Davidson County WILL
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20050114-0005246

PICK-UP

LAST WILL AND TESTAMENT OF WALTER LYERSON OWENS

I, **WALTER LYERSON OWENS** domiciled in Davidson County, Tennessee, make, publish and declare this to be my Last Will and Testament, revoking all former Wills by me made.

I.

I direct that all taxes and costs of administration be paid from my residuary estate as an expense of administration.

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RICHARD R. ROOKER, CLERK

II.

I give and devise to each of my grandchildren, Lisa Janeen-Marie Lawson, Walter R. Owens, Jr., and Harrison Foster Owens Five Thousand Dollars ($5,000.00), if any of them have attained the age of eighteen (18) years at the time of my death. If they are not eighteen (18) years, this money shall be placed at a duly licensed financial institution selected by the Executor with Walter Russell Owens, III as the custodian for Walter R. Owens, Jr. and Harrison Foster Owens and Sandra Anetta Owens Lawson, as the custodian for Lisa Janeen-Marie Lawson.

I give and devise to Seay Hubbard United Methodist Church located in Davidson County, Tennessee the sum of Five Thousand Dollars ($5,000.00) to be used only and solely for capital improvement projects and not to be used for normal church operation expenses.

I give and devise, in fee, all other property, real, personal and mixed, tangible and intangible, of whatsoever nature and wheresoever situated, including, but not limited to, all lapsed legacies and devisees, to my son, WALTER RUSSELL OWENS, III, and my daughter, SANDRA ANETTA OWENS LAWSON, in as nearly equal portions as may be practicable, having due regard for the preferences of the beneficiaries. If Walter Russell Owens, III or Sandra Anetta Owens Lawson do not survive me, then their portion of my estate shall go to their living children in trust, pursuant to Article V of this Will.

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III.

Except as otherwise provided, I grant my Executor all the powers and authorities enumerated in Section 35-50-110 of the Tennessee Code Annotated and incorporate said section herein by reference.

If any property becomes payable or distributable to a minor or incompetent under this Will, my Executor is authorized to defer payment or distribution, to pay or distribute for the use and benefit of such person by making payment to his legal or her representative or guardian. My executor shall be discharged by the receipt of the legal representative or guardian of the minor or incompetent.

IV.

I hereby nominate and appoint my son, WALTER RUSSELL OWENS, III as Executor of this, my Last Will and Testament. If he is unable or unwilling to serve in such capacity, then I appoint my daughter, SANDRA ANETTA OWENS LAWSON. If she is unable or unwilling to serve in such capacity, then I appoint my granddaughter, LISA JANEEN-MARIE LAWSON, if she is eighteen years or older. I request that no bond shall be required of my Executor. My Executor is expressly authorized to postpone final distribution of my estate, pending final determination of tax liabilities in connection therewith.

V.

If Walter Russell Owens, III or Sandra Anetta Owens Lawson do not survive me and my grandchildren are under the age of 18, then I give my Trustee the residue of my estate for the following uses and purposes:

(a) My Trustee shall divide my estate into two equal shares, with any child of a deceased child participating per stirpes in the share attributable to his or her deceased parent.

(b) My Trustee shall hold each share in a separate trust and manage, invest, and reinvest the corpus and collect the income thereon and pay all expenses, costs and taxes incident to the prudent management and maintenance of each trust.

(c) My Trustee shall pay over so much of the net income to or for the benefit of its beneficiary as my Trustee may deem appropriate. The income not so distributed shall be accumulated.

(d) The Trustee shall pay the corpus and accumulated income of each trust at such time as the beneficiary attains age 25.

(e) Should the beneficiary die without issue before he or she attains age 25, the remaining corpus and accumulated income of the trust shall be divided and distributed among my then living issue per stirpes.

(f) I authorize my Trustee to encroach upon the corpus of each trust to provide for the beneficiary's maintenance, health, education and welfare and to pay the beneficiary's reasonable burial expenses.

(g) If the fair market value of the corpus of any trust at any time equals less than $25,000, my Trustee may administer such trust together with any other trust under this Item.

(h) I authorize my Trustee to distribute tangible personal property at any time.

I appoint and nominate Walter Russell Owens, III to serve as trustee, and if he is unable or unwilling to do so then I appoint and nominate Sandra Anetta Owens Lawson as trustee.

VI.

No interest of any beneficiary in the corpus or income of my estate, or of any trust created herein, shall be subject to assignment, alienation, pledge, attachment or claims of creditors of such beneficiary, including claims of any divorced spouse for alimony or support payments or otherwise, or subject to levy, seizure or liens for taxes and may not otherwise be voluntarily or involuntarily alienated or encumbered by such beneficiary. All such distributions of income or principal shall be paid only upon receipt to the beneficiary entitled, or to others for his or her use or benefit.

VII.

Wherever the context so requires, the masculine shall include the feminine and neuter and the singular shall include the plural. If any portion of this Will is held to be void or unenforceable, the balance of this Will shall nevertheless be carried into effect.

IN WITNESS WHEREOF, I have set my hand to this, my Last Will and Testament, consisting of five (5) typewritten pages, this page included, on the margin of each of which, except this page, I have affixed my initials for better identification this 14 day of NOV, 2000.

Walter L Owens

WALTER LYERSON OWENS

We, the undersigned, hereby certify that the foregoing instrument was, on the date hereof, signed, published and declared by the said **WALTER LYERSON OWENS,** Testator, as and for his Last Will and Testament, in the presence of us, who, in his presence and in the presence of each other, have, at his request, hereunto subscribed our names as witnesses to the execution hereof, this ____ day of _____, 2000 and we certify that at the time of the execution hereof, we believe said Testator to be of sound and disposing mind and memory.

Melissa Seay residing at Hendersonville, Tn

Betty Welch residing at Nashville, TN

Debra Pstok residing at Kingston Springs TN

AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Melissa Seay, Betty Welch and Debra Pistole, being first duly sworn, make oath that each served as a witness to the Last Will and Testament of WALTER LYERSON OWENS, dated November 14, 2000, that it was executed by him as and for his Last Will and Testament, in the presence of each of the affiants who, at his request and in his sight and presence and in the sight of each other, subscribed their names thereto as attesting witnesses; that said Will was executed on the day it bears date and that at the time of the execution thereof the said WALTER LYERSON OWENS was of sound and disposing mind and memory and was more than eighteen (18) years of age.
This Affidavit is being given at the request of WALTER LYERSON OWENS.

Melissa Seay
Betty Welch
Debra Pistole

Sworn to and subscribed before me
this 14th day of November,
2000.

Marcie Steimle
Notary Public
My commission expires: 11/30/2001

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 07 day of MAY , 2002 , in the Case Number 02P807 OWENS, WALTER LYERSON deceased,
as same remains of record in Vol. 3910 , Page 721529 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 12 day of JANUARY in the year two thousand five and in the 228th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL

