Last Will and Testament of

Claudette Kittrell Merryman

BOOK 10595 PG 302

I, CLAUDETTE KITTRELL MERRYMAN, domiciled in Nashville, Davidson County, Tennessee, do make, publish and declare this to be my Last Will and Testament, hereby revoking all wills and codicils heretofore made by me.

ARTICLE I

I direct that all of my just debts, my funeral expenses, including a suitable monument at my grave, and the costs of administration of my estate be paid as soon as practicable after my death.

ARTICLE II

I direct that there shall be paid out of my residuary estate, without apportionment, all estate, inheritance, succession and other taxes, assessed by reason of my death, imposed by the government of the United States, or any state or territory thereof, or political subdivision thereof, in respect of all property required to be included in my gross estate for estate or like tax purposes by any of such governments, whether the property passes under this will or otherwise, without contribution by any recipient of any such property.

ARTICLE III

I bequeath to Holly Lane Hayes my diamond watch and all the furnishings and furniture in the front bedroom of my home at 420 General George Patton Road, Nashville, Tennessee, owned by me at the time of my death.

 Claudette Merryman

ARTICLE IV

I bequeath to Heather Ocida my diamond ring, owned by me at the time of my death.

ARTICLE V

I bequeath to Claudette Williams my ruby ring, owned by me at the time of my death.

ARTICLE VI

I bequeath to Judy Dias my diamond pendent, owned by me at the time of my death.

ARTICLE VII

I bequeath to Peggy Duke the automobile owned by me at the time of my death.

ARTICLE VIII

I bequeath to Peggy Duke, in trust, my condominium and its contents not specifically bequeathed located at 420 General George Patton Road, Nashville, Tennessee for her use and benefit during her lifetime. Upon Peggy Duke's death, I desire that said condominium be sold and the proceeds from said sale divided equally between Holly Hayes, Heather Ocida, and Charles Lane.

ARTICLE IX

I direct that, after satisfying all the bequests and devises hereinabove made and after the payment of all the administration expenses and death taxes as hereinabove provided, my personal representative or substitute personal representative shall deliver and convey all the remainder of my residuary estate wheresoever situated, including all property which I may acquire or become entitled to after the execution of this Will, including all lapsed legacies and devises, including the proceeds of all life insurance payable to my estate, including any accounts that I might have with J.C. Bradford Company or any other banking institution, to the following beneficiaries in equal proportions:

 Claudette Williams

Claudette Dias Williams
Pam Curraw
Leanie Pomeroy Terry
Debbie Pomeroy Frazier
Billy Jolly Ammonette
Jackie Ammonette
Clyde Merryman
Josephine Merryman
Buckie Quarles
Brenda Quarles
Joyce Plummer
Gertrude Duke
Ted Duke
Georgia Mullen
Holly Lane Hayes
Heather Ocida
Charles Lane
Judy Dias
Kyle Brandon
Cody Brandon
Casey Brandon
Myka Slater
Any other children of Steve and Fawn Slater

It is my desire that a trust be created for any minor beneficiary listed above with the trustee being the mother or father of said minor. The trustee shall be allowed to serve without bond and the trust shall terminate and be distributed to said minor when they reach the age of eighteen (18) years.

ARTICLE X

I appoint Howard C. Pomeroy, M.D., to serve as trustee under the trust created under Article VIII of this my Last Will and Testament and I direct that no bond be required for the faithful performance of his duties. I vest my Trustee with full power and authority to sell my condominium at 420 General George Patton Road upon the termination of the lifetime beneficiary's rights under Article VIII herein and distribute the proceeds of the sale in accordance with Article VIII herein.

ARTICLE XI

If any beneficiary hereunder shall contest the probate or validity of this Will or any provision thereof, or shall institute or join in any proceeding to contest the validity of this Will or to prevent any provision thereof from being carried out in accordance with its terms, then all benefits provided for

 Claudette Thompson

and such benefits shall pass to the trust created herein. If any such beneficiary are hereby revoked of the beneficiaries of the trust shall contest the probate or validity of this Will or trust, or any provision thereof, then said beneficiary shall cease to be a beneficiary of the trust and the trust shall then be administered as if the contesting beneficiary had predeceased the testatrix herein.

ARTICLE XII

I appoint Howard C. Pomeroy, M.D. and my niece, Peggy Duke, to be Co-Personal Representatives of this my Last Will and Testament and direct that no bond be required for the faithful performance of their duties; and I vest my said Co-Personal Representatives with full power and authority to sell, transfer and convey any property, real or personal, which I may own at the time of my death at such time and price and upon such terms and conditions as they may determine and to do every other act and thing necessary or appropriate to the complete administration of this my Last Will and Testament. If my Co-Personal Representatives ever reach an impasse and are unable to make a decision, I direct that my attorney, James C. Vance, arbitrate the issue, break the impasse, and make a final decision which shall be binding on both of my Co-Personal Representatives. If Dr. Howard C. Pomeroy and/or Peggy Duke shall not survive me, or for any reason be unable or unwilling to serve, then I appoint my attorney, James C. Vance, Substitute Personal Representative to serve with the same powers and authority as my original Co-Personal Representatives.

ARTICLE XIII

I hereby appoint JAMES C. VANCE, Attorney, to be attorney for my estate.

 Claudette Murphy

IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of this and four (4) preceding typewritten pages, and for the purpose of identification, I have signed each such page, all in the presence of the persons witnessing it at my request, this 26th day of November, 1996, at Nashville, Tennessee.

Claudette Merryman
CLAUDETTE KITTRELL MERRYMAN, Testatrix

The foregoing instrument consisting of this and four (4) preceding typewritten pages, was signed, published and declared by **Claudette Kittrell Merryman**, to be her Last Will and Testament, in our presence, and we, at her request and in her presence and in the presence of each other, have hereunto subscribed our names as witnesses, this 26th day of November, 1996.

Mary M. Vance residing at 308 Cross Timbers Dr
Nashville Tn 37221

[illegible] residing at 308 Cross Timbers Dr.
Nashville, Tenn

This Instrument Prepared by:
JAMES C. VANCE, ATTORNEY
237 Old Hickory Boulevard
Nashville, TN 37221
Phone: 615/662-ATTY (2889)

 Claudette Merryman

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

BOOK 10595 PG 307 4684 09/04 0101 03CHECK 24.00

AFFIDAVIT

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, May N. Vance and James C. Vance, Affiants, with whom I am personally acquainted and after first being duly sworn, depose and said as follows:

That Affiants attest that **Claudette Kittrell Merryman**, the TESTATRIX, signed, published and declared this to be her Last Will and Testament in the presence of us and each of us, and we at the same time, at her request and in her presence and in the presence of each other, and believe in her to be of sound mind, subscribed our names to the Last Will and Testament of the Testatrix as attesting witnesses.

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IDENTIFICATION REFERENCE

03448851

Sworn to and subscribed before me this

26th day of November, 1996.

Notary Public

My Commission Expires: _____

My Commission Expires March 21, 1998

STATE OF TENNESSEE, DAVIDSON COUNTY

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 210 Page 601

Given under my hand and official seal, at office, in Nashville, this 12 of July 1997.

RICHARD R. ROOKER, CLERK

By _____ Deputy Clerk

RECORDERS MEMO

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