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D.C.

Last Will and Testament

OF

ALMON L. JOHNSON

I, ALMON L. JOHNSON, of Davidson County, Tennessee, being of sound mind and disposing memory, do make, declare and publish this my Last Will and Testament, hereby revoking all former Wills and Codicils heretofore made by me.

ITEM ONE.

I direct that all my lawful debts, including my funeral expenses and the costs of administration of my estate, be paid by my personal representative as soon as practicable after my death. I further direct that my personal representative pay all estate, inheritance, succession and other death taxes which shall become payable by reason of my death, whether in respect of property passing under this Will or otherwise, as an expense of administration, without apportionment. It is my intention by including the foregoing language in my Will that no recipient of a specific bequest made hereunder shall bear the burden of any inheritance, succession or other death taxes.

ITEM TWO.

I give, devise, and bequeath my entire estate, real, personal, or mixed, and wheresoever situated, in equal shares to my sons, Mark A. Johnson and Robert T. Johnson. Should either of my sons predecease me, I direct that the issue of such deceased child receive their parent's distributive share equally and per stirpes.

I have heretofore adequately provided for my daughter, Joy Vester Tyree, and she is intentionally omitted as a beneficiary hereunder.

ITEM THREE.

I authorize my personal representative or any alternate personal representative, in the exercise of a reasonable discretion with respect to all property, real and personal, at any time forming a part of my estate, to exercise any and all the powers set forth in Tennessee Code Annotated, §35-50-110, to the extent applicable, all of which provisions and powers are incorporated herein by reference as

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fully as if copied herein verbatim. These powers (as set out in said Statute on the date of execution of this Will) are granted even should said Statute be amended or repealed at the time of my death. I specifically authorize my personal representative to sell, transfer, and convey any property, real or personal, which I may own at the time of my death at such time and price and upon such terms and conditions (including credit) as he may determine to be appropriate.

ITEM FOUR.

I nominate and appoint my son, Mark A. Johnson, to be the personal representative of this my Last Will and Testament. If he shall predecease me or for any reason shall fail to qualify as personal representative hereunder (or having qualified, shall die or resign) then in such event I name my son Robert T. Johnson alternate personal representative hereunder. I direct that no bond or other security be required of my personal representative or my alternate personal representative for the faithful performance of their duties as such.

I do hereby waive the requirement that my personal representative or my alternate personal representative make and file an inventory and I further waive the requirement that my personal representative or alternate personal representative make and file any accounting with any court.

IN WITNESS WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of this and the preceding typewritten page, and for the purpose of identification, I have initialed each such page at the bottom thereof, all in the presence of the persons witnessing it, at my request, on this the 26 day of September, 2000, at Nashville, Tennessee.

Almon L. Johnson

ALMON L. JOHNSON, Testator

Signed, sealed, published and declared by the Testator, **ALMON L. JOHNSON**, to be his Last Will and Testament in the presence of all 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 hereunto subscribed our names as witnesses, and we do hereby attest to the sound and disposing mind of said Testator and to the performance of the aforesaid act of execution at the place and on the date hereinabove set out.

B. McCay	Nashville, TN
James C. Dale III	Nashville, TN
Witnesses	**Addresses**

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Last Will and Testament A. J.

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AFFIDAVIT OF WITNESSES

Barbara McCay and James C. Dale III,

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 **ALMON L. JOHNSON**, on the 26th day of September 2000, to which this Affidavit is being attached, and that this Affidavit is being made at the request of the Testator, 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 same at the instance and at the request of the Testator and in his presence and in the presence of each other, on the date recited in said Last Will and Testament.

4. That the Testator signed the document purporting to be his Last Will and Testament in their sight and presence.

5. That at the time they witnessed the execution of said document, the Testator was, in their opinion, of sound mind.

Barbara McCay

James C. Dale III

Affiants

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

SUBSCRIBED and sworn to before me this 26th day of September, 2000.

Anita J. Settle

Notary Public

My commission expires: 5/30/2004

ANITA J. SETTLE NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires MAY 30, 2004

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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 20 day of APRIL , 2011 , in Case Number 11P356 between JOHNSON, MARK A. Petitioner, and JOHNSON, ALMON L. 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 23 day of JANUARY 2012

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

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