Last Will and Testament of

Marian C. Turner Herrod

Davidson County WILL
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PERSONAL INFORMATION

I, ***Marian C. Turner Herrod***, of the City of Nashville, County of Davidson and State of Tennessee, do make, publish and declare this to be my Last Will and Testament. I hereby revoke all wills and codicils previously made by me.

ARTICLE I

IDENTIFICATION OF FAMILY

I am currently married to Joseph W. Herrod. I currently have one child Judy Turner Francis of Nashville, Tennessee.

ARTICLE II

EXECUTRIX

I appoint, my daughter Judy Turner Francis, as Executrix of my Last Will and Testament. I direct that my Executrix shall not be required to give any bond or security for the faithful performance of her duties in any jurisdiction and shall not be required to make any reports, inventories or accountings to any court not mandatory by law. In the event she predeceases me or is unable to serve, I then appoint my granddaughter, Aisha X.L. Francis as Successor Executrix to this my Last Will and Testament. I direct that no bond shall be required of the Executrix or Successor, but if law requires bond, no surety on such bond be required.

A. In order to completely administer my estate, I vest my Executrix with full power and authority to sell, lease, mortgage, transfer, and convey or otherwise dispose of any property, real or personal, which I own at the time of my death, at such times and places and upon such terms and conditions as my Executrix may decide. I

Initials M C H

further authorize my Executrix to exercise any and all powers of such a fiduciary enumerated in the Tennessee Code Annotated as amended to the date of my death, to the extent applicable, all of which provisions and powers are incorporated herein by reference as fully as if included herein verbatim.

B. My Executrix, shall have the right and power to take all actions legally permissible to have the probate of my will done as simply and as free of court supervision as possible under the law of the state having jurisdiction over this Will, including filing a petition in the appropriate court for the independent administration of my estate.

C. The powers, authority and discretion I grant to my Executrix is intended to be in addition to the powers, authority and discretion vested in her by operation of law by virtue of his office, and may be exercised as often as is deemed necessary or advisable, without application to or approval by any court.

ARTICLE III

PAYMENT OF DEBTS AND EXPENSES

A. I direct that upon my death, if any of the property which passes under this Will is encumbered by a mortgage or lien or is pledged to secure any obligation, such encumbrance shall not be considered a debt of my estate, and any person receiving property by virtue of this Will shall take such property subject to all encumbrances.

B. I direct my Executrix to pay all my legally enforceable debts, my funeral expense, and the expense of administering my estate as soon as practicable after my death.

ARTICLE IV

DISPOSITION OF PROPERTY

1. I devise my real property located at 1709 Roger Avenue, Nashville, Tennessee to my daughter, Judy Turner Francis, subject to a life-estate vested in my husband, Joseph W. Herrod. Should my daughter predecease me, I devise the real property be left to my granddaughter Aisha X.L. Francis.

2. I bequeath, to my daughter, Judy Turner Francis, any Cash/Money that I might possess at the time of my death solely in my name. Should she predecease me, I direct that any Cash/ Money I might possess shall be distributed to my granddaughter, Aisha X.L. Francis.

3. All the rest, residue, and remainder of the property which I may own at the time of my death, real, personal, and mixed, tangible and intangible, of whatsoever nature and wheresoever situated, including all property which I may acquire or become entitled to after the execution of this Will, including all lapsed legacies and devises and all the life insurance payable to my estate, which property is not disposed of elsewhere in this instrument, I bequeath and devise to my daughter, Judy Turner Francis. In the event she should predecease me, I hereby give, devise and bequeath the remainder to my granddaughter, Aisha X.L. Francis.

ARTICLE V

NO CONTEST PROVISION

If any beneficiary under this will contests this will or any of its provisions, any share or interest in my estate given to the contesting beneficiary under this will is revoked and shall be disposed of as if that contesting beneficiary had not survived me.

ARTICLE VI

SEVERABILITY

If any provision of this Will is held invalid that shall not affect other provisions that can be given effect without the invalid provision.

