LAST WILL AND TESTAMENT BOOK 9835 PG 908

OF

JERRY ALLEN SMITH

I, JERRY ALLEN SMITH, being a citizen and resident of Nashville, Davidson County, Tennessee, and being of sound and disposing mind and memory do hereby make and publish this, as and for my Last Will and Testament, hereby revoking any and all Wills or Codicils heretofore made by me.

1. I hereby direct that all my just debts and funeral expenses, taxes and the costs of administration of my estate be paid by my Executor as soon as practicable after my death; and to this end I authorize my Executor to sell and dispose of any property which I may own at the time of my death, real, personal and/or mixed, at public or private sale, and upon such terms and conditions as he may deem appropriate. I direct that all estate, inheritance, succession and other death taxes, which may be payable by or chargeable against my estate, or any beneficiary thereof, be paid out of my residuary estate as an expense of administration, and without apportionment or proration among the several beneficiaries, legatees and devisees.

2. Provided he survives me, I hereby nominate and appoint my son, MARVIN DALE SMITH, as Executor of this, my Last Will and Testament, and do waive the requirement of a bond to be furnished by him and do direct that he not be required to file an inventory of my estate and I do hereby waive, to the extent allowable under the law, any interim accountings and any final accounting that might otherwise be required; however should the said MARVIN DALE SMITH predecease me, or should we both die in or as a result of a joint disaster, or should he cease to act as my Executor after once qualifying as such and prior to the closing of my estate, then, in any of such events, I hereby nominate and appoint my daughter, AMELIA SMITH PRESLEY, as substitute of successor Executrix of this, my Last Will and Testament, and do waive the requirement of a bond to be furnished by her and do direct that she not be required to file an inventory of my estate and I do hereby waive, to the extent allowable under the law, any interim accountings and any final accounting that might otherwise be required.

3. I hereby give unto my Executor and to my substitute or successor Executrix all the powers set forth and enumerated in the introductory paragraph and thirty-three numbered subparagraphs of Tennessee Code Annotated, §35-50-110, as it is in its present form, together with any additional powers which may be added by the legislature of the State of Tennessee subsequent to the execution of this Will and prior to the date of my death. JAS

4. Provided she survives me, I hereby bequeath unto my daughter, AMELIA SMITH PRESLEY, the sum of FIVE HUNDRED AND NO/100 ($500.00) DOLLARS, the same to become part of my residuary estate should she predecease me or should we both die in or as a result of a joint disaster.

5. I further bequeath unto my son, MARVIN DALE SMITH, my double-barrel 12-gauge shotgun, my 35-millimeter rifle, my 12-gauge automatic shotgun, and my 45 caliber Colt revolver.

6. Provided my wife, ROSALIE GREER SMITH, survives me, I hereby give, devise, and bequeath unto her all the rest and remainder of my property of whatsoever kind and nature and wheresoever situated, and including any life insurance on my life or on the lives of others that may be and become a part of my estate; however, should my wife predecease me, or should we both die in or as a result of a joint disaster, then, in such event, I hereby give, devise and bequeath all the rest and residue of my estate of whatsoever kind and nature and wheresoever situated, and including any life insurance proceeds on my life or on the lives of others that may be and become a part of my estate, in equal shares unto AMELIA SMITH PRESLEY and MARVIN DALE SMITH; however, should either of them predecease me or die jointly with me, without leaving issue surviving, then his or her share shall pass to the survivor of them; and should either of them predecease me or die in a joint disaster with me leaving issue surviving, then his or her share shall pass to his or her issue, per stirpes and per capita.

IN WITNESS WHEREOF, I have hereunto set my hand to this my Last Will and Testament on this the 24 day of June, 1993.

Jerry Allen Smith
JERRY ALLEN SMITH

We, the undersigned, do certify and attest that the within named JERRY ALLEN SMITH did appear to us to be of sound and disposing mind and memory; and did make, publish and declare the foregoing to be his Last Will and Testament and did sign the same in our presence and we have signed the same as his attesting witnesses at his request, and in his presence and in the presence of each other, all on this the 24 day of June, 1993.

J. M. Dark Jr.
WITNESS:
2525 Lebanon Rd
ADDRESS:
Nashville, TN 37214

Lucie E Dickinson
WITNESS:
2525 Lebanon Rd
ADDRESS:
Nashville, TN 37214

AFFIDAVIT

We, the undersigned, having been duly sworn, according to law, do hereby depose as follows:

1. We, and each of us, are adult citizens of the State of Tennessee.

2. We are making this affidavit at the request of the Testator, JERRY ALLEN SMITH, with reference to our having witnessed the execution of his Will and the facts and circumstances surrounding this execution.

3. The above named, JERRY ALLEN SMITH, did make, acknowledge and publish the foregoing Will, to which this instrument is attached, as and for his Last Will and Testament, and he did signify to us that said instrument was his "Last Will and Testament".

4. Likewise, said above named Testator, JERRY ALLEN SMITH, did personally sign said Last Will and Testament in our presence and we and each of us did sign the same as his attesting witnesses, at his request, and in his presence, and in the presence of each other, all on this the 24 day of June, 1993.

5. The above named JERRY ALLEN SMITH, did appear to us to be of sound and disposing mind and memory when he executed said Will.

IN WITNESS WHEREOF we have hereunto set our hands on this the 24 day of June, 1993.

AFFIANT

AFFIANT

STATE OF TENNESSEE
COUNTY OF DAVIDSON

SWORN to and subscribed before me at Nashville, in Davidson County, Tennessee, on this the 24 day of June, 1993.

NOTARY PUBLIC:

My Commission Expires: 3-25-95

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IN WITNESS WHEREOF, I have hereunto set my hand to this my Last Will and Testament on this the 24 day of June, 1993.

Jerry Allen Smith
JERRY ALLEN SMITH

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John M Dodd Jr
WITNESS:
2525 Lebanon Rd
ADDRESS:
Nashville, TN 37214

Lucie E Dickinson
WITNESS:
2525 Lebanon Rd
ADDRESS:
Nashville, TN 37214

BOOK 9835 PG 912

0115152

RECORDING REFERENCE

2001 OCT 23 PM 1:02

FEE/
DAVIDSON COUNTY, TN.

PICK-UP

I hereby certify this is a true copy of original instrument filed in my office.
This 23rd day of October 01
RICHARD R. BOOKER, Clerk
By Linda Riggan
Deputy Clerk

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