#31,726

LAST WILL AND TESTAMENT

OF

ALVIN H. HONIGMAN

Instr:200004110036822 Page: 1 OF 9
REC'D FOR REC 04/11/2000 3:00:32PM
RECORD FEE: $38.00
M. TAX: $0.00 T. TAX: $0.00

Alexandria, Louisiana

February 23, 1989

I, ALVIN H. HONIGMAN, domiciled in Rapides Parish, Louisiana, being of sound mind and memory, but aware of the uncertainty of life, do hereby make and ordain this my Last Will and Testament, revoking all others.

I.

I have been married but once and then to PATSY RUTH HONIGMAN, with whom I am presently living. We have two (2) children, JERRY DEA HONIGMAN, born July 15, 1952, who I adopted, and TIMOTHY SCOTT HONIGMAN, born November 21, 1957. My social security number is 213-18-3675. My spouse was born on March 23, 1931.

II.

I direct that all costs, fees, expenses, just unsecured debts, funeral and administrative expenses, State Inheritance Taxes, and Federal and State Estate Taxes, if any, be paid from my Estate. After payment of the above described charges, expenses and taxes, I bequeath and devise my remaining property in the following manner.

III.

Subject to the suspensive condition that she survives me for at least thirty (30) days following my death, I bequeath and devise unto my beloved wife, PATSY RUTH HONIGMAN, all of my right, title and interest in and to the following:

(A) That certain immovable property, and the improvements thereon, which bear Municipal Address 112 Hilltop Drive, Pineville, Louisiana, or such other immovable property, and the improvements thereon, as may constitute the matrimonial home occupied by me and my wife at the time of my death.

ALVIN H. HONIGMAN, Testator

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ALEXANDRIA, LA.

(B) The furniture, furnishings, decorations, appliances and other corporeal movable property contained in the above designated matrimonial home at the time of my death. It is not the intention of this bequest to include any stocks or bonds which may be located in the said home.

(C) Any automobiles, trailers, buses, boats or other vehicles which I may own at the time of my death.

(D) All insurance policies on the lives of others, including my wife.

(E) Any interest that I may own in any retirement plans of my wife, including, but not limited to, plans such as Individual Retirement Accounts, Defined Benefit Pension Plans, Money Purchase Pension Plans, Profit Sharing Plans, IRC §401(k) Plans, Employee Stock Ownership Plans, and other such retirement plans.

(F) All club memberships which are transferrable to my wife pursuant to the rules of said club.

IV.

I hereby confirm and direct that my wife, PATSY RUTH HONIGMAN, shall have the usufruct of all and each other item of my property, both community and/or separate property. My said wife, PATSY RUTH HONIGMAN, shall enjoy this usufruct during the remainder of her natural life, without the necessity of giving bond or security therefor and without separate inventory. In the event that any property subject to this usufruct is of a kind that would be classified as both non-productive and non-consummable, then and in such an event I grant unto my wife the right to dispose, exchange, alienate, sell or otherwise encumber said property so that it may become income producing property. I further grant and confirm unto my wife, as usufructuary, the power to convert by sale, exchange, or other means any property over which she has the usufruct to similar or other types of property or to cash without the consent or concurrence of the naked owners. Said usufruct shall continue upon and attach to the proceeds or other properties or cash received upon said conversion.

This usufruct shall pertain to all fruits and income from all properties and shall particularly include all bonuses, rents, royalties and other income derived from the mineral development or potential mineral development of any interest in and to properties or mineral rights which I own, whether such bonuses, rents, royalties or other benefits result from the development or potential development of minerals which occur prior to or subsequent to my death. As used herein, the term "minerals" applies only to oil, gas or other hydrocarbons.

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45-1486
DRIA, LA.

This usufruct shall be eligible for the "Marital Deduction" from my federal estate taxes, as Qualified Terminable Interest Property, but shall be deducted only to the extent my Executor exercises the election to treat it as such, whether in whole or in part.

V.

Subject to the foregoing provisions, and subject to the usufruct herein granted to my wife, PATSY RUTH HONIGMAN, I bequeath and devise the remainder of my Estate, in equal proportions, to my children, JERRY DEA HONIGMAN and TIMOTHY SCOTT HONIGMAN. If either of my children should predecease me and leave lawful surviving issue, the share of the deceased child shall go to his lawful issue in equal proportions by representation, all subject to the usufruct hereinabove granted. If either of my children should predecease me and leave no lawful issue, the share of the deceased child shall go to the surviving child and/or his lawful issue, if deceased, in equal proportions, subject to the usufruct hereinabove granted.

VI.

If my wife predeceases me, dies simultaneously with me, or does not survive me for at least thirty (30) days, then I devise and bequeath my entire estate to my children, in equal portions.

VII.

In the event that an administration of my Estate is necessary, I name and appoint my wife, PATSY RUTH HONIGMAN, Executrix of my Estate to act without bond and with full seizin. In the event my wife, PATSY RUTH HONIGMAN, should predecease me or for any reason be unable or unwilling to act as Executrix, then I name and appoint my two sons, JERRY DEA HONIGMAN and TIMOTHY SCOTT HONIGMAN, as Co-Executors of my Estate, to act without bond and with full seizin.

