BILL GARRETT, Davidson County
Trans:T20110031460 WILL
Recvd: 05/26/11 11:05 5 pgs
Fees:27.00 Taxes:0.00
20110526-0040404

LAST WILL AND TESTAMENT

OF

CLAIBORNE WELLS

I, **CLAIBORNE WELLS**, a married person, residing at 340 Ellis Road, Milledgeville, Hardin County, Tennessee, being of sound mind and disposing memory and not acting under the undue influence of any person, do make, publish and declare this to be my Last Will and Testament, hereby expressly revoking any and all Wills, or Codicils thereto, heretofore made by me at any time.

FIRST: I direct that my Personal Representative pay all of my just debts, funeral expenses, monument, expenses of administering my estate, and all state and federal taxes, if any, out of my residuary estate, and as soon as is practical after my demise.

SECOND: I grant unto my Personal Representative (and to any Trustee or other fiduciary named herein) all fiduciary powers set forth in TENNESSEE CODE ANNOTATED, Section 35-50-110, as assistance to her in the administration of my estate.

DATE: 2-25-2009
INT: C.W.

LAST WILL AND TESTAMENT
CLAIBORNE WELLS
PAGE ONE

FILED May 10, 2011 at 10:17 A.M.
MARTHA S. SMITH, CLERK AND MASTER
By Janice Dennis DC

ENTERED IN WILL BOOK
11, PAGE 208

THIRD: I hereby nominate and appoint my daughter, LYNN MANESS, as Personal Representative of my Last Will and Testament. If my daughter, LYNN MANESS, is unable, unwilling or later ceases to serve as fiduciary for any reason, I direct that my wife, MARIE WELLS, serve as alternate for the faithful performance of her duties created under the terms of this Will, and inventory be waived.

FOURTH: After the payment of my debts and funeral expenses, and the cost of administering my estate have been made, the corpus or remainder of my estate, wherever situated, both real and personal, I hereby give, devise, and bequeath unto my wife, MARIE WELLS, and my children, MICHAEL WELLS, VIRGINIA ALMY and LYNN MANESS, share and share alike, per stirpes. It is a condition of said devise and bequest that no part of my real property located in Hardin, Davidson, McNairy and Henderson County be sold before the year 2012.

FIFTH: Should my beloved wife, MARIE WELLS, predecease me, or should we die as the result of a common disaster, then and in that event I give, devise and bequeath the 15.3 acre tract or parcel of land that we own jointly unto my step-children, RICKY ESSARY, VICKIE SMITH, and RUSTY ESSARY, share and share alike, per stirpes.

DATE: 2/5/2009.
INT: C.W.

SIXTH: It is my intent that the prenuptial agreement entered into between my wife, MARIE WELLS, and I be not diminished upon the execution of this my Last Will and Testament.

SEVENTH: I may choose to leave written instructions concerning the disposition of my remains and concerning services which are to be held, if any, and it is my hope and desire that my Personal Representative will see that such instructions are carried out.

EIGHTH: I may choose to leave a written memorandum (totally in my handwriting) concerning the disposition of certain items of tangible personal property, and my Personal Representative is directed to follow my instructions contained therein just as though such instructions were set forth herein verbatim. Any such personal property items which are disposed of pursuant to such instructions shall not be considered a part of the residue and remainder of my estate.

Should any term or provision set forth in my Will be contrary to law, inconsistent, or ambiguous in my representative's opinion, then she is empowered to reconcile or interpret any inconsistent, ambiguous or unlawful item or provision so as to give a consistent, lawful and clear meaning. Her interpretation should, insofar as possible, anticipate what I would have her do.

DATE: 2/3/2006.
INT: C.W.

ENTERED IN WILL BOOK
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IN WITNESS WHEREOF, I have hereunto set my hand on this 5th day of Feb., 2008, and pursuant to Chapter 568 of the 1972 Public Acts of the General Assembly of the State of Tennessee, I request the attesting witnesses to make the affidavit as set out below.

Claiborne Wells

AFFIDAVIT

STATE OF TENNESSEE COUNTY OF HARDIN

The undersigned, attesting witnesses, after being duly sworn or affirming, make oath or affirm that the foregoing Last Will and Testament was signed by CLAIBORNE WELLS and as for and at that time acknowledged, published and declared to be his Last Will and Testament; and in his sight and presence and in the sight and presence of each other, have subscribed our names as attesting witnesses on this the 5th day of Feb., 2008; and we further make oath or affirm that the Testator was of sound and disposing memory and was not acting under the undue influence of any person of our knowledge, and was more than eighteen years of age, and that each of the attesting witnesses is more than eighteen years of age.

Carolyn Smathers

Angel Erwin

(Attesting Witnesses)

SUBSCRIBED & SWORN to before me on this 5th day of Feb., 2008.

Kristi Smith

NOTARY PUBLIC

My Commission Expires: 4/2/2009

KRISTI SMITH STATE OF TENNESSEE NOTARY PUBLIC HARDIN COUNTY

LAST WILL AND TESTAMENT
CLAIBORNE WELLS
PAGE FOUR

ENTERED IN WILL BOOK
11, PAGE 211

STATE OF TENNESSEE, COUNTY OF HARDIN
I, the undersigned Clerk and Master, hereby certify that this is a true and correct copy of the original of the Last Will and Testament filed in this cause in Minute Book 11, page 208.
This the 17th day of May, 2011

MARTHA S. SMITH, CLERK AND MASTER

By: Tammy Hunt DC

STATE OF TENNESSEE
COUNTY OF HARDIN

Personally appeared before me, the undersigned Notary Public in and for said State and County, TAMMY HUNT, Deputy Clerk and Master, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office, on this the 17th day of May, 2011.

My Commission Expires: 6-18-11

Notary Public

LISA A. BEVIS
Notary Public At Large
HARDIN CO., TENN.