Box 10 A

02P 388

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RICHARD R. ROOKER, CLERK
D.C.

Davidson County WILL
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LAST WILL AND TESTAMENT

OF

ROGER T. CHURCH

02P-388

I, Roger T. Church, of Nashville, Davidson County, Tennessee, being of sound mind and disposing memory, do hereby make, publish, and declare this to be my Last Will and Testament. I revoke all former wills and codicils heretofore made by me.

ITEM I

APPOINTMENT OF EXECUTOR

I nominate, constitute and appoint **J. Greg Hardeman**, of Nashville, Tennessee to serve as the Executor of this my Last Will and Testament, and I direct that my Executor shall not be required to execute any bond for the faithful performance of his duties.

Should J. Greg Hardeman predecease me, or should he be incapacitated or unable to serve in said capacity, then I nominate, constitute and appoint my sons, **Stephen T. Church and Bruce A. Church** of Nashville, Tennessee to serve as Co-Executors, likewise without bond.

ITEM II

PROVISIONS RELATIVE TO THE PAYMENT OF DEBTS AND TAXES

I direct that my just debts and funeral expenses be paid by my Executor out of my general estate as soon as may be practicable after my death. My Executor shall likewise pay out of my general estate, and not out of the share of any beneficiary, all fees and expenses incident to the administration of my estate, and all inheritance, succession and estate taxes assessed against my estate, including any such taxes as may be so assessed on account of policies of insurance on my life, jointly held property or other property taxable as a part of my estate, but not coming into the hands of my Executor.

ITEM III

DISPOSITION OF PERSONAL EFFECTS AND INSURANCE RENEWALS

I give, devise and bequeath to my wife, **Sara Parkes Church**, all of my tangible personal property, including furniture, jewelry, automobiles and miscellaneous personal effects, (excluding cash, choses in action, stocks, bond or other securities) together with all policies of insurance on said tangible personal property, insuring against loss of whatever kind. My wife shall receive all insurance renewals and income from present insurance in force.

Should my wife predecease me, I give and bequeath any pieces of our Gorham Greenbriar sterling silver flatware which she may select, to my daughter, **Kay**. Any of my wife's jewelry which might have come to me upon her death shall be divided among our surviving children. The division shall be in such manner as my children may decide among themselves. My remaining personal effects, excluding insurance renewals, stocks, bonds, choses in action, or other securities, shall be given to my children who shall determine among them the items they each shall receive. Any items of my personalty then remaining shall be sold and the proceeds included in my residual estate.

ITEM IV

PRESUMPTION IN THE EVENT OF SIMULTANEOUS DEATH

Notwithstanding anything to the contrary contained in any statute or legal presumption, should my wife, Sara Parkes Church, and I die in a common accident or disaster, or as the result of a common disaster or otherwise, and there is not sufficient evidence as to which of us dies first, all of my property passing under this will shall be disposed of as if my wife had survived me.

ITEM V

RESIDUAL ESTATE

I give, bequeath and devise my entire residual estate to my wife, **Sara Parkes Church**.

In the event I am predeceased by my wife, Sara, I direct my Executor to offer my home at 4101 Belmont Boulevard to my five children for purchase in accordance with the fair market value as determined by two appraisals. Any one of the children who wishes to purchase the property may do so. In the event more than one child desires to purchase, and they do not want to purchase as tenants in common, and the matter cannot be resolved amicably among the children, the Executor shall offer said property for sale on the open market. The children must decide within four (4) months of the date of my death if they wish to purchase the property and must close no later than six (6) months after my death.

After the sale of my home at 4101 Belmont Boulevard, I then give, and bequeath the sum of $160,000.00 to the **African Christian Schools Foundation, Inc., Nashville, Tennessee**. Provided, however, the above bequest to African Christian Schools Foundation, Inc. shall not exceed the lesser of $160,000.00 or 50% of my net estate as determined for federal inheritance tax purposes. For purposes of this article, "net estate" shall be defined as my gross estate as determined for federal inheritance tax

purposes less expenses of estate administration and outstanding debts owing by my estate. The above bequest will be funded at such time as deemed wise by the Executor of my estate but not before the final closing of the sale of my home at 4101 Belmont Boulevard.

I then give, devise and bequeath my entire remaining residual estate, not otherwise disposed of under Item III above and the preceding paragraphs, to all my five children equally.

In the event of the death of any one of my children prior to the final distribution of his or her share of my estate, with or without issue surviving, I direct that then twenty-five (25%) percent of his portion of my estate be paid to his or her spouse, and the remaining portion shall be held by the surviving spouse as Trustee for the benefit of the surviving issue, per stirpes, and shall be distributed to any such issue at the time they attain age twenty-one (21) years; provided, however, that said funds may be distributed prior to that time if the surviving parent deems such distribution necessary and desirable.

In the event of the death of any of my children prior to the final distribution of his or her share of this trust, without surviving spouse or issue, then I direct my Executors to distribute that portion of my estate to my surviving children, equally.

ITEM VI

CONTINGENT DISPOSITION OF RESIDUAL ESTATE

If I am predeceased by my wife, my children, their issue, and their spouses, I give and devise and bequeath my residual estate to **African Christian Schools Foundation, Inc., Nashville, Tennessee**.

IN WITNESS WHEREOF, I have hereunto set my hand to this my Last Will and Testament, consisting of three (3) pages, each of which bears my original signature, at Nashville, Tennessee, this 10th day of September, 1998.

Roger T. Church
ROGER T. CHURCH

Signed, published and declared by the said ROGER T. CHURCH as and for his Last Will and Testament, in the presence of us, the undersigned, who, at his request, and in his sight and presence, and in the presence of each other, have hereunto signed our names as attesting witnesses on the day and date and at the place above written.

Melody Gaskin — NAME
453 Hickory Glade Dr. Antioch TN 37013 — ADDRESS

Janet L. McMeen — NAME
5011 Longstreet Dr. Brentwood, TN 37027 — ADDRESS

AFFIDAVIT BY WITNESSES TO
LAST WILL AND TESTAMENT

Each of the aforesaid witnesses, being Janet L McNeer and Melody Jenkins, subscribe to the Last Will and Testament of Roger T. Church, executed on the 10 day of September, 1998, having been requested by the Testator to make and sign this Affidavit, and having first been duly sworn before the Notary Public whose name appears below, hereby state that the said Roger T. Church, was over eighteen years of age, was of sound mind, declared the foregoing instrument to be his Last Will and Testament, published and executed it freely, without undue influence or coercion, by signing each page in the presence of all of us who are present at the same time and we, at his presence and at his request and in the presence of each other, subscribed our names as witnesses on the 10 day of September, 1998.

Janet L McNeer — 5011 Longstreet Dr. Brentwood, TN 37027
WITNESS — ADDRESS

Melody Jenkins — 453 Hickory Glade Dr. Antioch, TN 37013
WITNESS — ADDRESS

Sworn to and subscribed before me on this the 10 day of September, 1998.

Notary Public

My Commission Expires: JOHN GREGORY HARPMAN NOTARY PUBLIC Exp. 06/27/2001 PUBLIC AT LARGE DAVIDSON COUNTY, TENNESSEE

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 05 day of MARCH , 2002 , in the Case Number 02P388 CHURCH, ROGER T. deceased,
as same remains of record in Vol. 3503 , Page 645177 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 OCTOBER in the year two thousand four and in the 228th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL

