02P-1139

Last Will and Testament of

CLIFTON ALLEN HORNBUCKLE, SR.

Davidson County WILL
Recvd: 02/08/05 13:40 6 pgs
Fees:32.00 Taxes:0.00
20050208-0014748

FILED
02 JUL -2 PM 1:57
RICHARD R. ROOKER, CLERK
D.C.

I, CLIFTON ALLEN HORNBUCKLE, SR., of Nashville, Davidson County, Tennessee, do hereby make, declare and publish this my Last Will and Testament, hereby expressly revoking any and all prior wills or codicils heretofore made by me.

I. I direct that my Executrix, hereinafter named, pay my just debts, as soon after my death as is practicable.

II. I give, devise and bequeath my entire estate, consisting of all real, personal or mixed property, to my wife, J. JUANITA ELLIOTT HORNBUCKLE.

III. In the event that my wife should predecease me, or should we die as the result of a commond disaster, I then give, devise and bequeath my entire estate, consisting of all real, personal or mixed property to my four children, CLIFTON ALLEN HORNBUCKLE, JR., RONALD ODELL HORNBUCKLE, JOY ANITA HORNBUCKLE BARNES AND JANICE LOUISE HORNBUCKLE BUTLER, to be divided equally between them, share and share alike, per stirpes.

IV. I name and appoint my wife, J. JUANITA ELLIOTT HORNBUCKLE, as the Executrix of this my Last Will and Testament, to serve as such without the necessity of furnishing bond. In the event that she should fail, refuse or be unable to serve as Executrix,

Clifton Allen Hornbuckle Sr

I then name and appoint as the alternate Executrix, MRS. LOUISE H. PATY, also to serve without the necessity of furnishing bond.

IN WITNESS WHEREOF, I have hereunto set my hand this 20 day of June, 1969.

Clifton Allen Hornbuckle Sr.
CLIFTON ALLEN HORNBUCKLE, SR.
Testator

The foregoing instrument was signed by the said Clifton Allen Hornbuckle, Sr., as and for his Last Will and Testament, in the presence of us, the undersigned, and the said Clifton Allen Hornbuckle, Sr. stated to us at the time that the foregoing instrument was his Last Will and Testament, and we, the undersigned, at his request and in his sight and presence, and in the sight and presence of each other, have hereunto signed our names as attesting witnesses on this 20 day of June, 1969.

Kay A. Kirby Jr. — 411 North Bk & Trust Bldg

Judy Carr — Nashville, Tennessee

Clifton Allen Hornbuckle Sr.

PAGE TWO AND THE LAST PAGE
OF MY LAST WILL AND TESTAMENT

02P-1139

FILED
2002 JUL -2 PM 1:32
RICHARD R. ROOKER, CLERK

FIRST CODICIL TO THE LAST WILL AND TESTAMENT OF CLIFTON ALLEN HORNBUCKLE, SR.

I, CLIFTON ALLEN HORNBUCKLE, SR., a resident of Davidson County, Tennessee, do make, publish and declare this to be the First Codicil to the Last Will and Testament executed by me on the 20th day of June, 1969.

I.

I hereby delete Article III in its entirety and in lieu thereof substitute the following:

A. In the event that my wife should predecease me, or should we die as the result of a common disaster, I then give, devise and bequeath my entire estate, consisting of all real, personal or mixed property to my four children, CLIFTON ALLEN HORNBUCKLE, JR., RONALD ODELL HORNBUCKLE, JOY ANITA HORNBUCKLE BARNES and JANICE LOUISE HORNBUCKLE BUTLER, to be divided equally between them, share and share alike, per stirpes. I may leave a memorandum listing particular items which I wish certain persons to have and request (but do not require) that my wishes as set forth in this memorandum be observed.

B. I direct that if it becomes necessary to make the required division of my personal effects and household and similar items among my children, my Executor shall have absolute discretion as to what specific article or articles shall be included in that property, and as to what items thereof each beneficiary shall receive. The decision of my Executor on these matters shall be binding and conclusive on all beneficiaries.

