G3P-238
2-19-93

PICK-UP

DAVIDSON COUNTY, TN
FEB 19 12 03 PM '93
IDENTIFICATION REFERENCE:
93887

LAST WILL AND TESTAMENT

OF

JAMES HARVEY KIRBY

I, James Harvey Kirby, being of sound mind and disposing memory do hereby make, declare and publish this my Last Will and Testament hereby revoking any and all former wills and codicils made heretofore by me.

I

I direct that those in charge of my estate pay all of my just debts, including but not limited to the expenses of my last illness and burial expenses and direct that they not be required to file with the Court a detailed inventory of the assets of my probate estate nor be required to file a detailed final accounting of the receipts and disbursements.

II

I give and bequeath to L. B. Watkins my antique pistol, all fishing equipment and supplies and my double barrel shotgun.

III

I give and bequeath to Edward Lee Huffman my 16 gauge Remington shotgun.

IV

All the rest, residue and remainder of my property, real or personal, I give, will, devise and bequeath to my wife, Olivia Moore Kirby.

V

In the event my wife predeceases me or we die simultaneously, I give, will, devise and bequeath, all the rest,residue and remainde

of my property, real or personal to my daughter, Brenda Faye Grist and my granddaughter, Barbara Kimberly Grist, equally or all to the survivor of them; subject to the restriction of Item VI herein.

In the event my granddaughter, Barbara Kimberly Grist, takes under this will and has not yet attained the age of 18, I direct and appoint my daughter, Brenda Faye Grist as testamentary guardian of her estate. That said testamentary guardian invest the funds in interest bearing, insured accounts at National Banks for the benefit of the ward.

VI

In the event my daughter and granddaughter take under this will and receive my home place on Croley Drive, Nashville, Tennessee I direct that my daughter, Brenda Faye Grist, have the right and privilege of personally living at the home place but if she does not wish to, or having lived there decides to move away, I direct that it be sold and the proceeds divided equally or all to the survivor between herself and my granddaughter, Barbara Kimberly Grist.

VII

I hereby nominate, designate and appoint my wife, Olivia Moore Kirby, Executrix of this my Last Will and Testament and direct that she not be required to make bond. In the event my wife, Olivia Moore Kirby fails, refuses or is unable to serve as Executrix of this my Last Will and Testament, I hereby nominate, designate and appoint L. B. Watkins as Executor without bond.

IN TESTIMONY WHEREOF, I have hereunto set my hand and signed each of the three pages of this my Last Will and Testament this 8 day of May 1985.

James H. Kirby
TESTATOR

Signed, signified, published and declared by the Testator, as and for his Last Will and Testament, in the presence of us, the undersigned, attesting witnesses, who, at his request and direction and in his sight and presence and in the sight and presence of each other, have hereunto set our hands as such witnesses, the day and date above written.

WITNESSES:

(Signature) Richard R. Hedgepath

(Address) 4811 Charlotte Ave
Nashville, Tennessee

(Signature) Jayne Jackson

(Address) 4800 Charlotte Ave
Nashville, Tennessee 37209

This will prepared by Richard R. Hedgepath, Attorney,
Nashville, Tennessee

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Richard R. Hedgepath and Joyce Jordan,

of legal age and after being duly sworn and according to law, depose and say:

1. That they witnessed the execution of the Last Will and Testament of James Harvey Kirby, dated, the 8th Day of May 1985, to which this affidavit is attached, and that this affidavit is being made at the request of the Testator, and in accordance with Tennessee Code Annotated § 32-2-110;

2. That their signatures are affixed to said Last Will and Testament, that they signed or affixed the same at the instance and at the request of the Testator and in his sight and presence, and in the sight and presence of each other, at the place and on the date recited in said Last Will and Testament.

3. That the Testator signed said paper-writing as and for his Last Will and Testament in their sight and presence.

4. That at the time they witnessed said Last Will and Testament, the Testator was, in their opinion, of sound mind and disposing memory.

Witness

Witness

Sworn to and subscribed before me this 15 day of December, 1992 at Nashville, Tennessee.

Notary Public

My Commission Expires: 3-26-94

331 02/19 0101 03CHECK 16.00

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE, THIS 19th DAY OF February, 1993
GEORGE L. ROOKER, CLERK
BY: DEPUTY CLERK