Davidson County WILL
Recvd: 06/13/08 14:17 6 pg:
Fees:32.00 Taxes:0.00
20080613-0061265

FILED
2007 FEB 22 AM 10:32
D.C.

LAST WILL AND TESTAMENT

of

CARRIE JOHNIGAN SMITH

That I, **CARRIE JOHNIGAN SMITH**, a resident of 3310 Olsen Lane, City of Nashville, Davidson County, Tennessee, being of sound and disposing mind and memory, do hereby make, publish, and declare this to be my Last Will and Testament, hereby revoking all former Wills and codicils by me heretofore made.

PAYMENT OF ALL DEBTS AND TAXES

I hereby direct that all my just debts and funeral expenses be paid out of my estate as soon as is practicable after my demise.

BEQUEST OF TANGIBLE PERSONAL PROPERTY

I give and bequeath my personal property to my cousin, **SAMUEL A. SMITH, III and his wife HELEN M. SMITH**, with the exception of the following:

I give and bequeath my china dishes and crystal glasses to my cousin, **JUDY SMITH**, as her sole property.

I give and bequeath my crystal lamps, crystal vases and crystal pitcher to my stepdaughter, **YVONNE MORRIS,** as her sole property.

I give and bequeath my 1974 Grand Prix automobile to my **cousin, SAMUEL A. SMITH, III**, as his sole property.

I give and bequeath my entire photo albums of John L. Smith's Christmas Birthday dinners to my sister-in-law, **FLORA BLACKMAN,** as her sole property.

I give and bequeath all of my clothing to my stepdaughter, **FRAGINA BROWN, as her sole** property.

BEQUEST OF REAL PROPERTY

I give and bequeath to my cousin, **SAMUEL A. SMITH, III and his wife HELEN M. SMITH**, any and all interest that I have in the property located at 3310 Olsen Lane, Nashville, Davidson County, Tennessee. If either of them predecease me, any and all interest shall become the sole property of the surviving person.

I give and bequeath to the children of my deceased husand, John L. Smith, Sr., **YVONNE MORRIS, JESSIE SMITH, JOHN L. SMITH, JR., and FRAGINA BROWN**, any and all interest that I have in the property located in Smyrna, Rutherford County, Tennessee, to be divided equally among them. Said property is more fully described as follows:

> CERTAIN lot or parcel of land situated in the 6th Civil District of Rutherford County, Tennessee, and being described as follows, to-wit:
>
> BEGINNING in the center of the Herrod and Wade Road at the southwest corner of the property occupied by Lizzie Smith; running thence westward with said road 106 feet to the east line of the property conveyed to Lindell V. Crocker and wife by deed of record in Deed Book 181, page 296, of the Register's Office; thence with the Crocker line northward 217 feet; thence eastward 90 feet; thence southward with the Lizzie Smith line 145 feet to the point of beginning.
>
> Being a lot carved out of the tract conveyed by Lizzie Smith and husband to Lucille Smith (now Woods) and John H. Smith, by deed of record in Deed Book 130, page 471, of the Register's Office of Rutherford County, Tennessee. Hiram Smith reserved a life estate with his wife, Lizzie Smith, and is now dead.
>
> BEING the same property conveyed to John L. Smith by Lizzie Smith, a widow, John H. Smith and Lucille Smith Woods by deed of record in Deed Book _____, page _____, of the Register's Office of Rutherford County, Tennessee.

LIFE INSURANCE

To certain named beneficiaries, I give and bequeath all my insurance proceeds.

BANK ACCOUNTS

I give and bequeath unto my cousin, **SAMUEL A. SMITH, III and his wife HELEN M. SMITH**, any savings accounts or checking accounts of monetary value.

INCAPACITATION

If at such time the situation should arise in which there is no reasonable expectation of recovery from extreme physical disability, such as the irreversible cessation of circulatory or

respiratory functions; or the irreversible cessation of all function of the brain or the brain stem; I direct that I am not to be kept alive by medications, artificial means or heroic measures. I do however, ask that medications be administered mercifully to alleviate suffering.

RESIDUARY ESTATE

All the rest, residue and remainder of my estate of nature and wherever so situated, I give, devise and bequeath to my cousin, **SAMUEL A. SMITH, III and his wife HELEN M. SMITH.**

APPOINTMENT OF EXECUTORS

I hereby name, nominate and appoint my cousin, **SAMUEL A. SMITH, III and his wife, HELEN M. SMITH,** to be the **CO-EXECUTORS** of this my LAST WILL AND TESTAMENT, and request that no bond nor inventory be required of them insomuch as the same is not necessary.

In the event that either of them predeceases me or is not able to serve, I direct that the remaining person be appointed **EXECUTOR** of this my LAST WILL AND TESTAMENT, and request that no bond nor inventory be required.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of DECEMBER, 1999, and do publish and declare this as my LAST WILL AND TESTAMENT, in the presence of each and all of subscribing witnesses whom I have requested to act as such by signing their names as attesting witnesses in my presence and in the presence of each other, and by signing the attached affidavit pursuant to the provisions of T.C.A. 32-2-110.

Carrie Johnigan Smith
CARRIE JOHNIGAN SMITH

Signed by the above as her LAST WILL AND TESTAMENT in the presence of me, who through her request, and in her presence, and in the presence of each other, have hereunto subscribed our names as witnesses this 21st day of DECEMBER, 1999.

WITNESSES:

Susan R. Alexis RESIDING AT 108 Norman Manor Dr.
Nashville, TN 37217

Betty C. Cheney RESIDING AT 1367 Dickerson Rd.
Nashville, TN 37207

AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

LAST WILL AND TESTAMENT OF CARRIE JOHNIGAN SMITH

The undersigned, who are witnesses to the Will of the above Testatrix, to which this affidavit is attached, being duly sworn according to the law, make oath as follows:

1. That each of us is an adult resident of Nashville, Davidson County, Tennessee and that we are witnesses to a LAST WILL AND TESTAMENT executed by **CARRIE JOHNIGAN SMITH** on the 21st day of DECEMBER, 1999, at Nashville, Tennessee.

2. That the Testatrix declared the above dated instrument to be her Last Will and Testament and requested that each of us be witnesses thereto. That the Testatrix signed the Last Will in the presence of each of us and that we, in her presence and in the presence of each other, signed the said Will. We signed the said Will as witnesses on the date and at the place indicated above.

3. That at the time of execution of said Will, each of us are of the opinion that the Testatrix was of sound mind and was over eighteen years of age.

4. This affidavit is executed on this 21st day of DECEMBER, 1999, in accordance with Tennessee Code Annotated 32-2-110.

Susan R. S. Alexis

Betty B. Cheney

Sworn to and subscribed before me
this 21st day of December, 1999.

NOTARY PUBLIC
My Commission Expires: 1-28-2001

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 22 day of FEBRUARY , 2007 , in Case Number 07P173 between SMITH III, SAMUEL A. ET.AL Petitioner, and SMITH, CARRIE JOHNIGAN 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 10 day of JUNE 2008

RICHARD R. ROOKER, Clerk,

SEAL

By _____
Deputy Clerk