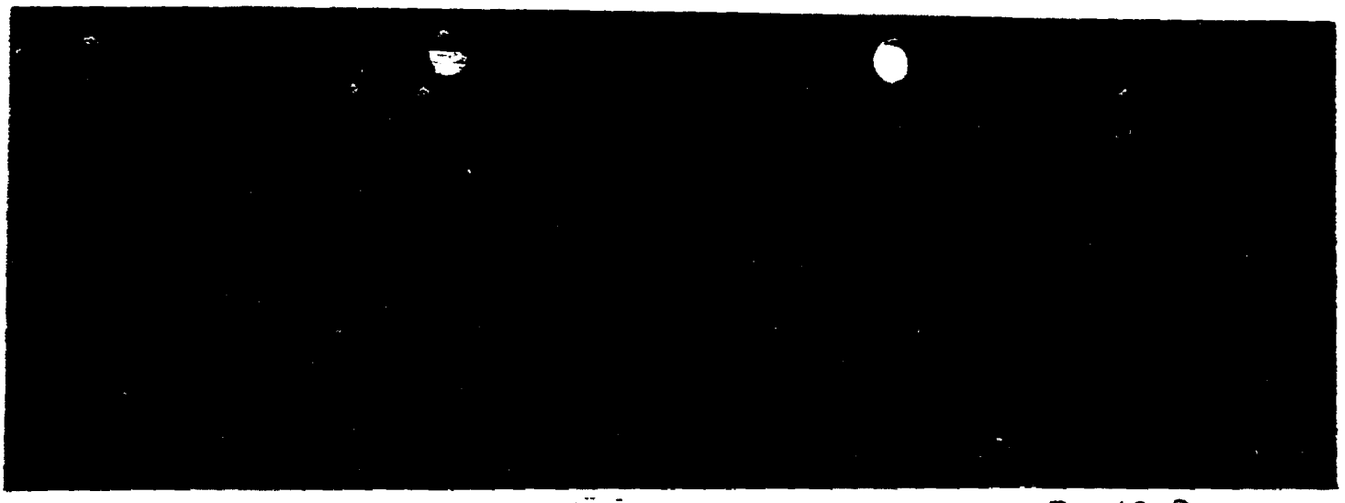


BOX 19-B

# LAST WILL AND TESTAMENT

BOOK 10133 PG 940

# OF

# SHIRLEY HAYNIE PIKE

I, SHIRLEY HAYNIE PIKE, of Nashville, Davidson County, Tennessee, do make, declare and publish this my last will and testament, hereby revoking all former wills and codicils.

## I. FIDUCIARIES

I appoint my daughter-in-law, CAROLYN HAYNIE, to be the executrix of this my last will and testament. If my daughter-in-law, CAROLYN HAYNIE, shall predecease me or for any reason shall fail to qualify as executrix hereunder (or having qualified, shall die or resign), then in such event I appoint my daughter, MISSI SOX, as alternate executrix hereunder. I direct that no bond or other security be required of my executrix or alternate executrix for the faithful performance of the duties as such.

## II. SPECIFIC BEQUESTS

I give, devise and bequeath the following items of personal property as indicated below:

A. My real property located at 406 Jefferson Circle, Madison, Tennessee, I devise to my son, MITCH HAYNIE. If my son, MITCH HAYNIE, does not survive me, then I direct that this property be sold and the proceeds be distributed equally between my children, MISSI SOX and MARK HAYNIE.

B. I direct that my real property located at 406 Broadmoor Drive, Nashville, Tennessee be sold and the proceeds be distributed equally between my children, MISSI SOX, MARK HAYNIE, and MITCH HAYNIE.

C. I give any interest I may have in my principal residence located at 231 Ellington Place, Madison, Tennessee to my husband, JAMES F. PIKE. If my husband, JAMES F. PIKE, does not survive me, then I devise any interest I may have in this property equally to my children, MISSI SOX, MARK HAYNIE, and MITCH HAYNIE.

