PICK-UP

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RICHARD R. ROOKER, CLERK

D.C.

Davidson County WILL
Recvd: 11/04/04 16:13 9pgs
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20041104-0133413

LAST WILL AND TESTAMENT OF ANNIE G. HESS

I, Annie G. Hess, of Nashville, Tennessee, revoke my former Wills and Codicils and declare this to be my Last Will and Testament.

ARTICLE I
PAYMENT OF DEBTS AND EXPENSES

I direct that my just debts, funeral expenses and expenses of last illness be first paid from my estate.

ARTICLE II
DISPOSITION OF PROPERTY

A. Specific Bequests. I direct that the following specific bequests be made from my estate.

1. My Personal Residence at 203 Eastland Ave., Nashville, TN, and My Lot at 2005 Eastland Ave., Nashville, TN. shall be distributed to Shannon Seagraves. If this beneficiary does not survive me, this bequest shall be distributed to Marilyn M. Francois of Bolder, CO., and Martha M. Van Stelten of Louisville, CO, in equal shares.

2. My Furniture and Fixtures at 2003 Eastland Ave., Nashville, TN shall be distributed to Shannon Seagraves. If this beneficiary does not survive me, this bequest shall be distributed to Marilyn M. Francois of Bolder, CO., and Martha M. Van Stelten of Louisville, CO, in equal shares.

3. My Jewelry at 2003 Eastland Ave., Nashville, TN shall be distributed to Shannon Seagraves. If this beneficiary does not survive me, this bequest shall be distributed to Marilyn M. Francois of Bolder, CO, and Martha M. Van Stelten of Louisville, CO., in equal shares.

4. A Portrait of a Pine Tree and a Portrait of my Grandmother (in a brass frame) shall be distributed to Marilyn M. Francois. If this beneficiary does not survive me, this bequest shall be distributed to Katherine Francois of Bolder, CO.

5. My 1992 Oldsmobile Auto shall be distributed to Shannon Seagraves. If this beneficiary does not survive me, this bequest shall be distributed to Marilyn M. Fancois of Bolder, CO., and Martha M. Van Stelten of Louisville, CO., in equal shares.

B. Residuary Estate. I direct that my residuary estate be distributed to the following beneficiaries in the percentages as shown:

A. G. Hess

10.00% to Marilyn M. Francois, Boulder, Colorado. If this person does not survive me, this share shall be distributed to the Estate of Marilyn M. Francois.

10.00% to Martha M. Van Stelten, Louisville, Colorado. If this person does not survive me, this share shall be distributed to Estate of Martha M. Van Stelten, Louisville, Colorado.

5.00% to Katherine Francois, Boulder, Colorado. If this person does not survive me, this share shall be distributed to Marilyn M. Francois, Boulder, Colorado.

5.00% to Anna Van Stelten, Louisville, Colorado. If this person does not survive me, this share shall be distributed to Martha M. Van Stelten, Louisville, Colorado.

5.00% to Shirley B. Simpson, Nashville, Tennessee. If this person does not survive me, this share shall be distributed to the Estate of Shirley B. Simpson, Nashville, Tennessee.

10.00% to Shannon Seagraves, Nashville, Tennessee. If this person does not survive me, this share shall be distributed to the Estate of Shannon Seagraves, Nashville, Tennessee.

10.00% to Alive Hospice, Nashville, Tennessee. If Alive Hospice is not in existence at my death this share shall be distributed to Marilyn M. Francois and Matha Van Stelten, in equal shares.

10.00% to Tennessee Children's Home, Spring Hill, Tennessee. If Tennessee Children's Home is not in existence at my death this share shall be distributed to Marilyn M. Francois and Martha Van Stelten, in equjal shares.

15.00% to Churches of Christ Diaster Relief Effort, Inc., Nashville, Tennessee. If the Chruches of Christ Disaster Relief Effort, Inc., Nashville, Tennessee is not in existence at my death this share shall be distributed to Marilyn M. Francois and Martha Van Stelten, in equal shares.

10.00% to Dwight Alford, Morrison, Tennessee. If this person does not survive me, this share shall be distributed to Marilyn M. Francois and Martha M. Van Stelten, in equal shares.

10.00% to Ronald L. Watson, Nashville, Tennessee. If this person does not survive me, this share shall be distributed to Marilyn M. Francois and Martha M. Van Stelten, in equal shares.

100.00 - *Percent Total*

ARTICLE III
NOMINATION OF EXECUTOR

I nominate Clyde M. Cole, of Nashville, Tennessee, as my Executor, to serve without bond or security. If Clyde M. Cole does not serve, for any reason, I nominate Tom B. Harris,Jr., of Ashland City, Tennessee, to be sucessor Executor, to serve without bond or security.

C. M. C. J.

ARTICLE IV
EXECUTOR POWERS

My Executor, in addition to other powers and authority granted by law or necessary or appropriate for proper administration, shall have the right and power to lease, sell, mortgage, or otherwise encumber any real or personal property that may be included in my estate, without order of court and without notice to anyone.

My Executor shall have the right to administer my estate using "informal", "unsupervised", or "independent" probate or equivalent legislation designed to operate without unnecessary intervention by the probate court.

ARTICLE V
MISCELLANEOUS PROVISIONS

A. Paragraph Titles and Gender. The titles given to the paragraphs of this Will are inserted for reference purposes only and are not to be considered as forming a part of this Will in interpreting its provisions. All words used in this Will in any gender shall extend to and include all genders, and any singular words shall include the plural expression, and vice versa, when the context or facts so require, and any pronouns shall be taken to refer to the person or persons intended regardless of gender or number.

B. Thirty Day Survival Requirement. For the purposes of determining the appropriate distributions under this Will, no person or organization shall be deemed to have survived me unless such person or entity (is) survived me on the date of my death.

