Davidson County WILL
Recvd: 08/01/06 13:07 5 pgs
Fees:27.00 Taxes:0.00
20060801-0093377

LAST WILL AND TESTAMENT

OF

DIORA MAE HUTTON

I, DIORA MAE HUTTON, domiciled in Davidson County, Tennessee, being of sound mind and disposing memory of the natural objects of my bounty, do make, publish and declare this to be my Last Will and Testament hereby revoking all Wills and Codicils heretofore made by me.

ARTICLE-I

I direct that all my just debts, my funeral expenses, all estate, inheritance, succession, and other taxes assessed by reason of my death, and the cost of administration of my estate be paid as soon as practical after my death.

ARTICLE-II

I bequeath to my dear Husband, GARLAND CARROLL HUTTON, in fee, all my clothing, household goods, personal effects, automobiles, jewelry, and all other tangible and intangible personal property not otherwise specifically bequeathed, including cash on hand or on deposit, owned by me at the time of my death. If my said Husband shall predecease me, I bequeath said property as set forth in my residuary estate contained in Paragraph III below.

ARTICLE-III

All the rest, residue and remainder of the property which I may own at the time of my death, real, personal, tangible, intangible of whatsoever nature and wheresoever situated including all lapsed legacies and devises and all life insurance payable to my estate, I bequeath and devise in fee unto my dear Husband, GARLAND CARROLL HUTTON. If my said Husband shall not survive me, then I bequeath and devise the above mentioned property equally and in fee unto BARBARA ELROD AND DAVID ELROD.

Diora Mae Hutton

ARTICLE-IV

I appoint my Husband, GARLAND CARROLL HUTTON, to be the Executor of this my Last Will and Testament and direct that no bond be required for the faithful performance of his duties. If he shall predecease me or is otherwise unable to serve, I nominate and appoint BARBARA ELROD, of Nashville, Tennessee, as alternate Executor to also serve without bond. I give my Executrix or Executor, as the case may be, all the powers set forth in Tennessee Code Annotated, Section 35-50-110, which are incorporated herein by reference to this Will. A successor Executor has the duty, right and power given to the Executrix originally appointed. Any successor Executor may accept the account rendered and assets delivered to it by its predecessor as a complete discharge to the predecessor Executrix or Executor. I further direct that if I own any realty at the time of my death I vest my said Executrix or Executor with full power to sell without the joinder of any party and any purchaser shall not be required to look to the application of the proceeds. I further excuse my Executrix or Executor or successor Executors from filing an inventory and making reports or accountings to the Court having jurisdiction over my estate.

IN WITNESS WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, said Will this and one (1) preceding typewritten pages, and for the purpose of identification, I have signed each such page, all in the presence of persons witnessing it at my request on this 10 day of May, 1978, at Nashville, Tennessee.

Biora Mae Hutton
BIORA MAE HUTTON

Biora Mae Hutton
PAGE TWO OF THE LAST WILL AND TESTAMENT OF
BIORA MAE HUTTON

The foregoing instrument, consisting of this and two (2) preceding typewritten pages, was signed, sealed, published and declared by BIORA MAE HUTTON in our presence, and we at her request and in her presence and in the presence of each other, have hereunto subscribed our names as witnesses, this 10 day of May, 1998 at Nashville, Tennessee.

Thomas H. Jobe
WITNESS

520 Continental Dr
ADDRESS
Nashville Tenn 37209

Brenda L. Jobe
WITNESS

520 Continental Dr.
ADDRESS
Nashville, Tenn 37209

Biora Mae Hutton

PAGE THREE OF THE LAST WILL AND TESTAMENT OF
BIORA MAE HUTTON

AFFIDAVIT OF WITNESSES TO PROVE WILL

We, the undersigned, after being duly sworn according to law depose and say:

1. That we are adult citizens of Davidson County, Tennessee.

2. That we witnessed the execution of the Last Will and Testament of BIORA MAE HUTTON, dated May 10, 1998, to which this AFFIDAVIT is attached, and that this Affidavit is being made at the request of the Testatrix, and in accordance with TENNESSEE-CODE-ANNOTATED, Section 32-2-110.

3. That our signatures are affixed to said Last Will and Testament, that we signed or affixed the same at the instance and at the request of the Testatrix and in her presence, and in the presence of each other, at the place and on the date recited in said Last Will and Testament.

4. That the Testatrix signed said paperwriting as and for her Last Will and Testament in our sight and presence.

5. That at the time we witnessed said Will, the Testatrix was, in our opinion, of sound mind and disposing memory, was under no duress, compulsion or constraint and was fully cognizant of the nature of her act.

Thomas J. Jakes

Brenda L. Jakes

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Subscribed and sworn to before me this 11 day of May, 1998.

John Aaron Holt
NOTARY PUBLIC

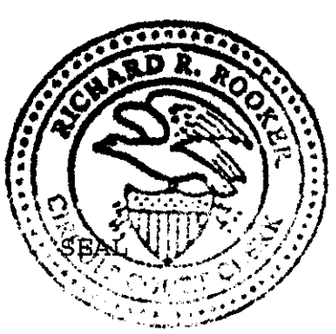
My Commission Expires: 11-25-2000

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 22 day of JUNE , 2006 , in Case Number 06P901 between ELROD, BARBARA Petitioner, and HUTTON, DIORA MAE Respondent, as same remains in the records of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 01 day of AUGUST 2006

RICHARD R. ROOKER, Clerk,



SEAL

By _____
Deputy Clerk