Mail to
Joe Lackey 1st Am. Ctr
1st Flow 37238-1230
Nashville,

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 202 Page 97

Given under my hand and official seal, at office, in Nashville, this 28th of May, 19 98.

RICHARD R. ROOKER, CLERK

By _____ Deputy Clerk

95P-1828

LAST WILL AND TESTAMENT

OF

EMMA FLEMING

I, EMMA FLEMING, of Nashville, Davidson County, Tennessee, being of sound mind and disposing memory, do make, publish and declare this to be my Last Will and Testament hereby revoking any and all wills and codicils heretofore made by me. BOOK 10951 PG 24

I.

I direct that my Executor, hereinafter named, pay all of my just bills, funeral expenses and bills, as soon as practicable after my death, out of any funds coming into his hands as such Executor.

II.

I do hereby give, devise and bequeath the following specific bequests:

(a) to Helen Powell, the sum of $1,000.00;

(b) to Mildred Lawrence, my deceased sister Maggie's bedroom suite;

(c) to Annie Key and Hermine Alsup, my gowns and bed linens;

(d) to Thomas O. Shute, Jr., my TV set;

(e) to Blondell Kennedy and Annette Simmons, the rest of my furniture; and

(f) to Robert Moseley, my gun.

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In the event the parties cannot agree on a division of my personalty set out in (c) and (e) hereof, I direct that my Executor shall make the division to said heirs as he deems fit.

III.

I do hereby give, devise and bequeath my house located at 81 Maury Street, Nashville, Davidson County, Tennessee, to Thomas O. Shute, Sr. In the event Thomas O. Shute, Sr., should predecease me, then I give, devise and bequeath said real estate to my grand-

children, Blondell Kennedy, Annette Simmons and Thomas O. Shute, Jr., in equal shares, to share and share alike.

IV.

I hereby give, devise and bequeath all the rest, residue and remainder of my property of which I die seized, in equal shares to Thomas O. Shute, Sr., Thomas O. Shute, Jr., Blondell Kennedy and Annette Simmons. In the event any of said beneficiaries shall predecease me, their share shall be divided equally between the surviving beneficiaries.

V.

I hereby appoint Thomas O. Shute, Sr., as Executor of this my Last Will and Testament and in the event he would not be able to serve for any reason, I appoint Robert Moseley as the Executor of my estate. It is my desire that they shall serve without bond.

VI.

In the event it shall become necessary to sell any real estate of which I die seized, I direct that My Executor shall have the authority to sell same without prior Court approval.

IN WITNESS WHEREOF, I have here unto set my hand to this my Last Will and Testament, this 26th day of January, 1994.

X
EMMA FLEMING, TESTATRIX

Her Mark
witness
Shirley J. Richmond

The foregoing instrument, consisting of two typewritten pages, was signed, published and declared by the said EMMA FLEMING as her Last Will and Testament, in the sight and presence of us, who at her request and in her sight and presence, and in the sight and presence of each other have hereunto subscribed our names as witnesses hereto, this the 26th day of January, 1994.

Witness — 12th Flor 1st Amer Center
Address

Shirley J. Richmond — 5510 Country Drive
Witness — Address

A F F I D A V I T

10951 26

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Joseph L. Lackey, Jr. and Shirley J. Richmond, the attesting witnesses to the Last Will and Testament of EMMA FLEMIMG, being first duly sworn, make oath as follows:

1. That we are the witnesses to the Last Will and Testament executed by EMMA FLEMING, executed this date at Nashville, Davidson County, Tennessee.

2. That the Testatrix declared the above instrument to be her Last Will and Testament and requested that each of use be witnesses thereto. That the Testatrix signed her mark to the said last Will and Testament in our presence and we, in the presence of each other and the Testatrix, signed the said Will as witnesses on the date and at the place indicated above.

3. That at the time of the execution of the said Will, each of us is of the opinion that the Testatrix was of sound mind and was over 21 years of age.

4. That this Affidavit is executed on the 27th day of January, 1994.

J. L. Lackey, Jr.

Shirley J. Richmond

SWORN AND SUBSCRIBED before me, this the 27th day of January, 1994.

Linda P. Malohon
Notary Public

My Commission Expires: 11/22/97

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IDENTIFICATION REFERENCE
98 MAY 29 PM 12:39
DAVIDSON COUNTY, TN.