97UP69 DOD 01-17-8

# Last Will and Testament

BOOK 10433 PG 524

LAST WILL AND TESTAMENT

119-04-0
114

OF

JAMES HOWARD JOHNSON, SR.

I, JAMES HOWARD JOHNSON, SR., of Davidson County, Tennessee, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all Wills, or Codicils to Wills, heretofore made by me.

## I. EXECUTRIX

I name and appoint my wife, ALMA HALEY JOHNSON, as Executrix of this, my Last Will and Testament, and request that she not be required to make bond for the faithful performance of her duties. In the event my said wife, ALMA HALEY JOHNSON, shall for any reason be unable or unwilling to serve as Executrix of my Will, then and in that event, I appoint my son, JAMES HOWARD JOHNSON, JR., to serve as Alternate Executor. I direct that any person so named as Executor or Executrix be permitted to qualify and serve without giving bond in this or any other jurisdiction.

## II. PAYMENT OF DEBTS, EXPENSES AND TAXES

I direct that all debts that shall be legally owing by me, my funeral expenses, and the expenses of the administration of my Estate be paid by my Executrix as soon as practicable except that



PICK-UP

97 MAY -2 AM 11:39

0300664

as to any debt secured by real estate, whether by mortgage or any other security instrument, my Executrix may pay such debt or permit such real estate to pass subject to such debt. I further direct my Executrix to pay all estate, inheritance and death taxes that shall be imposed by reason of my death, including such taxes on proceeds on insurance on my life, whether or not the property, transfer or proceeds with respect to which said taxes are levied are a part of my Testamentary Estate at my death. Said taxes so paid by my Executrix, shall be charged against my Residuary Estate.

## III. DISPOSITION OF PERSONAL AND HOUSEHOLD EFFECTS

I give and bequeath to my wife all clothing, jewelry, automobiles, and other tangible property for personal use of which I am the owner at the time of my death, including any insurance thereon. All household and kitchen furniture and furnishings already belong to my wife, having been given to her by me or by others. If my wife does not survive me, I direct that all such items, including household and kitchen furniture and furnishings, with the exception of those items in Article IV shall be distributed in accordance with the provisions of this Will. Any items not disposed of in this manner will be be given to my children who survive me in shares substantially equal in value.

BOOK 10439 PG 526

## IV. SPECIFIC BEQUESTS

If my wife does not survive me, I direct that the following specific bequests be made:

1. The Grandfather clock is to be given to my son JAMES HOWARD JOHNSON, JR.

2. The Lillian Russell Bedroom Suite is to be given to my daughter THELMA MAI JONES.

3. The Portrait of my wife and I be given to my grandson TIM JONES.

4. My wife's jewelry be divided between my daughter THELMA MAI JONES and my granddaughters.

## V. DISPOSITION OF RESIDUARY ESTATE

All the rest and residue of my estate, whether the same be real, personal, or mixed, and wherever situated, including proceeds of insurance on my life payable to my estate, is herein referred to as my "Residuary Estate". I give, devise, and bequeath my residuary estate to my wife to be hers absolutely. If my wife does not survive me, or if we should lose our lives as the result of a common casualty or under circumstances which would make it difficult or impossible to determine which of us died first, then in either of such events, I give, devise and bequeath all of my Residuary Estate to my children, HOWARD JAMES JOHNSON, and THELMA MAI JONES, per stirpes.

## VI. POWERS OF EXECUTOR

The powers, duties, obligations, restrictions and conditions governing the Executor of my Estate shall where applicable, be

the same as are given to and imposed upon the Executor of this Will, including those enumerated in Tennessee Code Annotated, Section 35-50-11, Paragraphs (1) through (31), inclusive, which are hereby incorporated by reference into this instrument.

IN TESTIMONY WHEREOF, I have hereunto set my signature this 6 day of Oct., 1987.

James Howard Johnson Sr.
TESTATOR

SIGNED by the said JAMES HOWARD JOHNSON, SR., as and for his Last Will and Testament, in the presence of us, the undersigned, who at his request and in his sight and presence, and in the presence of each other, have subscribed our names as attesting witnesses the day and date above written.

William L Lobue
WITNESS

Ila Pharr Lee Estes
WITNESS

3165 Thompson Lane
Address

Nashville Tenn 37211

3165 Thompson Lane
Address

Nashville Tenn. 37211

Page Four of My Will ( J H J Sr )

6369 05/02 0101 03CHECK 20.00

AFFIDAVIT

BOOK 10439 PG 528

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Ila Rhea Lee Little and William R. Little

being first duly sworn, make oath that the foregoing Last Will and Testament was signed by JAMES HOWARD JOHNSON, SR., 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 6 day of October, 1987, in Nashville, Davidson County, Tennessee, and we further make oath that the Testator was of sound mind and disposing memory on said date and did not appear to be under any undue influence and was more than eighteen (18) years of age; and that each of the witnesses was more than eighteen (18) years of age.

William R. Little
WITNESS

Ila Rhea Lee Little
WITNESS

SWORN to and SUBSCRIBED before me this 6 day of October, 1987.

NOTARY PUBLIC

My Commission Expires:
1-9-91

I hereby certify that this is a true copy of original instrument filed in my office this 22nd day of Apr 19 87
RICHARD R. ROOKER Clerk
By Deputy Clerk