970.1445 — 10 6.97

Last Will and Testament

OF

MARGARET DUNN

Instr:200005260052891 Page: 1 OF 6
REC'D FOR REC 05/26/2000 4:15:36PM
RECORD FEE: $26.00
M. TAX: $0.00 T. TAX: $0.00

I, **MARGARET DUNN**, of Davidson County, Tennessee, being of sound mind and disposing memory, do make, declare and publish this my last will and testament, hereby revoking all former wills and codicils to wills heretofore made by me.

ITEM I: I direct that all my just debts be paid out of my estate as soon as practical after the time of my decease.

ITEM II: I nominate and appoint my great-granddaughter, Leila McClendon Brown, as Executrix of this my last will and testament, to qualify and serve in such capacity without being required to give bond or undertaking. I vest with my Executrix of my will, the full power and authority to sell, transfer, and convey any property, real or personal, which I may own at the time of my death and at such time and price and upon such terms and conditions (including credit) that she may determine and to do every act necessary or appropriate for the complete administration of my estate.

I hereby appoint Leila McClendon Brown to serve as trustee for the property of and under this will which is to be held in trust for my great-granddaughter, Ashley Shiann ~~Gray~~ RAY. Said Trustee shall qualify and serve in such capacity without being required to give bond or undertaking.

I vest with my Trustee the full power and authority to sell, transfer, and convey any property, real or personal, which I may own at the time of my death and at such time and price and upon such terms and conditions (including credit) that she may determine and to do every act necessary or appropriate for the complete administration of said trust. The trustee shall have the powers enumerated in T.C.A. 35-50-110.

ITEM III: If, at the time of my death, a lien shall exist against my home located at 920 West Ave, Nashville, TN I hereby direct that such lien be paid out my estate.

ITEM IV: I hereby give, devise and bequeath to Lois Thompson a one-hundred dollar ($100.00) savings bond and my diamond ring.

ITEM V: I hereby give devise and bequeath all right, title and interest in the rest, residue and remainder of my estate, including real, personal, tangible and intangible property, to my great-granddaughters, Leila McClendon Brown and Ashley Shiann ~~Gray~~ RAY, to be divided equally between them. MD

ITEM VI: As provided in ITEM V above, one-half of the rest residue and remainder of my estate shall constitute the trust estate to benefit my great-granddaughter, Ashley Shiann Gray RAY, and shall be held in trust for the uses and purposes hereafter expressed and subject to the terms and conditions of the trust hereafter provided. MD

The Trustee shall hold, manage, invest and reinvest the property of the trust, shall collect and receive the income therefrom, and after deducting all necessary expenses incident to the administration of the trust in the manner herein provided shall dispose of the net income of the trust as follows:

The Trustee may, at her discretion, merge the assets of any trust hereunder with those of any other trust, by whomsoever created, maintained for the same beneficiaries upon substantially the same terms.

The net income from the trust estate shall be applied first to the payment of administrative expenses of the trust, including, but not limited to, taxes, special assessments, and trustee's commissions (however, trustee's commissions are not to exceed $250.00 per year), and then distributed and paid to the beneficiary or accumulated as hereinafter directed or permitted.

Trustee shall use the net income and trust corpus to provide for the health, education and maintenance of the beneficiary and the shall use all due diligence to insure

that the child is provided an elementary school and high school education and thereafter if there are sufficient funds for college then trustee will provide funds for a college education to the child.

Trustee shall have all authority to use the net income and trust corpus to provide the best care possible for the medical, dental, psychiatric, psychological, and optical needs of the beneficiary.

Any trust herein created shall in no event continue for a period longer than permitted under the Rule Against Perpetuities or any other law of any state which may have application to this will. If it is determined that the terms of any trust herein violate any such Rule or law, then I direct that at the end of the longest period I am permitted under the laws of such state to extend the trust in question, distribution of all principal and undistributed income in such trust applicable to such state be then made in equal shares to those persons then entitled to receive the income from such trust, irrespective of their attained ages and notwithstanding anything to the contrary herein provided.

The death of any beneficiary named herein shall not terminate this trust or in any manner affect the powers of trustee hereunder. In the event of the death of any one of such beneficiaries during the term of this trust, the interest of such beneficiary shall pass to her issue. If there be no issue then his or her interest shall pass to my great granddaughter, Lelia McClendon Brown.

Trustee named herein and all successor trustees shall be entitled to reasonable compensation for her/his services as trustee. Such compensation is not to exceed $250.00 per year, however.

The Trustee shall have the sole discretion to terminate this trust at any time that the Trustee determines the necessity to do so. If the Trustee determines to terminate such trust then the Trustee shall at such time distribute such remaining funds to the beneficiaries.

Trustee shall in no event be liable to any party in interest or to any person except for trustee's own gross negligence or willful default.

Trustee is hereby vested with absolute discretion in the exercise of the powers conferred on trustee by this instrument.

The enumeration of certain powers in this trust instrument shall not limit the general or implied powers of trustee. Trustee shall have all additional powers that may now or hereafter be conferred on trustee by law or that may be necessary to enable trustee to administer this trust in accordance with the provisions of this instrument, subject only to such limitations as may be expressly provided herein.

If the whole or any part of the trust estate, or the proceeds thereof, shall become liable for the payment of any tax, charge or assessment that trustee shall be required to pay, trustee shall have the full power and authority to pay such tax, charge or assessment.

The beneficiaries shall not have the right to terminate this trust. This trust shall terminate automatically when the beneficiary reaches the age of 18.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of this and four preceding typewritten page(s), and one succeeding page(s), signed by witnesses 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 this the 18 day of Oct, 1996, at Nashville, Tennessee.

Margaret Dunn
MARGARET DUNN

Signed, sealed, published and declared by the Testator, **MARGARET DUNN**, to be her last will and testament in the presence of all of us at one and the same time, and we at her request and in her presence and in the presence of each other, have hereunto subscribed our names as witnesses, and we do hereby attest to the sound and disposing mind of said testatrix and to the performance of the aforesaid act of execution at the place and on the date hereinabove set out.

WITNESS

Carl C Kern
WITNESS

AFFIDAVIT

REBA I MARCUM and CARL C KEEN, after being duly sworn according to law, depose and say:

1. That they are adult citizens of Davidson and DAVISON County, Tennessee, respectively.

2. That they witnessed the execution of the Last Will and Testament of **MARGARET DUNN** dated OCT 15, 1996, to which this Affidavit is attached, and that this Affidavit is being made at the request of the Testatrix, and in accordance with the Tennessee Code Annotated 32-2-110.

3. That their signatures are affixed to said Last Will and Testament, that they signed or affixed the same at the place and on the date recited in said Last Will and Testament.

4. That the Testatrix signed said paper writing as and for her Last Will and Testament in their sight and presence.

5. That at the time they witnessed said Will, the Testatrix was, in their opinion, of sound mind.

WITNESS

Carl C Keen
WITNESS

STATE OF TENNESSEE
COUNTY OF Davidson

Subscribed and sworn to before me this 18th day of October, 1996.

NOTARY PUBLIC

My commission Expires: November 27, 1999.

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 216 Page 001

Given under my hand and official seal, at office in Nashville, this 2nd day of May 2000.

RICHARD R. ROOKER, CLERK

By Deputy Clerk

6 of 6 MG

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