Trustee of all trusts created hereunder, and direct that no bond be required for the faithful performance of its duties. My Executrix or Trustee or Successor shall not be required to file any report with any court at any time for any purpose.

ITEM TWO

I direct that all of my lawful debts, my funeral expenses, the expenses of administration of my estate, and estate and inheritance taxes incident to my death, including such taxes on the proceeds of life insurance policies or any other property not passing by my Will, and any interest or penalties thereon shall be paid out of my residuary estate as defined in Section Four.

I direct that all my debts secured by mortgage or other security agreement shall be paid or retained in the discretion of my Executrix, and if so retained the debt shall pass with the property and the said devisee or legatee shall take, subject to said debt.

A.O.T.

ITEM THREE BOOK 7811 PAGE 757

I give, devise and bequeath to KATHLEEN McGEE DUTTON my five diamond rings, all the furniture which I own in my home, all clothing and my automobile. If KATHLEEN McGEE DUTTON should predecease me, then I give, devise and bequeath said property to my nephews, HERBERT GLENN McGEE and JAMES ROBERT McGEE, of Nashville, Tennessee, share and share alike.

ITEM FOUR

I direct that my Executrix or Successor shall have the power to sell any real property I may own at my death, if in her judgment it is desirable to liquidate said property. Said sale shall be public or private, at such time and price and upon such terms and conditions (including credit) as my Executrix or Successor may determine. I further direct that my Executrix or Successor shall then vest all the rest, residue and remainder of my property, real, personal and mixed in my Trustee. Said trust estate shall be maintained and controlled for the exclusive use and benefit of my son, DAVID DONALD McCARTY, and my Trustee is directed to pay to him or for his benefit from the corpus and/or income, without regard for the corpus of this trust, the sum of Two Hundred Fifty and No/100 ($250.00) Dollars per month until his death. At my son's death, the trust shall be terminated and the corpus and accumulated income shall be divided equally among the following who survive the termination of the trust: KATHLEEN McGEE DUTTON, HERBERT GLENN McGEE and JAMES ROBERT McGEE.

ITEM FIVE

My Trustee shall make a reasonable effort to locate the beneficiary of the above trust, my son, DAVID DONALD McCARTY, using whatever methods are necessary in its discretion. However, if such efforts are unsuccessful, the trust shall terminate one year after my death and the corpus and accumulated income shall be distributed as stated in Item Four.

A.O.T

[redacted] [redacted]

ITEM SIX

I have deliberately made no provisions herein for the benefit of my husband, CLARENCE L. TURNER, not because of any lack of love or affection, but because he has ample property of his own.

ITEM SEVEN

The Trustee shall be entitled to compensation in accordance with its Standard Schedule of Charges in effect at the time services are rendered, or in the absence of such schedule it shall be entitled to reasonable compensation. It may compensate itself from the principal or income or partly from each as it may deem advisable.

ITEM EIGHT

I authorize my Executrix and my Trustee (including any substitute or successor personal representative or Trustee) in the exercise of a reasonable discretion with respect to all property, real and personal, at any time forming part of my estate or any trust, to exercise any or all the powers set forth in Section 3 of Chapter 110 of the Tennessee General Assembly of 1963, T.C.A. §35-618, to the extent applicable, all of which provisions and powers are incorporated herein by reference as fully as if copied herein verbatim. These powers (as set out in said statute on the date of the execution of this Will) are granted, notwithstanding that said statute may be amended hereafter or repealed at the time of my death.

ITEM NINE

Notwithstanding any other provisions herein, my Trustee at any time may pay over and distribute all the corpus or undistributed income of the trust for my son, to my son if, in its sole and absolute judgment, the trust is so small that it would be advisable not to continue to hold it in trust, whereupon such trust shall terminate.

IN WITNESS WHEREOF, I hereunto subscribe my name, this the 20th day of Sept., 1979.

Annie Olean Turner
ANNIE OLEAN TURNER

ANNIE OLEAN TURNER signed the foregoing instrument in our presence, publishing and declaring it to be her Last Will and Testament, and as witnesses whereof, we do now, at her request and in her presence, and in the presence of each other, hereto subscribe our names on the date above mentioned, this attestation clause having been read by us and we having noted that the events therein enumerated took place as stated.

WITNESS:	ADDRESS:
Evelyn Sweeney	223 Madison St. Madison Tn.
Cheryl Quig	223 Madison St. Madison, TN

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STATE OF TENNESSEE:

COUNTY OF DAVIDSON:

We, Evelyn Sweeney and Cheryl Criss, being adult citizens and residents of Davidson County, Tennessee, after being duly sworn according to law, depose and state that this date ANNIE OLEAN TURNER signed the foregoing instrument in our presence, publishing and declaring it to be her Last Will and Testament and as witnesses, we, at her request, subscribed our names in her presence and in the presence of each other, and in our opinion, the said ANNIE OLEAN TURNER was at the time and is at this time of sound mind and disposing memory. This affidavit is executed in accordance with T.C.A. 32-211 at the request of the said ANNIE OLEAN TURNER.

