LAST WILL AND TESTAMENT
OF
FLORENCE HARPER WHITE

2006 DEC -6 PM 3:20
RICHARD R. ROOKER, CLERK
D.C.

I, FLORENCE HARPER WHITE, of Nashville, Davidson County, Tennessee, being of sound mind and disposing memory do hereby make, publish and declare this my last will and testament, expressly revoking all other wills heretofore made by me.

ITEM I. I direct my Co-Executors, hereinafter named, to pay my funeral expenses and all my just debts as soon as practicable after my death.

ITEM II. I give, devise and bequeath all my property, real, personal or mixed, wherever situated, to my son, Joseph E. White of Maryville, Tennessee, and my daughter, Dorothy Mitchell of Marietta, Georgia, equally, share and share alike, the issue of any deceased child of mine taking the share of their deceased parent, per stirpes. In the event either of my said children predecease me leaving no issue, then, in such event, I direct that the share which would have otherwise passed to him or her, or to his or her issue, shall pass to my other child, and in the event such other child predeceases me, then to such other child's issue, per stirpes. If both my children predecease me leaving no issue, then, in such event, I direct that all my said property pass under the laws of descent and distribution of the State of Tennessee.

ITEM III. In the event any devisee or legatee under this Will is less than twenty-five (25) years of age at the time of my death, then, in such event, I direct that the shares of such devisee(s) or legatee(s) who are under 25 years of age, rather than being distributed outright, be distributed to my Co-Trustees, hereinafter named, upon the following uses and trusts:

(1) My Co-Trustees shall hold such shares and manage, invest, and reinvest the corpus and collect the income on such share(s) and pay all expenses, costs and taxes incident to the prudent management and maintenance thereof. The Co-Trustees, however, shall not be required to make physical segregation of the assets of the shares but may in their discretion hold the same as an undivided fund for the purpose of administration, management and investment.

(2) My Co-Trustees shall pay over so much of the net income of each separate share to or for the benefit of the respective beneficiary of such share as they deem appropriate. The income not so distributed shall be accumulated.

Davidson County WILL
Recvd: 01/08/07 15:52 5 pgs
Fees:27.00 Taxes:0.00
20070108-0003439

(3) My Co-Trustees shall pay the corpus and accumulated income of each separate share to the respective beneficiary of such share at such time as the beneficiary attains the age of twenty-five years.

(4) If the beneficiary dies prior to attaining the age of twenty-five years, the corpus and accumulated income of such beneficiary's share shall be distributed to the then living issue of the beneficiary, per stirpes, provided, however, that if any such issue is at that time less than 25 years of age, such issue's share shall be retained in this trust until such issue attains the age of twenty-five years.

(5) Should the beneficiary die without issue before he or she obtains the age of twenty-five years, the remaining corpus and accumulated income of such beneficiary's share shall be divided and distributed among my then living issue, per stirpes, provided, however, that if any such issue is at that time less that 25 years of age, such issue's share shall be retained in this trust until such issue attains the age of twenty-five years.

(6) I authorize my Co-Trustees to encroach upon the corpus of each share in order to provide for the beneficiary's maintenance, health, education and welfare. My Co-Trustees may further encroach upon the corpus of each share to pay for all the reasonable funeral and burial expenses of the beneficiary.

(7) Notwithstanding any other provision hereof, this Trust Estate, if not sooner terminated, shall terminate twenty-one (21) years after the death of the last survivor of those beneficiaries who are alive and in being at the time of my death.

ITEM IV. I nominate and appoint my son Joseph E. White and my daughter, Dorothy Mitchell, as Co-Executors and Co-Trustees under this will and direct that they be excused from giving bond for the faithful performance of their duties as such Co-Executors and Co-Trustees. If either of my said children be unable or unwilling to serve in such capacity or capacities, then, in such event, I direct that the other child serve alone in such capacity or capacities, likewise without bond. Provided, however, that if such child who is able or willing to serve is a nonresident of the State of Tennessee, then, in such event, I authorize and direct such child to nominate and appoint a Tennessee resident to serve with him or her in such capacity or capacities, likewise without bond. I hereby grant to my Co-Executors and my Co-Trustees, and

incorporated herein by reference, to the extent applicable, the fiduciary powers enumerated in Section 35-50-110 of the Tennessee Code Annotated, as the same may, from time to time, be amended.

IN WITNESS WHEREOF, I have executed this my last will and testament, typewritten upon three pages, and for the purpose of identifying the same, I have signed my initials to the foregoing pages, this 5th day of November, 1987.

/s/ Florence Harper White

Signed, published and declared by the said Florence Harper White, as and for her last will and testament, in the presence of us, the undersigned, who, at her request, and in her sight and presence and in the presence of each other, have subscribed our names hereto as attesting witnesses the day and date above written.

James R. Conkin III

Susan Langley

AFFIDAVIT

STATE OF TENNESSEE

COUNTY OF DAVIDSON

James R. Cheshire, III and Susan Lampley,

being first duly sworn, make oath that they witnessed the last will and testament of Florence Harper White, dated November 5, 1987; that the said will was executed by her in the presence of affiants, who, at her request and in her sight and presence and in the sight and presence of each other, subscribed their names thereto as attesting witnesses; that the said will was executed on the day it bears date, and at the time of the execution thereof, the said Florence Harper White was of sound and disposing mind and memory and was more than eighteen years of age. This affidavit is being made at the request of said Florence Harper White, the Testatrix, this 5th day of November, 1987.

James R. Cheshire, III

Susan Lampley

Sworn to and subscribed before me this

5th day of November, 1987.

NOTARY PUBLIC

My commission expires: 10/9/91

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 DECEMBER , 2006 , in Case Number 06P1956 between MITCHELL, DOROTHY W Petitioner, and WHITE, FLORENCE HARPER 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 27 day of DECEMBER 2006

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

SEAL

