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LAST WILL AND TESTAMENT

OF

GERALDINE THOMPSON DUTY

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I, GERALDINE THOMPSON DUTY, domiciled in Davidson County, Tennessee, do hereby make, publish, and declare this to be my Last Will and Testament, revoking all other testamentary documents executed by me.

I.

I bequeath all of my jewelry, household goods, personal effects, automobiles, and all other tangible personal property, not otherwise specifically bequeathed, owned by me at the time of my death, except cash on hand or on deposit, as follows:

a. To my husband, Frank Clayton Duty, Sr., but if he fails to survive me,

b. To my children, in equal shares, the issue of any deceased child taking per stirpes.

c. In the event any person under the age of eighteen (18) years becomes entitled to any tangible personal property under the provisions of this Article, I authorize my Executor to deliver, without requiring bond, to such minor beneficiary or to the person with whom he or she resides at the time of distribution so much of said tangible personal property as, in my Executor's sole discretion, is deemed appropriate in full discharge of my Executor for the property so delivered. The remainder of said person's share shall be sold by my Executor and the proceeds added to the share of said person in my residuary estate.

I hereby certify that this is a true copy of original instrument filed in my office this 9 day of Oct 19 98
RICHARD R. ROOKER Clerk
By _____ Deputy Clerk

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

II.

I devise and bequeath all of the rest, residue, and remainder of my estate as follows:

a. To my husband, Frank Clayton Duty, Sr., but if he fails to survive me,

b. To my children, in equal shares, the issue of any deceased child taking per stirpes.

III.

I nominate my husband, Frank Clayton Duty, Sr., as my Executor, or if he should fail to qualify or complete the administration of my estate, I nominate my daughter, Carolyn D. Sartain, and my son, Frank Clayton Duty, Jr., as Successor Co-Executors. If either of my Successor Co-Executors should also fail to qualify or complete the administration of my Estate, I direct that the remaining appointment Successor Co-Executor shall serve as the sole Executor.

IV.

a. Any person who fails to survive me by 120 hours shall be deemed to have predeceased me for purposes of succession to property under this Will.

b. Any legally adopted person and descendants of the blood and legally adopted descendants of such person shall take under this Will as if they were related by blood.

c. Any taxes imposed under the laws of any jurisdiction by reason of my death, by whatever name called, upon or with respect to any property included in my estate for the purpose of this

Will, shall be paid by my Executor without apportionment.

d. The expenses of my last illness and the expenses of my funeral, including the purchase and erection of a suitable monument, shall be paid by my Executor.

e. My Executor shall have the power to pay my judicially enforceable debts and the administrative expenses of my estate as soon after my death as may be convenient and to pay or deliver any bequest or legacy to any beneficiary without waiting any time that may be prescribed by law.

f. In addition to the powers now or hereafter conferred by law, my Executor shall have all of the powers enumerated in Section 3 of Chapter 110 of the Tennessee General Assembly of 1963, T.C.A. Section 35-50-110, to the extent applicable, which powers are expressly incorporated herein by reference.

g. I direct that no person herein named as Executor shall be required to file any bond for the faithful performance of their duties nor any inventory of my estate. I further waive any requirement that my Executor file any accounting with any Court or Court Clerk.

h. I have four (4) children at the time of the execution of this Will, to-wit: Frank Clayton Duty, Jr., Carolyn D. Sartain, Earl Ezell Duty and Roy Arnett Duty, and wherever I have made any bequest or devise in this Will to "my children", it is my intention to include for an equal share any children hereafter born to or adopted by me.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of four (4) typewritten pages, this and the following one (1) page included, and for the purpose of identification, I have initialed each such

page, all in the presence of the persons witnessing it at my request on the 3rd day of November, 1989, at Mt. Juliet, Tennessee.

Geraldine Thompson Duty
GERALDINE THOMPSON DUTY

The foregoing instrument, consisting of four (4) typewritten pages, this and the three (3) preceding pages included, was signed, sealed, published, and declared by GERALDINE THOMPSON DUTY, the Testator, 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 the 3rd day of November, 1989, at Mt. Juliet, Tennessee.

[illegible] residing at Lebanon, Tennessee

Wendy L. Simms residing at Lebanon, Tennessee

PAGE 4 OF MY WILL: G. T. D.

AFFIDAVIT

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STATE OF TENNESSEE

COUNTY OF WILSON

We, Robert L. Collis and Wendy L. Simms, the witnesses whose names are signed to the attached instrument, being first duly sworn, do hereby declare to the undersigned authority that the Testator signed and executed the instrument as her Last Will and Testament and that she has signed willingly, and that she executed it as her free and voluntary act for the purposes therein expressed; and that each of the witnesses, in the sight and presence of the Testator and in the sight and presence of the other witness, signed the Will as witnesses and to the best of their knowledge the Testator was at that time eighteen (18) or more years of age, of sound mind and under no constraint or undue influence.

We have been requested to execute this affidavit by the Testator, GERALDINE THOMPSON DUTY.

Robert L. Collis
WITNESS

Wendy L. Simms
WITNESS

Subscribed, sworn to and acknowledged before me by Robert L. Collis and Wendy L. Simms, WITNESSES, this the 3rd day of November, 1989.

Marilyn D. Sutherland
NOTARY PUBLIC

My commission expires: 5/16/93

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BILL GARNETT REGISTER
DAVIDSON COUNTY, TN.

IDENTIF. & REFERENCE

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