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RICHARD R ROOKER, CLERK

Last Will and Testament

OF

MOSE JEPTHA DAVIE (Jackson) D.C.

I, MOSE JEPTHA DAVIE, a resident of Nashville, Davidson County, Tennessee, being of sound mind and disposing memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all prior wills and codicils to wills heretofore made by me.

I.

I hereby direct that all my just debts, including the cost of funeral expenses, and the costs of administration, be paid out of my general estate by my Exectrix, hereinafter named, as soon as practical after my death. I direct my Executrix to pay all estate, inheritance, succession and other death taxes which may be payable by, or chargeable against my estate, or to the beneficiaries thereof, out of my general estate as an expebnse of administration without apportionment or proration among my beneficiaries, legatees and devisees. I further direct that my Executrix, hereinafter named, purchase a headstone for my burial site.

II.

I will and bequeath the sum of One Dollar ($1.00) to my daughter, ARNETTA DARLENE DAVIE, for her lack of respect towards me and for her ingratitute demonstrated from her infancy up to the present time.

III.

I hereby give, devise and bequeath to my secretary, Janis E. Hiter, my set of the Tennessee Code Annotated, Volumes one (1) through thirteen (13).

IV.

I hereby give, devise and bequeath unto my sister, MARQUERITE DAVIE PINKARD, of South Bend, Indiana, the sum of One Thousand Dollars ($1,000.00).

V.

I hereby give, devise and bequeath unto my sister, GLORIA DAVIE ROYAL,

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of Irvington, Ohio, the sum of One Thousand Dollars ($1,000.00).

VI.

I hereby give, devise and bequeath unto CONSTANCE SHELTON, all of the rest, residue and remainder of my property, be it real, personal and mixed, of whatsoever kind and nature and wheresoever situated, to be hers' absolutely and in fee simple.

VII.

I hereby nominate and appoint JOY M. SIMS, Executrix of this my Last Will and Testament. It is my wish, and I do hereby request, that she not be compelled to give any bond or any security, nor file an inventory, as such Executrix for the faithful performance of her duties as such.

IN WITNESS WHEREOF, I have executed the foregoing Last Will and Testament, consisting of two (2) typewritten pages, and for the purpose of identification, I have signed each page in the presence of the persons witnessing it at my request on this 26th day of January, 2000 at Nashville, Tennessee.

Mose Jeptha Davie
MOSE JEPTHA DAVIE, Testator

The foregoing instrument was signed, sealed, published and declared by the Testator, MOSE JEPTHA DAVIE, to be his Last Will and Testament, in the presence of both of us at one and the same time, and we at his request, and in his presence and in the presence of each other, have subscribed our names as attesting witnesses, and we do hereby attest to the sound and disposing mind of the Testator, and to the performance of the aforesaid act of execution on the date and at the place herein above set out.

ATTESTING WITNESSES:

Deborah L Hougcutt
NAME

901 Stahlman Bldg.
Nashville TN 37201
ADDRESS

NAME

ADDRESS

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AFFIDAVIT OF ATTESTING WITNESSES
TO LAST WILL AND TESTAMENT OF
MOSE JEPTHA DAVIE

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The undersigned attesting witnesses, after first being duly sworn according to law, depose and say as follows:

1. That they are adult citizens of the State of Tennessee;

2. That they witnessed the execution of the Last Will and Testament of MOSE JEPTHA DAVIE, dated the 26th day of January, 2000, to which this Affidavit is attached, and that this Affidavit is being made at the request of the Testator, and in accordance with Tennessee Code Annotated, Section 32-2-110;

3. That their signatures were affixed to said Last Will and Testament; that they signed or affixed their signatures at the instance of and at the request of the Testator, and in his presence and in the presence of each other, on the date and at the place recited in said Last Will and Testament;

4. That at the time they witnessed said Last Will and Testament, the Testator was, in their opinion, of sound mind;

5. That at the time he signed said Last Will and Testament, he did not appear to be acting under any duress or undue influence from any person or persons whomsoever;

6. That the Testator was over the age of eighteen (18) years of age at the time of executing said Last Will and Testament; and

FURTHER AFFIANTS SAITH NOT.

ATTESTING WITNESS

ATTESTING WITNESS

Sworn to and subscribed before me this 26th day of January, 2000.

NOTARY PUBLIC

My Commission Expires:

March 23, 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 14 day of AUGUST , 2008 , in Case Number 08P1236 between SIMS, JOY M Petitioner, and DAVIE, MOSE J. 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 20 day of JULY 2010

RICHARD R. ROOKER, Clerk,

By _____

Deputy Clerk

SEAL

RICHARD R. ROOKER
CIRCUIT COURT CLERK