This the 20th day of September, 1979.

Evelyn Sweeney

Cheryl Criss

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 20th DAY OF September, 1979.

Marla D. Matthews
NOTARY PUBLIC

My commission expires: 2-18-80

PAGE FIVE AND FINAL PAGE OF
MY LAST WILL AND TESTAMENT

A.O.T.

CODICIL NO. 1

TO THE LAST WILL AND TESTAMENT

OF

ANNIE OLEAN TURNER

I, Annie Olean Turner, of Nashville, Davidson County, Tennessee, having heretofore made and published my last will and testament executed September 20, 1979, do make and declare this as Codicil No. 1 thereto, to-wit:

1. I amend Item One merely to reflect the fact that Commerce Union Bank of Nashville, Tennessee is now named Sovran Bank/Central South, of Nashville, Tennessee.

2. I delete the provisions of Item Three in their entirety and substitute in lieu thereof the following:

ITEM THREE

1. I bequeath to Kathleen McGee Dutton, if she shall survive me, my four diamond rings, my clothing, furniture, furnishings and other personal effects, in the hope and wish that she will give to her granddaughter, Michelle L. Dutton, any items of furniture she feels appropriate.

2. I bequeath to James Robert McGee, if he shall survive me, any automobile I may own at my death, together with any policy of insurance thereon.

3. I bequeath to Michelle Dutton, if she shall survive me, my gold nugget with diamonds.

4. I devise to those of Kathleen McGee Dutton, James Robert McGee and Herbert Glenn McGee that survive me all right, title and interest I own at my death in the improved real property known as 107 Eastmoreland Street, Nashville, Davidson County, Tennessee, in which I presently reside.

3. I delete Item Six as my husband has predeceased me.

4. I amend Item Eight merely to reflect that T.C.A. §35-618 is now T.C.A. §35-50-110.

I hereby ratify, republish and reaffirm my said last will and testament in all respects except as modified by this Codicil No. 1 thereto.

IN WITNESS WHEREOF, I have executed this Codicil No. 1 to my last will and testament at Nashville, Tennessee, on this the 19 day of July, 1988.

Annie Olean Turner

Annie Olean Turner, Testatrix

WITNESSES:

Names	Addresses
Jeffrey Mobley	Nashville, Tennessee
Vicki L. Cockett	Nashville, Tennessee

THIS CODICIL PREPARED BY:

GULLETT, SANFORD, ROBINSON & MARTIN
230 Fourth Avenue, North
3rd Floor, Metropolitan Federal Building
P. O. Box 2757
Nashville, TN 37219-0757

AFFIDAVIT

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STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

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The undersigned persons, after first being duly sworn according to law, depose and say:

1. That they are adult citizens and residents of the state listed beside their respective signatures on the Codicil No. 1 to the last will and testament described hereinbelow.

2. That they witnessed the execution of the Codicil No. 1 to last will and testament of Annie Olean Turner, dated the 19th day of July, 1988, to which this Affidavit is attached, and that this Affidavit is being made at the request of the Testatrix and in accordance with the provisions of Tennessee Code Annotated, Section 32-2-110.

3. That their signatures are affixed to the said Codicil No. 1 to the last will and testament, that they signed or affixed the same at the instance and request of the Testatrix, and in her presence, and in the presence of each other, at the place and on the date recited in said Codicil No. 1 to the last will and testament.

4. That the Testatrix signed said paper writing as and for her Codicil No. 1 to her last will and testament in their sight and presence.

5. That at the time they witnessed said Codicil No. 1 to the last will and testament, the Testatrix was, in their opinion, of sound mind.

Jeffrey Mobley
WITNESS

Vicki L. Cockett
WITNESS

Sworn to and subscribed before me by the two (2) persons whose signatures are affixed hereto on this 19th day of July, 1988.

Julia C. Hunt
Notary Public

My Commission Expires: 11-15-89

STATE OF TENNESSEE, DAVIDSON COUNTY

I, BILL COVINGTON, Clerk of the Probate Court of Davidson County, State aforesaid, do certify that the foregoing is a true and complete copy, of the original on file in my office. Will Book 165 Page 830

Given under my hand and official seal, at office, in Nashville, this 7th of April 1989.

BILL COVINGTON
Clerk of Probate Court

By Ruby Dortch
Deputy Clerk

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