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Probate copy only

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WB 177-665

BOOK 8526 PAGE 616

Last Will and Testament

OF

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VIRGINIA MAI JACKSON

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

ITEM ONE

All of my lawful debts, if any, my funeral expenses and the expenses of administration of my estate shall be paid by my Co-Executors as soon as practicable after my death from my general estate.

ITEM TWO

I give and devise all of my right, title and interest in and to certain real property located in Davidson County, Tennessee, to my son, **LUTHER WILLIAM JACKSON**, per stirpes. I presently own a one-half interest in this property with my said son as a tenant in common, the property having been titled in this manner so as to enable my son to qualify for financing. This property is further identified as 325 Neely's Bend Road, Map 52-1, Parcels 104 and 105 and by the deed of record in Book 8050, Page 628, Register's Office, is further described as follows:

> Lots 15 and 16 of Block "A" on the Plan of Crittenden Estates, as of record in Book 974, page 69, said Register's Office.
>
> Said Lots Nos. 15 and 16 adjoin and front together 100 feet on the northerly side of Neely's Bend Road and run back between parallel lines 165 feet to a dead line.

ITEM THREE

I give and devise all of my right, title and interest in and to certain real property located at 324 Cherry Street, Madison,

Davidson County, Tennessee, Map 43-13, Parcel 276 and described by the deed of record in Book 6674, Page 177, Register's Office, as:

BOOK 8526 PAGE 617

Lot No. 23 of Block "C" on the Map of Crittenden Estates, as of record in Book 974, page 69, Register's Office.

Said Lot No. 23 fronts 50 feet on the southerly side of Cherry Street and runs back between parallel lines 140 feet to a dead line.

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to my son, **LUTHER WILLIAM JACKSON**, and my daughter, **VIRGINIA SUE JACKSON**, as Co-Trustees. Should either decline to serve in this capacity or should either die or for any reason be unable to serve or become unable to serve after commencing to serve, the other shall serve as sole trustee. They, he or she, shall serve without bond and shall administer the trust estate upon the following terms and conditions:

1. Said property shall be held, preserved and maintained by my trustee(s) for the sole and exclusive purpose of insuring a residence for any of my children who may wish to reside there. No rent shall be charged to any of my said children residing there, however, the child or children residing in said property shall be fully responsible for the expense and payment of all maintenance, upkeep, insurance and taxes.

2. As to said property, my Trustee(s) are fully vested with all of the rights and powers specifically set forth in Tennessee Code Annotated §35-50-110, to the extent applicable and all provisions of said statute are expressly incorporated herein by reference as fully and as completely as though copied herein verbatim. These powers (as set forth in such statute on the date of execution hereof) are granted notwithstanding the possibility that such statute may be subsequently amended or repealed.

3. In the event of the sale of said property by my Trustees, this trust shall at the time of said sale fully and forever terminate and all of the net proceeds of sale shall be divided into seven (7) equal shares and distributed equally to my seven (7) children, namely: **LUTHER WILLIAM JACKSON, VIRGINIA SUE JACKSON HERRON, THELMA ANN JACKSON OWEN, DANNY WAYNE JACKSON,**

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NANCY KAY JACKSON YOUNG, RONNIE DEAN JACKSON, and JOANNA LYNN JACKSON MEADOW.

4. If, at the expiration of ten (10) years from the date of my death said property remains unsold, it shall at that time be sold by my Trustees and the proceeds divided in accordance with Paragraph Three above, or, in the sole and absolute discretion of my said Trustees, title in and to said property shall fully and forever vest in fee simple absolute in my said seven (7) children, per stirpes, as tenants in common. In any event, if not sooner terminated, this trust estate shall fully and forever terminate no later than ten (10) years following my death.

5. The property placed in trust shall not be pledged, assigned, transferred, sold or in any manner accelerated, anticipated or encumbered by the Beneficiaries, nor shall any income or principal of said trust estate be in any manner subject or liable in the hands of the Trustees for the debts, contracts or engagements of the Beneficiaries, or be subject to any assignments or any other voluntary or involuntary alienation or disposition whatsoever. All distribution of income or principal shall be paid only upon receipt of the Beneficiary entitled, or to others for the Beneficiaries' use and benefit.

