George Cate

LAST WILL AND TESTAMENT OF
HELEN L. SMITH

BOOK 9606 PG 90

I, **HELEN L. SMITH**, a citizen and resident of Nashville, 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 other Wills or Codicils by me at any time made.

FIRST: I nominate and appoint George H. Cate, Jr., to serve as Executor of my estate.

SECOND: I direct that all of my just debts, funeral expenses, costs of administration, and inheritance taxes, if any, be paid as soon as practicable after my death.

THIRD: I leave my house at 1413 Franklin Avenue, Nashville, Davidson County, Tennessee, together with all household furnishings and tangible personal property, to my dear friend, Terry Ann Hill. I authorize her to distribute my jewelry in accordance with my verbal instructions, using her best judgment in doing so.

FOURTH: In the event that I should be survived by my mother, Katie C. Smith, then I direct my Executor to use the cash assets and entire residue of my estate for my mother's benefit as long as she may live, taking in consideration her needs and other sources of income and support. In the event that my mother shall have predeceased me, or thereafter upon her death, I direct the cash assets and residue of my estate remaining in the hands of my Executor to be utilized as follows:

(A) The sum of $3,000 shall be placed in a Trust Fund, with Terry Ann Hill as Trustee, to be deposited by her in an interest-bearing account, to be used for tuition, books, and expenses of a college education for Michael R. Mayberry, now eight (8) years old. The disbursement

of the funds for this purpose shall be made in such amounts and at such times as the Trustee shall deem best, with the objective of encouraging Michael R. Mayberry to complete a four-year college education. If he does not enroll in a college or equivalent institution beyond the high school level by the time he is 21 years of age, then the trust for his benefit shall terminate, and the balance of the Trust Fund shall belong to Terry Ann Hill absolutely.

(B) If additional funds remain for this purpose, the next $2,000 shall go to my beloved cousin, Harold R. Clinard, of Springfield, Tennessee to belong to him absolutely.

(C) The residue of my estate, if any, after the payment of the above items, shall be paid out by my Executor to Terry Ann Hill at the rate of $500 per month until such assets have been exhausted.

IN WITNESS WHEREOF, I have hereunto set forth my hand on this 18th day of May, 1989, and do publish and declare this to be my Last Will and Testament, in the presence of each and all of the subscribing witnesses whom I have requested to act as such by signing the Attestation Clause and Affidavit below pursuant to the provision of Tennessee Code Annotated 32-2-110.

Helen L. Smith
HELEN L. SMITH

Signed and published in our presence, and we have subscribed our names hereto in the presence of the Testatrix and in the presence of each other on this 18 day of May, 1989.

WITNESS

WITNESS

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

We, the undersigned, after first being duly sworn or affirming, make oath or affirm that the foregoing Last Will and Testament was signed by **HELEN L. SMITH**, and at that time acknowledged, published and declared by her to be her Last Will and Testament, and in the sight and presence of us, the undersigned, and who at her request and in her presence and in the sight and presence of each other, have subscribed our names as attesting witnesses on this 18 day of May, 1989, and we further make oath or affirm that the Testatrix is of sound mind and disposing memory, and we believe her to be so, and did not appear under any influence of any person, and was more than 18 years of age; and that each of the attesting witnesses is more than 18 years of age.

WITNESS

WITNESS

Sworn and subscribed before me this 18 day of May, 1989.

Notary Public

My Commission Expires:

My Commission Expires July 18, 1992

STATE OF TENNESSEE, DAVIDSON COUNTY

I Richard R. Rooker, Clerk of the Probate Court of Davidson County, State aforesaid, do certify that the foregoing is a full, true and complete copy, of the original on file in my office. Will Book 187 Page 478

Given under my hand and official seal, at office, in Nashville, this 17th of February 19 93.

PROBATE COURT RICHARD R. ROOKER, CLERK

By: Deputy Clerk

37815

IDENTIFICATION REFERENCE

95 FEB 28 PM 2:40

REGISTER

PICK-UP

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