D. My cherry end table, I give to my son, MARK HAYNIE.

E. My deacon's bench, I give to my son, MITCH HAYNIE.

F. My cherry rocking chair, I give to my son, MARK HAYNIE.

G. My oak doughboard, I give to my daughter, MISSI SOX.

H. My jewelry, I give to my daughter, MISSI SOX.

I. My cherry chest of drawers, I give to my son, MITCH HAYNIE.

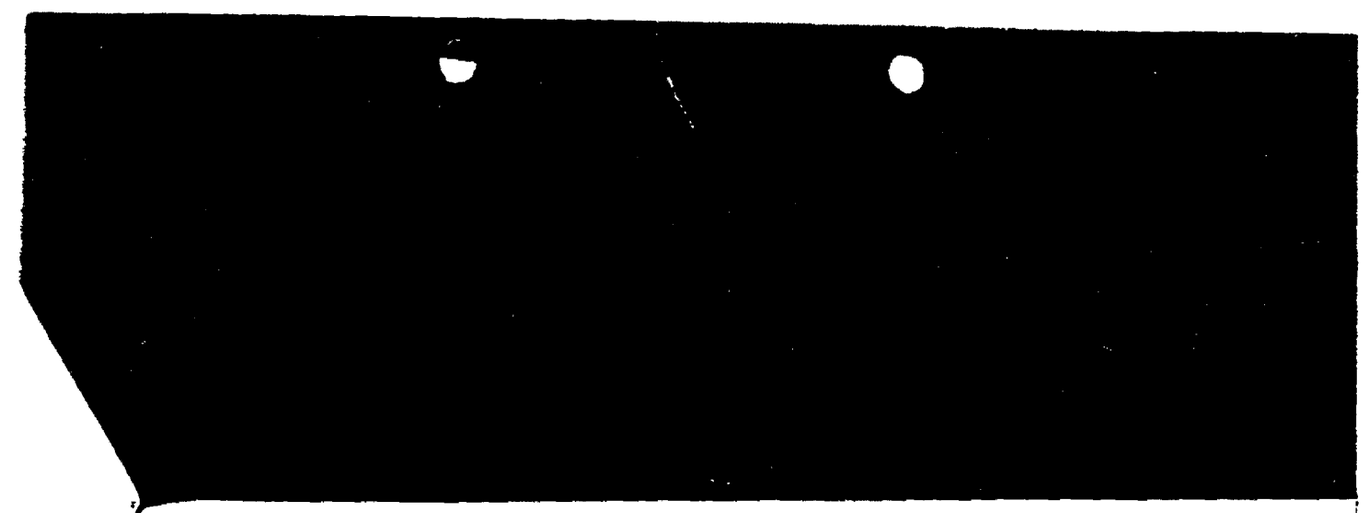
J. If any of the foregoing beneficiaries do not survive me, I give the property devised to that beneficiary as part of my residuary estate.

## III. PERSONAL EFFECTS

A. As to my personal property not distributed in Item II, I may leave a codicil (dated and signed by me, entirely in



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my own handwriting) bequeathing specific items of personal property to my children. I shall leave this codicil with this Will. I desire that any bequests therein be honored by my fiduciaries. During my life, I may give to my children certain items of personal property, I desire that these lifetime gifts be respected by my family and by my fiduciaries.

B. I bequeath to my husband, JAMES F. PIKE, if he survives me, all of my household effects (dishes, linens, etc.) not otherwise disposed of by this Will or by the above referenced codicil and not the subject of lifetime gifts by me (together with any policies of insurance thereon).

C. If my husband, JAMES F. PIKE, does not survive me, then I bequeath the above items of my personal property referred to in Paragraph B above to my children, MISSI SOX, MARK HAYNIE, and MITCH HAYNIE, in substantially equal shares, share and share alike (with the issue of any deceased child to receive their parents distributive share, per stirpes). I trust my children to distribute this property fairly and equally. If my children can not agree on the distribution of these items, I direct that the items be sold and the proceeds be distributed equally among my children.