SIGNATURE

I, **Marian C. Turner Herrod**, the Testatrix, sign my name to this instrument, this 16th day of April, 2004 at **Nashville, Tennessee**. I declare that I sign and execute this instrument, as my last will, that I sign it willingly, and that I execute it as my free and voluntary act. I declare that I am of the age of majority or otherwise legally empowered to make a will, and under no constraint or undue influence.

Marian C. Turner Herrod
Marian C. Turner Herrod

The foregoing instrument, consisting of five (5) typewritten pages, this page included, was signed, sealed, published and declared by the Testatrix, Marian C. Turner Herrod to be her Last Will and Testament, in the presence of all of us at one and the same time, and we at her request, and in her presence, and in the presence of each other, have hereunto subscribed our names as witnesses, and we do hereby attest to the disposing mind of said Testatrix and to the performance of the aforesaid act of execution at the place and on the date hereinbefore set out.

ATTESTING WITNESSES:

Andre P. Johnson OF Nashville, Tennessee.
Witness

Brenda Anne Wilson OF Nashville, Tennessee.
Witness

Personally appeared before me, the undersigned, Notary Public in and for said State and County Brenda Anne Wilson and Andre P. Johnson, me known, who made oath as follows:

1. That they were requested by the Testatrix to witness her signature to the attached instrument, which purports to be her Last Will and Testament, and they were further requested by the Testatrix to execute this affidavit.

2. That the Testatrix signed said instrument and declared the same to be her Last Will and Testament in the presence of each of the undersigned, on the date set forth therein;

3. That each of the undersigned in turn signed the said instrument on the same date, as attesting witnesses, in the sight and presence of the Testatrix and of each other;

4. That the Testatrix was of apparent sound mind at the time of the execution of said instrument; and

5. That this affidavit is made pursuant to Section 32-2-110, Tennessee Code Annotated.

Sworn and subscribed to before me this 16th day of April, 2004.

NOTARY PUBLIC

My Commission Expires: _____

Prepared by:
MANSON, JONES & ASSOCIATES
1319 Fifth Avenue North
Nashville, Tennessee 37208-2726
Telephone: (615) 254-1600

SEVENTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

LETTERS TESTAMENTARY

08P1152

To JUDY TURNER FRANCIS :

It appearing to the Court that MARIAN C. TURNER HERROD has died leaving a written will, in which you are appointed Executrix, which has been duly approved by the Court; and you having been qualified according to law, and it having been ordered by said Court that Letters Testamentary issue to you.

These are, therefore, to empower you, the said JUDY TURNER FRANCIS to enter upon the execution of said will, and take into your possession all of the property, and to make, within sixty days from this date, a perfect inventory thereof, and make due collection for all debts, and after paying all the just demands against the Testator, and settling up the business according to law, you will pay over and deliver the property and effects that may remain in your hands, and do all other things that may be required, according to the provisions of the said will and the laws of the land.

Witness, Richard R. Rooker, Clerk of the Probate Court, at office, this September 10, 2008 .

Richard R. Rooker, Clerk

RICHARD R. ROOKER CIRCUIT COURT CLERK

STATE OF TENNESSEE
DAVIDSON COUNTY

I, Richard R. Rooker, Clerk of the Probate Court of said County, do hereby certify that the foregoing is a true and perfect copy of LETTERS TESTAMENTARY, issued to JUDY TURNER FRANCIS, Executrix of the estate of MARIAN C. TURNER HERROD deceased, and I do further certify that JUDY TURNER FRANCIS is still acting Executrix of the estate of MARIAN C. TURNER HERROD, and acts as such are entitled to full faith and credit, as appears from the records in my office at Nashville, Tennessee.

Witness my hand and official seal, at this office, this the 10 day of Sept., 2008.

Richard R. Rooker, Clerk

RICHARD R. ROOKER CIRCUIT COURT CLERK