II.

I hereby delete Article IV in its entirety and in lieu thereof substitute the following:

I name and appoint my wife, J. JUANITA ELLIOTT HORNBUCKLE, as the Executrix of this my Last Will and Testament, to serve as such without the necessity of furnishing bond. In the event that she should fail, refuse or be unable to serve as Executrix, I then name and appoint as the alternate Executor, RANDALL STEVEN BUTLER, also to serve without the necessity of furnishing bond.

CAH

III.

In all other respects, I ratify and confirm all the provisions of said Last Will and Testament executed by me on the 20th day of June, 1969.

IN WITNESS WHEREOF, I have hereunto set my hand on this the second (2nd) page of this First Codicil to my Last Will and Testament, consisting of two (2) typewritten pages, and for the purpose of identification, I have initialed each such page, all in the presence of the persons witnessing it at my request on this 17 day of March, 1998, at Daytona Beach, Volusia Co., Florida.

Clifton Allen Hornbuckle Sr.
CLIFTON ALLEN HORNBUCKLE, SR.

SIGNED, PUBLISHED AND DECLARED by the above-named Testator, CLIFTON ALLEN HORNBUCKLE, SR., as and for the First Codicil to his Last Will and Testament, in the presence of us, who at his request, in his presence, and in the presence of each other, all being present at the same time, have hereunto subscribed our names as witnesses and do hereby certify that we believe the Testator to be of sound and disposing mind and memory.

Frank W Forehand
WITNESS

Address 2411 S. Atlantic
Daytona Beach, Fl 32118

Pamela J. Peer
WITNESS

Address 806 Palm Grove Ct.
S. Daytona FL 32119

This Instrument
Prepared By: Tommy C. Estes
MANIER & HEROD,
A Tennessee Professional Corporation
2200 First Union Tower
150 Fourth Avenue North
Nashville, Tennessee 37219

CAH

AFFIDAVIT BY WITNESSES TO CODICIL

Frank H Forehand and Pamela S. Peer
WITNESS WITNESS

after first being duly sworn or affirming, make oath or affirm that the foregoing First Codicil to the Last Will and Testament of Clifton Allen Hornbuckle, Sr. was signed by CLIFTON ALLEN HORNBUCKLE, SR. as and for, and at that time acknowledged, published and declared by him to be the First Codicil to his Last Will and Testament, in the sight and presence of us, the undersigned, who at his request and in his sight and presence, and in the sight and presence of each other, have subscribed our names as attesting witnesses on the ___ day of March, 1998; and we further make oath or affirm that the Testator was of sound mind and disposing memory, and not acting under the fraud, menace or undue influence of any person, and was more than eighteen (18) years of age; and that each of the attesting witnesses is more than eighteen (18) years of age.

Frank H Forehand
WITNESS

Pamela S. Peer
WITNESS

Sworn to and subscribed before me, Donna L. Shadle, this 17 day of March, 1998.

Donna L. Shadle
Notary Public

My Commission Expires: 01-29-2000

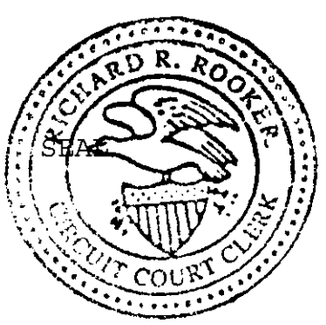
DONNA L. SHADLE
MY COMMISSION # CC 528238
EXPIRES: January 29, 2000
Bonded Thru Notary Public Underwriters

#24780

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 02 day of JULY , 2002 , in the Case Number 02P1139 HORNBUCKLE SR., CLIFTON ALLEN deceased, as same remains of record in Vol. 4285 , Page 790664 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 07 day of FEBRUARY in the year two thousand five and in the 228th year of American Independence.



SEAL

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk