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THIS INSTRUMENT PREPARED BY:
JOHN M. RANKIN, JR.
100 Winners Circle
Suite 150
Brentwood, TN 37027
615/377-9370

LAST WILL AND TESTAMENT

OF

ROBERT WILLIAM McCULLOUGH

I, **ROBERT WILLIAM McCULLOUGH,** a resident of DeKalb County, Georgia, do publish and declare this to be my Last Will and Testament; hereby revoking all Wills and Codicils or other testamentary dispositions heretofore made by me.

I am married to **CHRISTINE McCULLOUGH** and we have two (2) children, **VICKI DENISE McCULLOUGH MULLINS and SHARON LYNETTE McCULLOUGH.** Whenever I use the term "child" or "children" in my Will, I am referring to **VICKI and SHARON.**

I. Payment of Debts, Expenses and Costs

I direct that all of my legal debts, funeral expenses, expenses of my last illness and for the administration of my estate be paid as soon as practicable after my death. My Co-Executrixes, hereinafter named, in their sole discretion may pay from my domiciliary estate all or any portion of the costs of ancillary administration and similar proceedings in other jurisdictions.

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II. Payment of Taxes

I direct that there shall be paid out of my residuary estate without apportionment, all estate, inheritance, succession and other taxes assessed by reason of my death imposed by the government of the United States, or any state or territories thereof, or political subdivision thereof in respect of all property required to be included in my gross estate for like tax purposes by any such governments, whether the property passes under this Will or otherwise, without contribution by any recipient of any such property.

III. Bequest of Entire Estate

I give, devise and bequeath my entire estate including all property which I may acquire or become entitled to after the execution of this Will, all lapsed legacies and devises and all life insurance payable to my estate to my wife, **CHRISTINE McCULLOUGH.**

If my wife predeceases me then I give, devise and bequeath the aforesaid estate to our children in equal shares, per stirpes.

IV. Powers of Co-Executrixes

My Co-Executrixes hereunder shall have in addition to, but not in limitation of those elsewhere given in this instrument or by law, the powers and exemptions, all of which may be exercised without any order of or report to any court, set forth in §53-7-1 of the Georgia Code, and reference is expressly made thereto, as if fully and completely copied herein and to §53-12-232 which authorizes such reference, it being my intention that my Co-Executrixes shall have all powers and exemptions therein set out.

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Should Georgia Code §53-7-1, et seq, be amended in any particular way or repealed subsequent to the date of this, my Last Will and Testament, my intention is that my fiduciaries shall nevertheless have the powers contained in that Section as of the date of this, my Will, as herein granted to such fiduciary notwithstanding any such amendment or repeal.

V. Appointment of Co-Executrixes

I hereby appoint my children, **VICKI DENISE MULLINS and SHARON LYNETTE McCULLOUGH,** as Co-Executrixes of this my Last Will and Testament and I authorize them to do any and all things which in their opinion are necessary to complete the administration and settlement of my estate. In the event that either **VICKI or SHARON** do not survive me or for any other reason fails to qualify as a Co-Executrix of this my Last Will and Testament, or having qualified, thereafter for any reason shall cease to act, then the remaining child shall be the sole Executrix of my estate. I direct that no bond or other securities shall be required of either of the above name fiduciaries for the faithful performance of their respective duties.

VI. Common Disaster

If my wife and I shall die under such circumstances that there is not sufficient evidence to determine the order of our deaths, then it shall be presumed that my wife survived me; and my estate shall be administered and distributed in all respects in accordance with such presumption.

 Robert W McCullough

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IN WITNESS WHEREOF, I hereunto subscribe my name to this my Last Will and Testament, consisting of this and three (3) preceding typewritten pages, this 27 day of Jan, 1997. In the presence of each and all the 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 affidavit below pursuant to the provisions of Georgia Code §53-2-40.1.

Robert W McCullough
ROBERT WILLIAM McCULLOUGH

Witnesses:

Robert H Bartley residing at 3081 J.H Dr. Dorraville, Ga 30340

Betty J Bartley residing at 2323 Peachtree N. Ct. Dunwoody, Ga. 30338

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Page 4 of My Will Robert W McCullough

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AFFIDAVIT

STATE OF GEORGIA

COUNTY OF DeKalb

We, the undersigned, being first duly sworn, make oath that **ROBERT WILLIAM McCULLOUGH,** on the 27 day of Jan, 1997, declared and signified to us that this instrument is his Last Will and Testament; that he then signed said instrument in our sight and presence; that we, at his request and in his sight and presence and in the sight and presence of each other, then subscribed our names hereto as attesting witnesses; that at the time of execution the Testator was more than 18 years of age, of sound mind and disposing memory, and did not appear under any undue influence; and that the undersigned, each being more than 18 years of age, make and sign this Affidavit at the Testator's request on the day and date above written.

William C. McCullough

Betty J Loyd

Sworn to and subscribed before me this 27th day of January, 1997

Mary M. Wright
Notary Public

My Commission Expires:

Notary Public, DeKalb County, Georgia
My Commission Expires March 26, 2000

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GEORGIA, DeKALB County-ss.

I, **J. Margene Hendrix** Clerk of the Probate Court of DeKalb County, Georgia do hereby certify that I have compared the foregoing copy of the Last Will and Testament of **William Robert McCullough** , late of said county, deceased; the application to probate Will in Solemn Form, and the Letters of Testamentary issued to **Vicki Denise Mullins and Sharon Lynette McCullough**, Executor of said estate; hereto attached:

with the original record thereof, now remaining in this office, and the same is a correct transcript there from, and of the whole of such original record, and that said Court is a Court of Record. **These Letters are still of full force and effect.**

IN TESTIMONY WHEREOF, I have hereto set my hand and affixed the seal of said court this the **15th day of February, 2011**.

J. Margene Hendrix
Clerk of the Probate Court, DeKalb County, Georgia

GEORGIA, DeKALB County-ss

I, **Jeryl Debra Rosh**, Judge of the Probate Court of DeKalb County, Georgia, and presiding Judge of said Court in Said County, do hereby certify that the above attestation, subscribed by **J. Margene Hendrix**, as Clerk of said Court, is sufficient and in due form of law, and that her signature thereto is genuine.

Witness my hand and official signature, this the **15th day of February, 2011**.

Jeryl Debra Rosh
Judge of the Probate Court, DeKalb County, Georgia

GEORGIA, DeKALB County-ss.

I, **J. Margene Hendrix,** Clerk of the Probate Court for said County, do certify that the above attestation of **Hon. Jeryl Debra Rosh**, Judge of the Probate Court of DeKalb County, Georgia, is her genuine signature, and that she is Judge of said Court, and said certificate is in due form of law.

Given under my hand and seal of office, this the **15th day of February, 2011**

J. Margene Hendrix
Clerk of the Probate Court, DeKalb County, Georgia

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 , 2011 , in Case Number 11P274 between MCCULLOUGH, SHARON LYNETTE ET.AL Petitioner, and MCCULLOUGH, ROBERT WILLIAM 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 24 day of FEBRUARY 2011

RICHARD R. ROOKER, Clerk,

SEAL

By _____

Deputy Clerk