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RICHARD R. ROOKER, CLERK
D.C.

LAST WILL AND TESTAMENT

OF

MARGARET P. BREWER McCRORY

I, **MARGARET P. BREWER McCRORY**, of Davidson County, Tennessee, being of sound mind and disposing memory, and realizing the uncertainty of life, do hereby make, publish and declare this my Last Will and Testament, revoking any and all Wills and Codicils heretofore made by me.

BILL GARRETT, Davidson County
Trans:T20100015389 WILL
Recvd: 03/16/10 12:01 6 pgs
Fees:32.00 Taxes:0.00
20100316-0019793

ARTICLE I

I hereby name and appoint my daughters **PATRICIA BREWER WARNER** and **SUSAN BREWER CROCKARELL**, as Co-Executrix of my estate. In the event either of the said Executrix is unable, unwilling, or later ceases to serve for any reason, I name and appoint the remaining one as Executrix with the same power and authority given to both. I direct that no bond shall be required of said Executrix(s) in the performance of their duties in any jurisdiction whatsoever.

ARTICLE II

I direct that my Executrix(s) pay all my lawful debts, including funeral expenses, the expenses of administration of my estate, inheritance, estate and other taxes that may be imposed upon my estate, including interest and penalties thereon, as soon after my death as is practicable. Provided, however, that debts secured by mortgages or other security instruments may be paid off or retained in the discretion of my Executrix(s). To the fullest extent possible, I direct that all of the aforesaid debts shall be paid from assets that do not qualify for the marital deduction under federal and state tax laws.

ARTICLE III

I empower my Executrix(s) to sell any real or personal property that I may own at the time of my death, and said Executrix(s) shall not be limited as to the time, place and manner of sale and

shall have full power to do all acts and execute all documents of title the same as I could during my lifetime. My Executrix(s), in their sole discretion, shall determine the best price attainable for the sale of any real or personal property.

ARTICLE IV

I excuse my Executrix(s) from the necessity of filing of an Inventory and Final Accounting with the Court. My Executrix(s) shall be held harmless by my Estate from any claims that creditors might make against her personally arising out of the administration of my Estate.

ARTICLE V

I give, devise, and bequeath unto my daughters, **PATRICIA BREWER WARNER** and **SUSAN BREWER CROCKARELL**, my property located in the 2800 Block of Grandview Avenue, Nashville, Tennessee, consisting of four (4) commercial lots. I further give, devise and bequeath unto my daughters, **PATRICIA BREWER WARNER and SUSAN BREWER CROCKARELL**, any and all interests in any leases, contracts or the like, pertaining to any of the above referenced properties, which includes, but is not limited to, the Lease by and between Krispy Kreme Doughnut, Patricia Brewer Warner, Susan Brewer Crockarell and myself.

All of the rest and residue of my estate, consisting of all other real, personal and mixed property I give, devise and bequeath as follows:

One-third (1/3) of said remainder to my daughter, **PATRICIA BREWER WARNER**;

One-third (1/3) of said remainder to my daughter, **SUSAN BREWER CROCKARELL**;

One-ninth (1/9) of said remainder to my daughter-in-law, **BARBARA BREWER**;

One-ninth (1/9) of said remainder to my grandson, **CHASE BREWER**;

One-ninth (1/9) of said remainder to my grandson, **RUSS BREWER.**

In the event any of the above named beneficiaries should precede me in death, I direct that his or her share be divided equally among his or her issue. In the event any of the above named beneficiaries should predecease me without issue, then and in that event, that deceased beneficiaries bequest shall lapse and that portion divided among the remaining living beneficiaries on a pro-rata basis.

ARTICLE VI

If at the time of my death, any of the previously mentioned beneficiaries are indebted to me in any amount or have outstanding loans from me, then and in that event that beneficiary's share shall be reduced by the amount of the outstanding indebtedness and the amount of the reduction shall be divided proportionally between all existing beneficiaries.

ARTICLE VII

No interest of any beneficiary in the corpus of my estate, or any trust created herein, shall be subject to attachment, assignment, alienation, pledge or claim of creditors of such beneficiary, including claims of any divorced spouse for alimony or support payments, and may not otherwise be voluntarily or involuntarily alienated or encumbered by such beneficiary.

ARTICLE VIII

My Executrix(s) shall have all the powers, duties and discretions contained in ***Tennessee Code Annotated***, § 35-50-110, which I incorporate herein by reference, as fully and completely as if copied verbatim, in addition to those powers, duties and discretions elsewhere set forth herein or now or hereinafter conferred by law. If any beneficiary is a minor or disabled in any way or unable to administer his own affairs, the person or organization taking care of the beneficiary shall receive such fund from the Executrix(s) to be held for the use and benefit of said beneficiary or placed in a savings account in the beneficiary's name. References to one gender shall be deemed to include the other gender, and references to the singular shall also include the plural as the facts may warrant.

IN WITNESS WHEREOF, I have hereunto set my hand on this page and at the bottom of the preceding two (2) pages of this my Last Will and Testament on this the 4th day of January, 2001.

Margaret P. McCrory
MARGARET P. BREWER McCRORY, TESTATRIX

Signed, sealed, published and declared by the Testatrix, **MARGARET P. BREWER McCRORY**, 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 sight and presence and in the sight and presence of each other, have hereunto subscribed our names as witnesses, and we do hereby attest to the sound and disposing mind of said Testatrix, and to the performance of the aforesaid action of execution on the date hereinabove set out.

Lisa Baker — Greenbrier, TN 37073

Samantha Crawford — Goodlettsville, TN 37072

WITNESSES — ADDRESSES

AFFIDAVIT OF WITNESSES

Lisa Baker and Samantha Crawford, after being first duly sworn according to law, depose and say:

1. That they are adult citizens and residents of the State of Tennessee.

2. That they witnessed the execution of the Last Will and Testament of **MARGARET P. BREWER McCRORY**, dated the 4th day of Jan., 2001 to which this Affidavit is being attached, and that this Affidavit is being made at the request of the Testatrix, and in accordance with **Tennessee Code Annotated**, § 32-2-110.

3. That their signatures are affixed to said Last Will and Testament, that they 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, on the date recited in said Last Will and Testament.

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

5. That at the time they witnessed said Will, the Testatrix was more than eighteen (18) years of age and was, in their opinion, of sound mind.

Lisa Baker

Samantha Crawford

AFFIANTS

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Subscribed and sworn to before me this 4th day of January, 2001.

NOTARY PUBLIC

MY COMMISSION EXPIRES: 10/21/2002

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 29 day of JULY , 2009 , in Case Number 09P1025 between WARNER, PATRICIA BREWER ET.AL Petitioner, and MCCRORY, MARGARET P. BREWER 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 16 day of MARCH 2010

RICHARD R. ROOKER, Clerk,

By _____

Deputy Clerk

RICHARD R. ROOKER CIRCUIT COURT CLERK