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RICHARD R. ROOKER, CLERK

Madison D.C.

LAST WILL AND TESTAMENT

OF

Re: Elam

ERNA MARGARET FREUDEMAN

Davidson County WILL
Recvd: 07/28/03 13:45 5pgs
Fees:27.00 Taxes:0.00

20030728-0105132

I, Erna Margaret Freudeman, of Davidson County, Tennessee, being of sound mind and disposing memory, do hereby make, declare, and publish this my Last Will and Testament, hereby revoking any and all wills and codicils heretofore made by me.

FIRST: I direct that my Executor pay from cash in bank, or otherwise from my residuary estate without apportionment, all estate, inheritance, succession, and other taxes assessed by reason of my death, imposed by any federal, state, or other government in respect of all property required to be included in my gross estate for estate or like tax purposes by any of such governments, whether the property passes under this will or otherwise, without contribution by any recipient of such property and that he pay from cash in bank or otherwise from my residuary estate all my just debts, funeral expenses, and the costs of administration of my estate as soon as practicable after my death.

SECOND: Subject only to the foregoing provision, I give, devise, and bequeath all my property of every kind and nature, including real, personal or mixed and wheresoever situated, unto my son, Randy Lee Proctor, as his absolute property.

THIRD: Only in the event that my said son, Randy Lee Proctor, dies before me or within thirty days after me, I give, devise and bequeath all my said property to my daughter-in-law, Mary Evonne Proctor, as trustee, to serve without bond, to hold and manage as a trust estate, and to accumulate or to spend to exhaustion, if need be, whether from income or principal, as she in her sole discretion may determine, only for the health, support, maintenance and education of my grandchildren, Kylor Proctor and Valorie Proctor, until the oldest of my said grandchildren reaches the age of thirty years, at which time, the trust fund

and accumulations, if any, shall be divided into two equal shares, with one such share being paid over to my said older grandchild and the remaining share being held in trust for my younger grandchild until such grandchild reaches the age of thirty years, at which time the remaining share shall be paid over to my younger grandchild and the trust shall terminate.

Should either of my said grandchildren die without issue surviving him or her before reaching the age of thirty years, then such deceased grandchild's share shall be paid over to my surviving grandchild when he or she has reached the age of thirty years. Should either of my said grandchildren die before reaching the age of thirty years with issue surviving him or her, then such deceased grandchild's share shall vest and be distributed to his lineal descendants then living by right of representation; provided that should any share become vested in any benficiary under twenty-one years of age, such share shall remain in trust for such beneficiary until such beneficiary reaches the age of twenty-one years.

FOURTH: Neither the principal nor income of any trust created herein shall be pledged, assigned, transferred, sold, or in any manner whatsoever, accelerated, anticipated, or encumbered, by my beneficiaries, nor shall any income or principal of said trust estate be in any manner subject or liable in the hands of the trustee, for the debts, contracts, or engagements of the beneficiaries, or be subject to any assignment, or any other voluntary or involuntary alienation or disposition whatsoever. All distributions of income or principal shall be paid only upon receipt to the beneficiaries entitled, or to others for their use and benefit.

FIFTH: My said trustee and my executor named hereinafter shall have all the powers enumerated in Tennessee Code Annotated, Section 35-50-110, to the extent applicable, all of which powers and language contained in said statute are incorporated herein by references fully as if copied verbatim herein.

AND FINALLY: I nominate and appoint my son, Randy Lee Proctor, as sole executor of this my will, and if he should die or be unable or unwilling to serve in such

capacity, I nominate and appoint my daughter-in-law, Mary Evonne Proctor, as sole executrix of this my will, neither of whom shall be required to make bond, file an inventory, accountings or a final settlement as such executor or executrix or as trustee under this my will.

IN WITNESS WHEREOF, I have hereunto set my hand on this page and the preceding pages of this my Last Will and Testament on this the 6 day of January, 2000.

Erna Margaret Freudeman
ERNA MARGARET FREUDEMAN

The said ERNA MARGARET FREUDEMAN, being of sound mind and disposing memory, signed the foregoing instrument in our presence as and for her Last Will and Testament, and signified and declared to us that same was her Last Will and Testament, and we, the undersigned, at her request and in her presence and sight and in the presence and sight of each other have subscribed our names hereto as attesting witnesses on the day and date above written at Ashland City, Tennessee, Cheatham County.

Sam M. Baldrup residing at 416 S. Main St., Ashland City, Tennessee.

Patsy J. Wilson residing at 2304 Pleasant View Rd
Pleasant View, TN 37146

AFFIDAVIT

STATE OF TENNESSEE

COUNTY OF CHEATHAM

We, the undersigned, being first duly sworn, make oath that ERNA MARGARET FREUDEMAN, on the day and date above written, declared and signified to us that this instrument is her Last Will and Testament; that she then signed said instrument in our sight and presence; that we, at her request and in her sight and presence, and in the sight and presence of each other, then subscribed our names thereto as attesting witnesses; that at the time of execution the Testator was more than eighteen (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 that eighteen (18) years of age, make and sign this Affidavit at the Testator's request on the day and date above written.

Joan M. Battings

Patsy J. Wilson

SWORN TO AND SUBSCRIBED before me this the 6th day of January, 2000.

Donna K. Young
NOTARY PUBLIC

My Commission Expires: 12/08/02

STATE OF TENNESSEE

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 _ day of _ , _ , in the Case Number 01P824 between PROCTOR, RANDY LEE Petitioner, and FREUDEMAN, ERNA MARGARET Respondent, as same remains of record in Vol. 1876 , Page 343992 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 22 day of JULY in the year two thousand three and in the 227th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

SEAL