## IV. RESIDUARY ESTATE

On November 16, 1989, my husband, JAMES F. PIKE and I entered into an Antenuptial Agreement providing for the distribution of our separate estates in the event of death or divorce. Therefore, all the rest, residue and remainder of the property which I may own at the time of my death I devise and bequeath to my children, MISSI SOX, MARK HAYNIE, and MITCH HAYNIE in equal shares, share and share alike (with the issue of any deceased child to receive their parents distributive share, per stirpes).

## V. ORDER OF DEATH PRESUMPTION

If any beneficiary and I die under circumstances that there is not sufficient evidence to determine the order of our deaths, then it shall be presumed that I survived my beneficiary, and my estate shall be administered and distributed, in all respects, in accordance with such presumption.

## VI. POWERS OF FIDUCIARIES

I authorize my daughter, MISSI SOX, executrix or any alternate personal representative, in the exercise of a reasonable discretion with respect to all property, real and personal, at any time forming a part of my estate, to exercise any and all the powers set forth in Tennessee Code Annotated § 35-50-110, to the extent applicable, all of which provisions and powers are incorporated herein by reference as fully as if copied herein verbatim. These powers (as set out in said statute on the date of the execution of this will) are granted even should said statute be amended or repealed at the time of my death.

## VII. DEBTS, COST OF ADMINISTRATION AND TAXES

A. My fiduciaries may pay all my just debts, funeral expenses and costs of administration out of my general estate. Taxes may be imposed with respect to property not received by my fiduciaries as part of my probate estate, and my fiduciaries may seek reimbursement for the taxes from the recipients of the property. My fiduciaries may pay from my domiciliary estate all or any portion of the cost of ancillary administration and similar proceedings in other jurisdictions.

B. My fiduciaries may pay the current amounts due on any mortgage indebtedness or other installment

indebtedness and need not pay the entire principal balance of such indebtedness except such payments as may be in accordance with my wishes, however made known, but I do not impose any enforceable obligation in this connection.

VIII. MISCELLANEOUS

A. Whenever the context requires, the use of the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable, where appropriate, to all genders.

B. All property held by me jointly with right of survivorship, including all certificates of deposit which I currently own jointly with my children, I intend to vest in the surviving joint tenant at my death.

IN WITNESS WHEREOF, I have hereunto subscribed my name in Nashville, Tennessee this 2nd day of May, 1996 to this my Last Will and Testament, and have also initialed each of the pages for identification.

Shirley Haynie Pike
SHIRLEY HAYNIE PIKE

Signed, published and declared by SHIRLEY HAYNIE PIKE, to be her last Will and Testament in the presence of us, the undersigned, who at her request, and in her sight and presence, and in the sight and presence of each other, have subscribed our names hereto as attesting witnesses on this 2nd day of May, 1996.

Patricia Mote
WITNESS

Nashville, TN
ADDRESS

Mary A. Norton
WITNESS

1057 Horseshoe Dr.
ADDRESS
Nash. TN 37216

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 consisting of 3 pages, this page included, was signed by SHIRLEY HAYNIE PIKE as and for, and that time acknowledged, published and declared by her to be her Last Will and Testament, in the sight and presence of us, the undersigned, who at her request and in her sight and presence, and in the sight and presence of each other, have subscribed our names as attesting witnesses on the same day. We further make oath or affirm that the Testator was of sound and disposing memory, and not acting under the fraud, menace or undue influence of any person, that he was more than 18 years of age and that each of the attesting witnesses is more than 18 years of age.

Patricia Mote
WITNESS

Mary A. Norton
WITNESS

Sworn and affirmed and subscribed to before me this 2nd day of May, 1996.

Pamela E. Stockard
NOTARY PUBLIC

NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

My Commission Expires: 8-10-98

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IDENTIF. ➔ REFERENCE

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FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

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 206 Page 130

Given under my hand and official seal, at office, in Nashville, this 24th day of July 19 96.

RICHARD R. ROOKER, CLERK

By _____
Deputy Clerk

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