LAST WILL AND TESTAMENT

OF

MARTHA JETT GARDNER

FILED
02 JAN 15 AM 10:14
RICHARD R ROOKER, CLERK
D.C.

I, Martha Jett Gardner, a citizen of Nashville, ~~Davidson~~ County, Tennessee, being of sound mind, disposing memory, and over the age of eighteen years, do make, publish and declare this to be my Last Will and Testament, hereby revoking any and all former will previously made by me.

FIRST: I hereby direct my personal representative, hereafter named, to pay all of my just debts, funeral expenses, costs of administration of all estate, inheritance and succession taxes imposed by reason of my death, regardless of whether such taxes be imposed because of the transfer or devolution of property other than by this will.

SECOND: I hereby nominate and appoint my daughter, Catherine Gardner Bowling, as Executrix of this, my Last Will and Testament, and in the event that she does not survive me, fails to qualify, dies or resigns, then I nominate and appoint my nephew, George Edward Gardner of Murfreesboro, Tennessee, to serve as my Executor of this, my Last Will and Testament. In either event, I request that my personal representative be allowed to serve as such without surety on this on his or her official bond. If George Edward Gardner serves as the Executor, he is to receive ten percent of my gross estate as payment for such duties and work.

Davidson County WILL
Recvd: 03/16/04 13:54 5pgs
Fees:27.00 Taxes:0.00
20040316-0029828

THIRD: I give, devise and bequeath ten thousand dollars ($10,000.00) to the Forest Hills United Methodist Church for that congregation to use as a part of a library fund in the church building or on the church grounds in memory of my late husband, George Coleman Gardner.

FOURTH: I give, devise and bequeath the remainder of my worldly possessions to my daughter, Catherine Gardner Bowling. In the event that she precedes me in death, I hereby request that the Executor previously mentioned sell all of my possessions and distribute the proceeds and all of my other assets, after making the payments listed above, in accordance with the provisions of the Last Will and Testament of my daughter.

IN WITNESS WHEREOF, I have hereto set my hand and seal to this, my Last Will and Testament, this 8th day of November, 1994.

Martha Jett Gardner

Martha Jett Gardner

Witness: Vivian Reed
FANB 100 Oaks, Nashville, TN 37204

Witness: Bruce Kyle
FANB 100 Oaks, Nashville, TN 37204

State of TN.
Davidson County

notary

My Commission Expires JAN. 24, 1998

FILED
2002 JAN 14 AM 9:15
RICHARD R. ROOKER, CLERK
P.Ford D.C.

AFFIDAVIT

STATE OF TENNESSEE

COUNTY OF Davidson

VIVIAN REID and BRUCE KIPER

being first duly sworn, make oath that the foregoing Last Will and Testament was signed by MARTHA JETT GARDNER for her Last Will and Testament in the sight and presence of us, the undersigned, who, at her request and in her sight and presence and in the sight and presence of each other subscribed our names as attesting witnesses on the 8th day of November, 1994, in Davidson County, Tennessee, and we further make oath that the testator was of sound mind on said date and was more than eighteen (18) years of age; and that each of the witnesses was more than eighteen (18) years of age.

Vivian Reid

Sworn to and subscribed before me this 14th day of JANUARY, 2002.

Ronald U Bice Jr
Notary Public

My Commission Expires: 9-24-2005

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 Last Will and Testament heretofore entered in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 15 day of JANUARY , 2002 , in the Case Number 02P73 GARDNER, MARTHA JETT deceased,
as same remains of record in Vol. 3158 , Page 581247 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 16 day of MARCH in the year two thousand four and in the 227th year of American Independence.

SEAL



RICHARD R. ROOKER, Clerk,

By Tommy King
Deputy Clerk

WARRANTY DEED

For and in Consideration of the sum of

Three Thousand and no/100 - - - - - - - - - ($3,000.00) - - - - - - - - - DOLLARS

cash, paid by George C. Gardner and wife, Martha Jett Gardner, the receipt of which is hereby acknowledged. I, Myrtie Davis Austin,

have bargained and sold, and by these presents do transfer and convey unto the said George C. Gardner and wife, Martha Jett Gardner, their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to-wit:

Being the northerly part of lot No. 30 on the Map of Section 1, Oriental Golf Club Subdivision, as of record in book 1424, page 10, Register's Office for said County, described according to a survey made by Hickerson-Miller, Engineers-Surveyors, October 12, 1956, as follows:

Beginning on the westerly margin of Lealand Lane, formerly Tenth Avenue South, at the corner of lots Nos. 29 and 30; thence north 88° 25' west 128 feet to the corner of lots Nos. 27, 28, 30 and 31; thence with the line between lots Nos. 30 and 31 south 0° 24' west 85.4 feet; thence south 89° 40' east 118.5 feet to the westerly margin of Lealand Lane; thence with same north 7° 15' east 83.4 feet to the beginning.

Being part of the property conveyed to Myrtie Davis (now Austin) by deed from William T. Davis, dated December 13, 1949, filed December 19, 1949, and recorded in book 1782, page 209, said Register's Office.

This conveyance is made subject to restrictive covenants contained in an instrument executed by Oscar F. Noel, et al, Trustees, recorded in book 1113, page 646; and