PICK-UP

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RICHARD R. ROOKER, CLERK

D.C.

Davidson County WILL
Recvd: 07/29/03 12:24 5pgs
Fees:22.00 Taxes:0.00

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LAST WILL AND TESTAMENT

OF

MARY ALICE HARVAT

I, MARY ALICE HARVAT, 508 Barbara Avenue, Madison, Tennessee 37115, do make, declare, and publish this to be my Last Will and Testament, hereby revoking all former Wills and Codicils.

ARTICLE I

I direct that all my lawful debts, including funeral expenses and the cost of administration of my estate, be paid by my Executor as soon as practicable after my death. I further direct that my Executor pay all my estate, inheritance, succession, and other death taxes which will become payable by reason of my death, whether in respect of property passing under this Will or otherwise, as an expense of administration without apportionment.

ARTICLE II

I bequeath to my loving son,GARY LEE HARVAT, if he shall survive me by seven (7) days, all of my personal property owned by me at the time of my death. If my son shall not survive me for at least seven (7) days following my death, then I bequeath all of my property to my daugher-in-law, KARI S. HARVAT.

ARTICLE III

All the rest, residue and remainder of the property that I may own at the time of my death I devise and bequeath to my loving son, GARY LEE HARVAT, if he shall survive me for a period of at least seven (7) days. If my son shall not survive me for such period, then I devise and bequeath my entire residuary estate to my daughter-in-law, KARI S. HARVAT.

ARTICLE IV

I appoint GARY LEE HARVAT to be the Executor of this my Last Will and Testament, and, if my said Executor shall predecease me or for any reason shall fail to qualify as Executor hereunder, or having qualified shall die or resign, then in such event, I appoint as successor Executrix hereunder KARI S. HARVAT. I direct that no bond or other security be required of my said Executor, successor Executor, or successor Executrix for the faithful performance of their duties as such.

Initial: M A H

ARTICLE V
RESIDUARY ESTATE

All of the rest and residue of my property I devise and bequeath absolutely and in fee simple to my son, GARY LEE HARVAT, if he shall survive me by seven (7) days, but otherwise to, KARI S. HARVAT.

ARTICLE VI
PRESUMPTION AS TO SURVIVORSHIP

If my son and I shall die under such circumstances that there is not sufficient evidence to determine the order of our deaths, then it shall be presumed that he survived me; and my estate shall be administered and distributed, in all respects, in accordance with such presumption.

ARTICLE VII
POWERS OF EXECUTOR

The Executor, including any substitute or successor Personal Representative, in the exercise of a reasonable discretion with respect to all property, real and personal, at any time forming a part of my estate, may exercise any and all of the powers set forth in Tennessee Code Annotated §35-50-110, to the extent applicable, all of which provisions and powers are incorporated herein by reference (as set out in said statute on the date of the execution of this Will), even if said statute be amended or repealed hereafter and even if my estate be administered in a state other than Tennessee. Without in any way limiting the foregoing, the Executor shall at all times during the adminsitration of my estate be vested with all the powers, duties and authority herein provided.

Initial: M. A H

IN WITNESS WHEREOF, I have hereunto subscribed my name to this, my Last Will and Testament, consisting of this and the preceding two (2) typewritten pages, and for the purposes of identification, I have initialed each page and the bottom thereof, all in the presence of the persons witnessing it at my request on this the 3rd day of March, 1997, at AT&T Family Federal Credit Union.

Mary Alice Harvat
MARY ALICE HARVAT

The foregoing instrument was signed, published and declared by the said MARY ALICE HARVAT as and for her Last Will and Testament, in our sight and presence, and we at her request and in her signt and presence, and in the sight and presence of each other, have hereunto subscribed our names as witnesses this 3rd day of March, 1997.

Bill D Warner

Address: 1510 M. East Dixie Dr
Asheboro NC 27203

Budget L. Key

Address: 508 Clegg Avenue
Asheboro, NC 27203

AFFIDAVIT OF WITNESSES TO PROVE WILL

Bill D. Warren and Bridget G. Key, first being duly sworn according to law, depose and say:

1. We are more than eighteen (18) years of age.

2. The paper writing to which this Affidavit is attached was signed in our sight and presence by MARY ALICE HARVAT, the Testatrix, and was acknowledged by her to be her Last Will and Testament in our sight and presence and we, at the request of the Testatrix and in her sight and presence and in the sight and presence of each other, thereupon subscribed our names as attesting witnesses, all on the 3rd day of March, 1997, in Randolph County, State of North Carolina.

3. This Affidavit is made at the request of the Testatrix.

4. At the time we witnessed said Will, the Testatrix was, in our opinion, of sound mind and more than eighteen (18) years of age.

Bill D. Warren

Bridget G. Key

STATE OF N. Carolina)

COUNTY OF)

The foregoing instrument was subscribed to and sworn before me this 3rd day of March, 1997.

Witness my hand and official seal.

Wanda M Connelly

NOTARY PUBLIC

My Commission Expires: July 8, 2

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 15 day of MAY , 2003 , in the Case Number 03P628 between HARVAT, KARI S Petitioner, and HARVAT, MARY ALICE Respondent, as same remains of record in Vol. 5264 , Page 1118639 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 21 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

RICHARD R. ROOKER
CIRCUIT COURT CLERK