98P-21
7 January, 1998

THIS INSTRUMENT PREPARED BY:
NANCY KING CRAWFORD
ATTORNEY AT LAW
1929 21ST AVENUE SOUTH
NASHVILLE, TN 37212
615-292-2331

Last Will and Testament

OF

BOOK 11149 PAGE 686

LIDA HEAD MACKEY

I, LIDA HEAD MACKEY, currently residing in Nashville, Davidson County, Tennessee, make and declare this document as my Will. I revoke all former wills and codicils.

ITEM I
Family

A. I am presently unmarried.

B. Children. References in this Will to my child shall refer only to my son by a prior marriage: J. B. DuRard.

C. Issue. References to issue in this Will shall refer to both natural-born and adopted descendants. Unless otherwise provided herein, all issue shall take by representation, with the initial division into shares for such purpose to be the first generation below me.

ITEM II
Tangible Personal Property

A. Specific Bequests. I bequeath to those persons listed below the item or items specified. Each bequest is contingent upon my owning the item or items bequeathed at my death and upon the recipient surviving me.

1. To my son, J. B. DuRard, my candelabra and the automobile which I may own at the time of my death.

B. General Bequest. I bequeath to my two granddaughters, Dena DuRard Mays and Tanya DuRard Rice, if they survive me, such items that they may choose from my tangible personal property and personal effects, consisting generally of clothing, jewelry, books, pictures, paintings, household furniture, furnishings and equipment, and all of my other tangible personal property, except for any items bequeathed in Section A. above. Any items not selected by either of them shall become part of my residuary estate.

ITEM III
Residuary Estate

I bequeath all the rest of the property I own at my death to my son, J. B. DuRard, if my son survives me. If my son does not survive me, I bequeath my residuary estate to my two granddaughters, in equal shares. If any granddaughter does not survive me but leaves issue then surviving, such issue shall receive the deceased granddaughter's share. If any

L. H. M.

granddaughter does not survive me without issue then surviving, the deceased granddaughter's share shall be distributed to my other granddaughter (or to the issue of any other granddaughter that is also then deceased but leaves issue). If any issue of a deceased granddaughter shall be under the age of twenty-one (21) years, the distributive share for such issue shall be distributed to an adult of the Executor's choosing (including the Executor) to hold as custodian for such issue pursuant to the Uniform Transfers to Minors Act, and the receipt of such custodian shall constitute complete acquittance of my Executor.

ITEM IV
Executor

I appoint the following person to serve as the Executor of this Will.

1. My son, J. B. DuRard.

I appoint my daughter-in-law, Ella Mae DuRard as alternate executor in the event my son is unable to serve.

To the extent permitted by applicable law, no Executor shall be required to furnish bond, file any inventory or file any accountings with respect to the performance of the Executor's duties.

ITEM V
Administrative Provisions

A. Payment of Debts, Administration Expenses and Taxes. All of my legally enforceable debts (except secured debts, which may be paid or retained in the discretion of the Executor), my funeral expenses and the expenses of administration of my estate, both domiciliary and ancillary, shall be paid by my Executor as soon as practicable after my death. My Executor shall pay out of my residuary estate all estate, inheritance and other death taxes which shall become payable by reason of my death, whether in respect of property passing under this Will or otherwise, as an expense of administration, without apportionment.

B. Powers of Executor. The Executor, in the exercise of a reasonable discretion with respect to all property, real and personal, at any time forming a part of my estate, may exercise any and all of the powers set forth in Tennessee Code Annotated, Section 35-50-110, to the extent applicable, all of which provisions and powers are incorporated herein by reference (as set out in this statute on the date I sign this Will), even if this statute is amended or repealed hereafter and even if my estate is administered in a state other than Tennessee. I grant to my Executor the authority to appoint a resident Co-Executor if applicable law requires.

C. Real Property. Any real property I own at my death is to be part of my probate estate and treated as forming part of my personal estate for purposes of administration.