My Executrix shall have the power to elect, select and determine which asset or assets belonging to me shall be used to satisfy the particular legacies contained in this, my Last Will and Testament. Further, it is not my intention that the residuary legatees named herein shall receive their

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proportionate percentage in each and every asset forming the remainder of my Estate, but rather that they shall receive property or properties to be selected by my Executrix, which shall satisfy the respective percentages bequeathed to them of the remainder of my assets.

It is my intention that my Executrix shall have the right, but not the duty, to treat any bequests to my spouse as "Qualified Terminable Interest Property" in order to secure the "marital deduction" allowed under §2056 of the Internal Revenue Code of 1954, as amended, or successor laws thereto, and accordingly, my Executrix shall not have any power, the possession of which would deprive my estate of such "marital deduction"; any ambiguity in this Will shall be resolved in such manner as to preserve for my Executrix the right, but not the duty, to sue said "marital deduction".

As to the usufruct granted above, my Executrix shall have the power and sole discretion to treat it as Qualified Terminable Interest Property in order to secure the marital deduction, either in whole or in part, and she shall also have the power and sole discretion to select and choose which specific assets shall be included as Qualified Terminable Interest Property.

My Executrix shall incur no liability in determining whether or not to exercise the election to secure the marital deduction to my gross estate for federal estate tax purposes, and if so, to what extent.

IX.

I dispense my children from collating any gifts I made to any of them during my life or by reason of my death. I intend such gifts to constitute an extra portion to my child or children.

X.

The term "my estate" in this Will means all property subject to this Will which I own now or acquire in the future.

ALVIN H. HONGIMAN, Testator

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ALEXANDRIA, LA.

XI.

If a legatee either disclaims or renounces all or any part of a bequest hereunder, the bequest shall inure to the benefit of the descendants of said legatee.

XII.

I name and appoint WILLIAM B. OWENS as the attorney for my Succession and Succession representative.

This Last Will and Testament, containing five (5) pages, has been executed in Alexandria, Rapides Parish, Louisiana, on this the 23rd day of February, 1989.

ALVIN H. HONIGMAN, Testator

The Testator has signed this Will at the end and on each other separate page and has declared or signified in our presence that it is his Last Will and Testament, and in the presence of the Testator and each other, we have hereunto subscribed our names this 23rd day of February, 1989.

WITNESSES:

ALVIN H. HONIGMAN, Testator

NOTARY PUBLIC

Law Offices
CROWELL & OWENS
P.O. Box 330 71309
(318) 445-1488
ALEXANDRIA, LA.

PROBATE SUIT NO. 31,726

SUCCESSION	*	NINTH JUDICIAL DISTRICT COURT
OF	*	PARISH OF RAPIDES
ALVIN H. HONIGMAN	*	STATE OF LOUISIANA

****

ORDER FOR PROBATE OF STATUTORY TESTAMENT AND CONFIRMATION OF EXECUTRIX

Considering the foregoing Petition, the Last Will and Testament of ALVIN H. HONIGMAN, in statutory form, dated February 23, 1989, the annexed Affidavit of one of the witnesses and the Notary Public before whom the Will was attested, and the annexed Affidavit of Death and Heirship, it appears to the satisfaction of the Court that the Will has been duly proven in accordance with Article 2890 of the Louisiana Code of Civil Procedure.

IT IS ORDERED, that the Last Will and Testament of ALVIN H. HONIGMAN, in statutory form, dated February 23, 1989, is hereby declared to be duly proven, and I hereby order it filed and recorded in the office of the Clerk of Court of Rapides Parish, Louisiana, and executed according to law.

IT IS FURTHER ORDERED, that PATSY RUTH HONIGMAN be confirmed as the Testamentary Executrix of the Succession of ALVIN H. HONIGMAN, to act with ~~full~~ seizin and without the necessity of posting bond, and that Letters Testamentary be issued to her upon her taking the oath as required by law.

THUS DONE AND SIGNED, in Chambers in Alexandria, Rapides Parish, Louisiana, on this the 15th day of September, 1999.

DISTRICT JUDGE
Ninth Judicial District Court

FILED
SEP 15 1999
Deputy

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(318) 445-1488
ALEXANDRIA, LA

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WITNESSES:

ALVIN H. HONIGMAN, Testator

NOTARY PUBLIC

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STATE OF LOUISIANA, PARISH OF RAPIDES

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE AND OF RECORD IN THIS OFFICE.

IN FAITH WHEREOF, WITNESS MY HAND AND SEAL OF OFFICE, AT ALEXANDRIA, LOUISIANA, THIS 27 DAY OF March A.D. 20 25

CAROLYN J. RYLAND, CLERK OF COURT

BY _____
DY. CLERK OF COURT

EXHIBIT A

REAL PROPERTY BELONGING to ALVIN H. HONIGMAN and PATSY RUTH LABORDE HONIGMAN

Land in Davidson County, Tennessee, being Lot 51A, Zone Lot Division of Lot 51, Brentwood Meadows, Section 2, as of record in Book 6250, page 644, Register's Office for Davidson County, Tennessee, to which plan reference is herein made for a more complete legal description.

BEING part of the same property conveyed to Brentwood Meadows Phase II, Joint Venture, a joint venture composed of Thomas E. Ledford, Robert C. Haley and Robert G. Lakins, by deed from Hailey Brothers Partnership, a Tennessee general partnership composed of John T. Hailey and Lambert L. Hailey, of record in Book 6513, page 786, Register's Office for Davidson County, Tennessee.

Bearing the municipal address of 5710 Brentwood Meadow Circle, Brentwood, Tennessee