6. If the trust, or any part thereof, created under this my Last Will and Testament, shall violate any applicable rule of law, the Trustees are directed to terminate the trust or such unlawful part thereof upon the last date allowed by such rule of law and thereupon the property held in trust violating such rule of law shall be distributed to the then Beneficiary or Beneficiaries notwithstanding any provisions of the trust to the contrary.

7. My Trustees shall be entitled to reasonable compensation for their services in administering this Trust.

ITEM FOUR

I give, bequeath and devise all of the rest, residue and remainder of my estate real, personal, tangible, intangible and

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mixed in equal shares to my children, **LUTHER WILLIAM JACKSON, VIRGINIA SUE JACKSON HERRON, THELMA ANN JACKSON OWEN, DANNY WAYNE JACKSON, NANCY KAY JACKSON YOUNG, RONNIE DEAN JACKSON, and JOANNA LYNN JACKSON MEADOW**, share and share alike, per stirpes.

ITEM FIVE BOOK 8526 PAGE 619

I expressly authorize and empower my said Co-Executors and any Alternate or Successor Executor to sell at public or private sale, at such time or times and for such price or prices, as they deem best, all or any part of my estate, and to execute any and all deeds or other instruments of writing that may be necessary to consummate said sale or sales.

I expressly authorize and empower my said Co-Executors and any Alternate or Successor Executor to exercise all powers specifically set forth in T.C.A. §35-50-110, to the extent applicable, and all provisions of said Section are expressly incorporated herein by reference as fully and completely as though copied herein verbatim. These powers (as set out in such Statute on the date of execution hereof) are granted notwithstanding the possibility that such Statute may be subsequently amended or repealed.

ITEM SIX

I hereby expressly excuse and waive any and all requirements for the filing of formal accountings or inventories with any court by the Co-Executors named herein or by any substitute or successor Executor.

ITEM SEVEN

I hereby nominate and appoint my son, **LUTHER WILLIAM JACKSON** and my daughter, **VIRGINIA SUE JACKSON HERRON**, as Co-Executors of my Last Will and Testament, hereby relieving them of making bond. Should either of these two persons decline to serve, or die, or for any reason be unable to serve, the other shall serve as the sole Executor or sole Executrix with his or her bond being excused.

IN WITNESS WHEREOF, I have hereunto set my hand to this my Last Will and Testament, consisting of six (6) pages, each of

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which bears my original signature or initials, at Madison, Davidson County, Tennessee this the 16 day of Aug, 1991.

BOOK 8526 PAGE 620

Virginia Mai Jackson
VIRGINIA MAI JACKSON

WITNESSES' ATTESTATION AND AFFIDAVIT

We, Denise C. Wilburn and KATHRYN HICKS, being first duly sworn, make oath that **VIRGINIA MAI JACKSON** on the day and date above written, declared and signified to us that the foregoing instrument was her Last Will and Testament; and she then signed said instrument in our sight and presence; that we, in her presence, and in her sight and presence, and in the sight and presence of each other, then subscribed our names hereto as attesting witnesses; that, at the time of execution, the Testatrix was more than eighteen (18) years of age, of sound mind and disposing memory, and did not appear under any undue influence; and that the undersigned, each being more than eighteen (18) years of age, make and sign the Affidavit at the Testatrix's request on the day and date above written.

WITNESS: **ADDRESS:**

Denise C. Wilburn — 108 Lynhurst Cir, Hendersonville Tn 37075

Kathryn Hicks — 121 McBratney Drive, Hendersonville, TN 37075

Sworn to and subscribed before me this the 16th day of August, 1991.

Ella W. Woodall
NOTARY PUBLIC
STATE OF TENNESSEE, DAVIDSON COUNTY

MAIL ENV.

MY COMMISSION EXPIRES: [illegible]

I, BILL COVINGTON, Clerk of the Probate Court of Davidson County, State of Tennessee, do certify that the foregoing is a full, true and complete copy of the original on file in my office. Will Book # 1 1992 Page 665
Given under my hand and official seal, at office, in Nashville, this 9th of January 19 92.

BILL COVINGTON
Clerk of Probate Court
By Betty Dew Hughes Deputy Clerk

7.5.97 4

IDENTIFICATION REFERENCE

JAN 13 9 22 AM '92

FIFTH AND FINAL PAGE OF MY LAST WILL AND TESTAMENT V. M. J.

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