D. Life Insurance. The proceeds of any life insurance payable to my Executor or my estate are to be free from the claims of creditors, and are to be held and distributed as provided

by the terms of this Will. My Executor may use (but shall not be required to use) any portion of such proceeds as my Executor deems advisable for the payment of debts, expenses and taxes, but only if my Executor deems such use of the proceeds to be in the best interests of my legatees hereunder.

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E. Casualty Insurance. Each casualty insurance policy covering an item of property passing under this Will passes with such property. The recipient of such property is not to be charged for any unearned premium already paid. If any insured item of property passing under this Will has been destroyed or damaged, the insurance proceeds recovered or recoverable therefrom are to be paid to the recipient of such damaged or destroyed item in place of any destroyed item and in addition to any damaged item.

F. References to Executor. For convenience, every Executor named in this Will (including every alternate) is referred to in the singular person and masculine gender, regardless of the number or gender of those actually named herein.

G. Captions. The captions and headings of this Will are for convenience only and shall not define or limit the provisions contained herein.

IN WITNESS WHEREOF, I sign this Will, consisting of this and the preceding two (2) printed pages, and for the purpose of identification, I have signed or initialed each page, all in the presence of the persons witnessing it, at my request, on this the 5th day of August, 1997, at Nashville, Tennessee.

Lida Head Mackey
LIDA HEAD MACKEY

Signed and declared by LIDA HEAD MACKEY, to be such person's Will in the presence of all of us at one and the same time, and we, at such person's request and in such person's presence and in the presence of each other, have subscribed our names as witnesses, and we do hereby attest to the sound and disposing mind of LIDA HEAD MACKEY and to the performance of the aforesaid act of execution at the place and on the date hereinabove set out.

WITNESSES:

Shene Y. Tuliver
Signature

SHENE Y. TULIVER
Print or Type Name

1408 Navaho Ct., Nashville, TN 37204
Address

J. A. Crawford, III
Signature

J. A. Crawford, III
Print or Type Name

116 Chaparral Dr. Hendersonville, TN 37075
Address

AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

BOOK 11149 PAGE 689

The undersigned persons, after first being duly sworn according to law, depose and say:

1. They are adult citizens and residents of Tennessee.

2. They witnessed the execution of the Will of LIDA HEAD MACKEY, dated the 1st day of August, 1997, to which this Affidavit is attached, and that this Affidavit is being made at the request of such person and in accordance with the provisions of Tennessee Code Annotated, Section 32-2-110.

3. Their signatures are affixed to the Will; they signed the Will at the request of such person, and in the presence of such person, and in the presence of each other witness, at the place and on the date recited in said Will.

4. LIDA HEAD MACKEY signed said paper writing as and for a Will in their sight and presence.

5. At the time they witnessed the Will, LIDA HEAD MACKEY was, in their opinion, of sound mind.

Witness

Witness

Sworn to and subscribed before me by the two (2) persons whose signatures are affixed hereto on this 1st day of August, 1997.

Notary Public

My Commission Expires: 7-26-98

AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

BOOK 11149 PAGE 690

The undersigned persons, after first being duly sworn according to law, depose and say:

1. They are adult citizens and residents of Tennessee.

2. They witnessed the execution of the Will of LIDA HEAD MACKEY, dated the 1st day of August, 1997, to which this Affidavit is attached, and that this Affidavit is being made at the request of such person and in accordance with the provisions of Tennessee Code Annotated, Section 32-2-110.

3. Their signatures are affixed to the Will; they signed the Will at the request of such person, and in the presence of such person, and in the presence of each other witness, at the place and on the date recited in said Will.

4. LIDA HEAD MACKEY signed said paper writing as and for a Will in their sight and presence.

5. At the time they witnessed the Will, LIDA HEAD MACKEY was, in their opinion, of sound mind.

Witness

Witness

Sworn to and subscribed before me by the two (2) persons whose signatures are affixed hereto on this 1st day of August, 1997.

Notary Public

My Commission Expires: 7-26-98

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 217 Page 420

Given under my hand and official seal, at office in Nashville, this 30th of September 19 98.

RICHARD R. ROOKER, CLERK

By Deputy Clerk

COURT CLERK

BILL GARRETT REGISTER
DAVIDSON COUNTY, TN.

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IDENTIF. & REFERENCE

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