C. Liability of Fiduciary. No fiduciary who is a natural person shall, in the absence of fraudulent conduct or bad faith, be liable individually to any beneficiary of my estate, and my estate shall indemnify such natural person from any and all claims or expenses in connection with or arising out of that fiduciary's good faith actions or nonactions as the fiduciary, except for such actions or nonactions which constitute fraudulent conduct or bad faith.

D. No Spouse. I am not currently married to anyone.

E. No Children. I do not have any children at the time of the signing of this Will.

F. Beneficiary Disputes. If any bequest requires that the bequest be distributed between or among two or more beneficiaries, the specific items of property comprising the respective shares shall be determined by such beneficiaries if they can agree, and if not, by my Executor.

G. Waiver of Inventory, Reports and Apprasial. I authorize my executor to administer and settle my estate without the necessity of filing an inventory or making any report or final settlement with any court to the extent permitted by law. I expressly waive apprasial of my estate in the

event an appraisal is required by law.

H. Power to Disclaim. Each person entitled to receive an interest under this instrument may disclaim the interest in whole or in part if the person has not accepted the interest or any of its benefits. The person will not be treated as accepting an interest or any of its benefits if the person takes physical possession of the property solely to protect it agains loss or damage.

I. No Contest Provision. If any beneficiary contests the probate or validity of this will or any or its provisions, or institutres or joins in any proceeding to contest the validity of this will or to prevent any provisions from being carried out in accordance with its terms (regardless of whether the proceedings are institute in good faith and with probable cause) then all benfits provided for the beneficiary are revoked and the benefits pass as if the beneficiary had predeceased me leaving no heirs.

IN WITNESS WHEREOF, I have subscribed my name below, this 3 day of June, 2003.

Testator Signature: Annie G. Hess

Annie G. Hess

We, the undersigned, hereby certify that the above instrument, which consists of 4 pages, including the page(s) which contain the witness signatures, was signed in our sight and presence by Annie G. Hess (the "Testator"), who declared this instrument to be his/her Last Will and Testament and we, at the Testator's request and in the Testator's sight and presence, and in the sight and presence of each other, do hereby subscribe our names as witnesses on the date shown above.

Witness Signature: MaTrendia L Calhoun
Name: MaTrendia L Calhoun
City: Nashville
State: TN

Witness Signature: Rashelle Brooks
Name: Rashelle Brooks
City: NASHVILLE
State: TN

COPY

a-02-24

AFFIDAVIT

I, Annie G. Hess, the Testator, sign my name to this instrument this 3rd day of June, 2003, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Will and that I sign it willingly, in the presence of the undersigned witnesses, that I execute it as my free and voluntary act for the purposes expressed in the Will, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.

Testator Signature: Annie G Hess

Annie G. Hess

We, Matrendia L Calhoun and A. Ranelle Brooks ~~and~~ ; the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testator signs and executes this instrument as the Testator's will and that the Testator signs it willingly, and that the Testator executes it as the Testator's free and voluntary act for the purposes expressed in the will, and that each of us, in the presence and hearing of the Testator, at the Testator's request, and in the presence of each other, hereby signs this will, on the date of the instrument, as witness to the Testator's signing, and that to the best of our knowledge the Testator is eighteen years of age or older, of sound mind and memory, and under no constraint or undue influence, and the witnesses are of adult age and otherwise competent to be witnesses.

Witness Signature: MaTrendia L Calhoun

Name: MaTrendia L Calhoun
City: Nashville
State: TN

Witness Signature: A. Ranelle Brook

Name: A. RANELLE BROOKS
City: NASHVILLE
State: TN

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Subscribed, sworn to and acknowledged before me by Annie G. Hess, the Testator; and subscribed and sworn to before me by Matrenia Calhoun and A. Raelle Brooks and _____, witnesses, this 3rd day of June, 2003.

Notary public, ~~or other~~ officer
authorized to take and certify
acknowledgments and administer oaths

AFFIDAVIT

I,Annie G. Hess, the Testator, sign my name to this instrument this 3rd day of June, 2003, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Will and that I sign it willingly, in the presence of the undersigned witnesses, that I execute it as my free and voluntary act for the purposes expressed in the Will, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.

Testator Signature: Annie G Hess

Annie G. Hess

We, Matrendia L Calhoun and A. Ranelle Brooks ~~and~~, the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testator signs and executes this instrument as the Testator's will and that the Testator signs it willingly, and that the Testator executes it as the Testator's free and voluntary act for the purposes expressed in the will, and that each of us, in the presence and hearing of the Testator, at the Testator's request, and in the presence of each other, hereby signs this will, on the date of the instrument, as witness to the Testator's signing, and that to the best of our knowledge the Testator is eighteen years of age or older, of sound mind and memory, and under no constraint or undue influence, and the witnesses are of adult age and otherwise competent to be witnesses.

Witness Signature: MaTrendia L Calhoun

Name: MaTrendia L Calhoun
City: Nashville
State: TN

Witness Signature: A. Ranelle Brook

Name: A. RANELLE BROOKS
City: NASHVILLE
State: TN

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Subscribed, sworn to and acknowledged before me by Annie G. Hess, the Testator; and subscribed and sworn to before me by Matrenia Calhoun and A. Raelle Brooks and _____, witnesses, this 3rd day of June, 2003.

Notary public, ~~or other~~ officer
authorized to take and certify
acknowledgments and administer oaths

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 06 day of AUGUST , 2003 , in the Case Number 03P1213 HESS, ANNIE G deceased,
as same remains of record in Vol. 5441 , Page 1208416 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 04 day of NOVEMBER in the year two thousand four and in the 228th year of American Independence.

RICHARD R. ROOKER, Clerk

By Patty Jack Deputy Clerk

SEAL

