FILED
2001 FEB -2 PM 4:21
RICHARD ... CLERK

LAST WILL AND TESTAMENT

OF

OWEN WAYNE SMITH

Davidson County WILL
Recvd: 02/20/01 14:20 4pgs
Fees:18.00 Taxes:0.00
20010220-0015604

I, **Owen Wayne Smith**, being of sound mind and disposing memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all former Wills and Codicils to Wills heretofore made by me.

FIRST: I direct that those in charge of my estate pay my funeral and burial expenses from the first money coming into their hands, and I direct that they not be required to file with the Court an inventory of the assets of my probate estate, nor be required to file a final accounting of the receipts and disbursements. I direct and authorize that my real estate, wherever located, be subject to the administration of my Estate and may be sold and/or mortgaged by my Executor/Executrix without Court approval.

SECOND: If those in charge of my estate find any memorandum hand-written and signed by me, and attached to this Will, designating persons to whom I desire to give certain of my articles of personal property, not otherwise disposed of by this Will, I direct that said articles be delivered to the persons so designated in such memorandum. Any such hand-written and signed memorandum shall be deemed a part of this Will, by reference, as if fully copied herein. If no such hand-written, signed memorandum be found attached to this Will, those in charge of my estate shall assume that none exists.

THIRD: I give, will, devise and bequeath all my property, real and personal, equally to my three children, James Owen Smith, Lawson Wayne Smith, and Barbara Ann Hedgepath.

FOURTH: All the rest, residue and remainder of my estate, real, personal or mixed, wheresoever the same may be located, I hereby give, will, devise and bequeath equally to my three children, James Owen Smith, Lawson Wayne Smith, and Barbara Ann Hedgepath.

Owen Wayne Smith

FIFTH: I hereby nominate, designate and appoint my son, James Owen Smith, as Executor of this my Last Will and Testament and direct that he not be required to make bond.

IN WITNESS WHEREOF, I have hereunto set my hand and signed each of the 2 pages of this my Last Will and Testament, this 29 day of December, 2000 at Nashville, Tennessee.

Owen Wayne Smith

OWEN WAYNE SMITH - Testator

ATTESTATION CLAUSE

Signed, signified, published and declared by the Testator, as and for his Last Will and Testament, in the presence of us, the undersigned attesting witnesses, who at his request and direction, and in his sight and presence and in the sight and presence of each other, have hereunto set our hands as such witnesses the day and date above written.

WITNESSES

(Signature) Vera Freeman

(Address) 604 Freedom Ct.

Nashville, TN 37209

(Signature) Rebecca C. Stafford

(Address) 4800 Charlotte Ave.

Nashville, TN 37209

THIS INSTRUMENT PREPARED BY:

Richard Hedgepath, Jr.
Attorney at Law
4800 Charlotte Ave.
Nashville, TN 37209

Owen Wayne Smith

PAGE TWO, WILL OF: _____

OWEN WAYNE SMITH

AFFIDAVIT OF WITNESS TO PROVE WILL

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Vera Freeman and Rebecca C. Stafford,

of legal age and after being duly sworn and according to law, depose and say:

1. That they witnessed the execution of the Last Will and Testament of Owen Wayne Smith dated this 29 day of December, 2000, to which this affidavit is attached, and that this affidavit is being made at the request of the Testator, and in accordance with Tennessee Code Annotated 32-2-110.

2. That their signatures are affixed to said Last Will and Testament, that they signed or affixed the same at the instance and at the request of the Testator and in his sight and presence, and in the sight and presence of each other, at the place and on the date recited in said Last Will and Testament.

3. That the Testator signed said paper writing as and for his Last Will and Testament in their sight and presence.

4. That at the time they witnessed said Last Will and Testament, the Testator was, in their opinion, of sound mind and disposing memory.

Vera Freeman
Witness

Rebecca C. Stafford
Witness

Sworn to and subscribed before me this 29 day of December 2000, at Nashville, Tennessee.

Richard Hedgepath Jr.
NOTARY PUBLIC

My commission expires: 03-29-03

RICHARD HEDGEPATH JR.
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.

My Commission Expires MAR. 29, 2003

STATE OF TENNESSEE

I, RICHARD R. ROOKER, Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the Order heretofore entered in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 05 day of FEBRUARY , 2001 , in the Case Number 01P173 between SMITH, JAMES OWEN Petitioner, and SMITH, OWEN WAYNE Respondent, as same remains of record in Vol. 1655 , Page 303386 of the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 06 day of FEBRUARY in the year two thousand one and in the 225th year of American Independence.

SEAL



RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk