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RICHARD R. ROOKER, CLERK
D.C.

LAST WILL AND TESTAMENT

OF

JAMES MELTON BURGESS

I, JAMES MELTON BURGESS, a resident citizen of Davidson County, Tennessee, being of sound mind and disposing memory, do make and publish this my Last Will and Testament, hereby revoking all other wills and codicils heretofore made by me.

BILL GARRETT, Davidson County
Trans:T20110013156 WILL
Recvd: 03/04/11 10:40 4 pgs
Fees:22.00 Taxes:0.00
20110304-0017454

I.

I nominate and appoint my wife, WILMA DORIS BURGESS, as Executrix of this my Last Will and Testament, and I direct that she not be required to make bond.

In the event my wife, WILMA DORIS BURGESS, should predecease me, or for any reason should decline, or fail, or cease to act as Executrix, I then nominate and appoint my attorney, CHARLES ALEXANDER, 1822 Parkway Towers, Nashville, Tennessee, as Executor of this my Last Will and Testament, and I direct that he not be required to make bond.

II.

I will and direct that all of my just debts, including funeral expenses, and testamentary expenses, and expenses of my last illness be paid as soon as practicable after my death.

III.

I give, devise and bequeath to my wife, WILMA DORIS BURGESS, if she survives me, all of my property, both real and personal, of any and every description and wheresoever situated.

IV.

Should my wife, WILMA DORIS BURGESS, predecease me, I give, devise and bequeath all of my property, both real and

personal, of any and every description and wheresoever situated to my mother, LENORA SMITH.

V.

In the event my wife and I should be involved in an accident, or other disaster and should both die, and it is not possible to ascertain which of us died first, then in such an event, it shall be conclusively presumed that my wife died first, and that I survived her.

WITNESS MY HAND, this the 27 day of September, 1973.

James M. Burgess
TESTATOR

The foregoing instrument, consisting of this and one preceding typewritten page was signed, published and declared by JAMES MELTON BURGESS, the Testator, to be his Last Will and Testament, in our presence and sight, and we, at his request, in his presence and sight, and in the presence and sight of each other, have hereunto subscribed our names as attesting witnesses, this the 27th day of September, 1973, at Nashville, Tennessee.

Charles Alexander
Witness

1822 Parkway Towers
Nashville, Tenn.
Address

Martha Adkins Sullivan
Witness

155 White Bridge Road
Nashville, Tennessee
Address

A F F I D A V I T

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

RE: WILL OF JAMES MELTON BURGESS

The undersigned, Charles Alexander and Martha Adkins Sullivan, who are witnesses to the Will of the above named Testator, to which this Affidavit is attached, being duly sworn according to law, make oath as follows:

1. That each of us is an adult resident of Nashville, Tennessee, and that we are witnesses to a Will executed by James Melton Burgess on September 27, 1973, at Nashville, Tennessee.

2. That the Testator declared the above dated instrument to be his Last Will and requested that each of us be witnesses thereto. That the Testator signed the said Will in our presence and we, in the presence of each other and the Testator, 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 is of the opinion that the Testator was of sound mind and was over eighteen years of age.

4. That this Affidavit is executed this 27th day of September, 1973, in accordance with Chapter 568 of the Public Acts of Tennessee of 1972.

Charles Alexander

Martha Adkins Sullivan

Subscribed and sworn to before
me this 26th day of September, 1973.

Notary Public My Commission Expires 2/4/75

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 24 day of AUGUST , 2010 , in Case Number 10P1314 between BURGESS, WILMA DORIS Petitioner, and BURGESS, JAMES MELTON 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 08 day of FEBRUARY 2011

RICHARD R. ROOKER, Clerk,

By _____

Deputy Clerk

SEAL