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RICHARD R. ROOKER, CLERK

LAST WILL AND TESTAMENT OF JAMES W. SMITH

I, James W. Smith, a resident of Davidson County, Tennessee, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all former Wills and/or Codicils by me at any time heretofore made.

ARTICLE I

I direct that all of my funeral expenses, just debts and estate and inheritance taxes incident to my death be paid by my Executrix, hereinafter named, as soon after my decease as is practicable, from my general estate.

ARTICLE II

I hereby give, devise and bequeath to my wife, Mary L. Smith, all the rest and residue of my estate, of whatever kind, character and description, real, personal, intangible and mixed, and wherever situated and which I may own or have the right to dispose of at my death and which remains after payment of my debts, funeral expenses and death taxes of whatever kind.

ARTICLE III

In the event my wife, Mary L. Smith, should pre-decease me, I give, devise and bequeath to my children, Marquentas A. Deaderick and Deborah A. Smith, in equal shares, per stirpes, three-quarters of the rest and residue of my estate, of whatever kind, character and description, real, personal, intangible and mixed, and wherever situated and which I may own or have the right to dispose of at my death and which remains after payment of my just debts funeral expenses and death taxes of whatever kind.

In the event my wife, Mary L. Smith, should pre-decease me, I direct my Executor to distribute, in kind, or in cash, as he in his discretion may determine, to my grandchildren, then living, the remaining one-fourth of the

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rest and residue of my estate, of whatever kind, character and description, real, personal, intangible and mixed, and wherever situated and which I may own or have the right to dispose of at my death and which remains after payment of just debts, funeral expenses and death taxes of whatever kind.

ARTICLE IV

I expressly will and direct that my Executrix shall have full power and authority to sell and convey real estate, to sell, liquidate, or operate any business I may own at the time of my death, and to do any and all things necessary and proper for the handling of my estate. In the operation of any business which I may own at the time of my death, the Executrix is exonerated from any loss which may result thereby, so long as she acts in good faith and is not guilty of negligence in the handling of same. My Executrix may, if in her sole discretion she deems it advisable, use the proceeds of the sale of any real estate as provided in this paragraph for the payment of any debts due and owing by my estate.

ARTICLE V

I direct that the interests of the beneficiaries hereunder shall not be liable or subject in any manner to or for their anticipations, assignments, sales, pledges, debts, contracts, engagements or liabilities, or subject or liable to attachment, execution or sequestration under any legal, equitable or other process.

ARTICLE VI

I hereby nominate and appoint my wife, Mary L. Smith, as Executrix of my estate and direct that she be permitted to serve as such without bond. In the event my said wife pre-deceases me, or be unable or unwilling to serve, I appoint Roland M. Lowell to serve as Executor of my estate, to serve as such without bond.

JMS

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IN WITNESS WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament at Nashville, Tennessee, on this the 11 day of November, 1980.

James W. Smith
Testator

The foregoing instrument, consisting of this and two preceding typewritten pages, was signed, published and declared by James W. Smith to be his Last Will and Testament in our presence, and we, at his request and in his sight and presence and in the sight and presence of each other have hereunto subscribed our names as attesting witnesses, the day and date above written.

Betty A. Smith Name	Hendersonville, TN Address
Jay S. Shackford Name	Nashville, Tn Address
Nancy Lee Carterling Name	Lebanon, TN Address

JWS.

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AFFIDAVIT OF ATTESTING WITNESSES

We, the undersigned witnesses to the above Last Will and Testament, do depose and make affidavit that James W. Smith, on the day and date above written, produced the above Last Will and Testament and acknowledged it to be his Last Will and Testament and signed the same in our sight and presence, and we, at his request and being more than fourteen (14) years of age, signed said Last Will and Testament in the sight and presence of each other, and at said time, we considered James W. Smith to be of sound mind and disposing memory and knew him to be eighteen (18) years of age or older.

WITNESSES:	ADDRESSES:
Betty A. Smith	Hendersonville, TN
Joy S. Shackleford	Nashville, Tn
Nancy Lee Easterling	Lebanon, TN

Sworn to and subscribed before me this 11th day of November, 1980.

Notary Public

My Commission Expires: 1-15-83

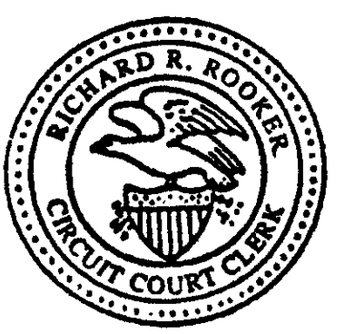
STATE OF TENNESSEE

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 DECEMBER , 2011 , in Case Number 11P1840 between LOWELL, ROLAND M. Petitioner, and SMITH, JAMES W. 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 15 day of DECEMBER 2011

RICHARD R. ROOKER, Clerk,

SEAL



By _____

Deputy Clerk