Last Will and Testament

OF

SAM M. HORNE BOOK 10132 PG 946

I, SAM M. HORNE, of Nashville, Davidson County, Tennessee, being of sound mind and disposing memory, do hereby make, publish and declare this my Last Will and Testament hereby revoking any and all Wills heretofore made by me.

ITEM ONE: I direct my Executrix or Executor hereinafter named to pay all of my just debts, funeral expenses, administration costs and inheritance tax out of the first monies coming into her hands.

ITEM TWO: I give, devise and bequeath to my wife, Callie H. Horne all of my estate, real, personal or mixed of whatsoever kind and wheresoever located and I name the said Callie H. Horne as Executrix and request that no bond be required of her.

ITEM THREE: Should my said wife, Callie H. Horne predecease me or should we meet our death as a result of a common accident or should she die within thirty days of my death, then and only then all of my property, real, personal or mixed of whatsoever kind and wheresoever located shall go to our daughter, Judith D. Horne and I name her Executrix without bond.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of November, 1974.

Sam M. Horne
TESTATOR

Signed, sealed and published by the Testator, Sam M. Horne, to be his Last Will and Testament in the presence of all of us at one and the same time; and we at his request and in his presence and in

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

the presence of each other have hereunto subscribed our names as witnesses and we do hereby attest to the sound and disposing mind of said Testator as to the performance of his aforesaid act of execution at the place and on the date hereinbefore set out.

Carolyn Hammond
WITNESS

Linda Edgerton
WITNESS

AFFIDAVIT

BOOK 10132 PG 948

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Carolyn Hammons and Linda Edgin being first duly sworn, make oath that the foregoing Last Will and Testament was signed by Sam M. Horne as and for his Last Will and Testament, and at that time acknowledged, published and declared by him to be his Last Will and Testament in the sight and presence of us, the undersigned who, at his request and in his sight and presence and in the sight and presence of each other subscribed our names as attesting witnesses on the 4th day of November, 1974, in Nashville, Davidson County, Tennessee, and we further make oath that the Testator was of sound mind on said date and was more than 18 years of age; and that each of the witnesses was more than 18 years of age.

Carolyn Hammons

Linda Edgin

Sworn to and subscribed before me
this 4th day of November, 1974.

Barbara L Warren
NOTARY PUBLIC

MY COMMISSION EXPIRES: July 25 1978

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CODICIL

OF

SAM M. HORNE

BOOK 10132 PG 949

I, SAM M. HORNE, a resident of Nashville, Davidson County, Tennessee, being of sound mind and disposing memory do hereby make and republish My Last and Testament, which bears the date of November 4, 1974, and do make and declare this as my First Codicil thereto, to-wit:

I.

I give and bequeath unto my brother, Jerry G. Horne of 3320 Cobble Drive, Nashville, Tennessee, the sum of $1,000.00 provided he survives me. I give and bequeath to St. Anns Catholic Church the sum of $5,000.00. The remainder of my estate shall vest in my daughter Judith D. Horne as my wife has predeceased me and it is my intent that this codicil so modify the terms of my will dated November 4, 1974.

II.

I hereby ratify, republish and reaffirm said Will, dated November 4, 1974, in all respects except as modified by this First Codicil thereto.

IN TESTAMONY WHEREOF, I have hereunto set my hand to this First Codicil to my Last Will and Testament at Nashville, Tennessee, this the 11th day of November, 1994.

Sam M. Horne

SAM E. HORNE

Signed, published and declared by the Testator, Sam M. Horne, to be the First Codicils to his Last Will and Testament, dated November 4, 1974, said condicil consisting of two pages, including this page, in the presence of us, the undersigned, who at his request and in his sight and presence, and in the

AFFIDAVIT TO FIRST CODICIL
TO LAST WILL AND TESTAMENT OF SAM M. HORNE

BOOK 10132 PG 950

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

We, Robert F. Doyle and John P. Cauley, upon being duly sworn according to law, upon their oath, state that they are residents of the State of Tennessee, and that they are persons of lawful age, and further depose and state:

That on this date and at the request of Sam M. Horne and pursuant to the provision of Tennessee Code Annotated § 32-2-110, affiants were presented a paper writing, dated the 11th day of November, 1994, purporting to be a First Codicil to the Last Will and Testament of Sam M. Horne dated November 4, 1974, to which codicil this affidavit is attached; that said affiants recognize their signatures affixed to said paper writing as well as the signature of the testator; that, on the 11th day of November, 1994, affiants were requested by the testator to attest or witness the said paper writing as and for a First Codicil to the Last Will and Testament of Sam M. Horne; that, on said occasion, the said Sam M. Horne declared said paper writing to be a First Codicil to his Last Will and Testament and did fix his signature to same in affiant's sight and presence; that, on that occasion, affiants did subscribe their signatures to said paper writing in the sight and presence of the testator and in the sight and presence of each other as such attesting witnesses; and that on the 11th day of November, 1994, the said Sam M. Horne appeared to be a person of sound mind and disposing memory and of more than 18 years of age.

Robert F. Doyle
AFFIANT

John P. Cauley
AFFIANT

Subscribed to and sworn to before me this 11th day of November, 1994.

Johnnie A. Lukens
NOTARY PUBLIC
My Commission Expires 11-22-97

presence of each other have subscribed our names as attesting witnesses the day and date heretofore written.

BOOK 10132 PG 951

613 Woodland St., Nashville, Tn. — Robert T. Doyle

ADDRESS — WITNESS

613 WOODLAND ST. NASHVILLE, TN — John P. Cowley

ADDRESS — WITNESS

0207429

IDENTIF. # REFERENCE

96 JUL 25 PM 2:56

FELIX Z. BRANCH II REGISTER
DAVIDSON COUNTY, TN.

PICK-UP

STATE OF TENNESSEE, DAVIDSON COUNTY

I, Richard B. Rooker, Clerk of the Circuit Court of Davidson County, Tennessee, hereby certify that the foregoing is a full, true and correct copy of the original deed of trust as the same appears of record in my office. - Witness my hand and official seal, at office, in Nashville, this 25 of July 1996.

Given under my hand and official seal, at office, In Book 20C Page 384

RICHARD B. ROOKER, CLERK

By: Deputy Clerk

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