Last Will and Testament

PICK-UP

Davidson County WILL
Recvd: 01/30/01 15:53 3pgs
Fees:14.00 Taxes:0.00
20010130-0009221

of

HOWARD ALLEN RUCKER

I, HOWARD ALLEN RUCKER, of Davidson County, Tennessee, do make, publish and declare this to be my Last Will and Testament, hereby revoking all other Wills and Codicils by me at any time heretofore made.

I.

I authorize and direct my Executrix hereinafter named to pay all of my just and legal debts (excluding debts secured by mortgages, pledges or other security instruments which in the discretion of my Executrix may be paid or retained) including my funeral expenses and the costs of the administration of my estate, as soon after my death as practicable.

II.

I hereby nominate and appoint my daughter, TAMMY LA'TRICE RUCKER TYUS as Executrix of this my Last Will and Testament. I direct that no bond be required for the faithful performance of her duties as Executrix and that she shall not be required to make reports to any court.

III.

I give, devise and bequeath to my father, HOWARD BURTON RUCKER, the sum of FIVE THOUSAND DOLLARS ($5,000.00) to be his absolutely.

IV.

I give, devise, and bequeath all of the rest and residue of my estate, real, personal and mixed, of whatever kind and wheresoever situated, to my daughter, TAMMY LA'TRICE RUCKER TYUS to be hers absolutely.

V.

In the event both of my daughter, TAMMY LA'TRICE RUCKER TYUS, should predecease me or should we die simultaneously or approximately so, I give devise and bequeath all the rest and residue of my estate, real, personal, and mixed of whatever kind and wheresoever situated, to my sisters, BRENDA STEGAR, ROVONDA RUCKER, GAYTRICE RUCKER, equally, share and share alike.

VI.

I authorize my Executrix (including any substitute or successor personal representative) in the exercise of a reasonable discretion with respect to all property, real, personal and mixed, at any time forming part of my estate, to exercise any or all 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 fully as if copied herein verbatim. These powers (as set out in said statute on the date of execution of this Will) are granted, notwithstanding that said statute may be amended hereafter or repealed at the time of my death.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of August, 1999, and do publish and declare this as my Last Will and Testament, consisting of three (3) pages, in the presence of each and all of the subscribing witnesses whom I have requested to act as such by signing the Attestation Clause and Affidavit below pursuant to the provisions of T.C.A. 32-2-110.

His HAR Mark
HOWARD ALLEN RUCKER

WITNESSES TO HIS MARK:

Janice M. Smith

Kellye S. McMillen

HAR

ATTESTATION CLAUSE AND AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF RUTHERFORD)

We, the undersigned, being first duly sworn, make oath that HOWARD ALLEN RUCKER, on the day and date above written, declared and signified to us that the foregoing instrument was his Last Will and Testament; that he then signed said instrument in our sight and presence; that we, at his request and in his sight and presence, and in the sight and presence of each other, then subscribed our names hereto as attesting witnesses; that at the time of execution the testator was more than 18 years of age, of sound mind and disposing memory, and did not appear under any undue influence, and that the undersigned, each being more than 18 years of age, make and sign this Affidavit at the testator's request on the day and date above written.

Janice M. Smith

Kellye S. Miller

Sworn to and subscribed before me,
this 6th day of August, 1999.

Michael A Ulery
Notary Public

My commission expires: 11/18/2001

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 231 Page 96
Given under my hand and official seal, at office in Nashville this 30th of January 2001

RICHARD R. ROOKER, CLERK

By Anita Riggan
Deputy Clerk

CIRCUIT COURT CLERK RICHARD R. ROOKER

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My Last Will and Testament

HAR