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12P1168 FILED AUG 08 2012 RICHARD R. ROOKER, Clerk By Deputy

Last Will And Testament of Calvin Elijah King

FILED 2012 JUL 27 PM 1:02 RICHARD R. ROOKER, CLERK

I, Calvin Elijah King, being of the age of majority and resident of Nashville, Davidson County, Tennessee, and being of sound and disposing mind and memory, do hereby make and publish this as and for my last will and testament, hereby revoking any and all prior wills and codicils made by me ~~at any time~~ prior hereto.

Item One

I give to my Personal Representative, hereafter referred to as "Executor" irrespective of gender, and to any substitutes and/or successors and to any other fiduciary named or provided for herein or who shall hereafter be appointed by any court to carry out any provision of this will, all of the applicable rights, powers, and discretions described and/or enumerated in the introductory paragraph and thirty three numbered sub-paragraphs of T.C.A. § 35-50-110, as it is in its present form on the date of the execution of this Will, together with any additional rights, powers, and discretions which may be added by the Legislature of Tennessee subsequent to the execution of this will and which become effective prior to the date of my death; and,

Item One (a)

Disclaimer Re TCA §31-3-120 (a) (b) & (c),

It is the intent of this testator, Calvin Elijah King, that - TCA§ 31-3-120 (a) (b) & (c), which, in part, provides "**A devisee who fails to survive the testator by one hundred twenty (120) hours is deemed to have predeceased the testator**" shall not be applied to construe this Testator's Intent; it being this Testator's specific intent that any Devisee under this will whose official death certificate shows an earlier date of death or an earlier time of death on the same date of death as that shown on the official death certificate of this Testator, shall be conclusively deemed to have predeceased this Testator and shall be conclusively deemed to have failed to survive this Testator.

Item Two

I hereby nominate and appoint Kermit Maurice Jeffries as Executor of my estate and waive filing of inventory, bond, and all accountings (except for the "status reports" the local rules of Probate Court in Davidson County require to be made to the clerk on or before each anniversary date so long as the estate remains open; however should he fail to survive me or declines to act as my Executor or ceases to act as such after once qualifying and prior to the closing of my estate, then in any of such events I appoint my great nephew, Alfred Ponder, to serve as substitute or successor Executor with the same waivers, directions, and exception; and with the same powers.

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Item Three

Provided the recipient survives me, I make the following Special Bequests:

To my friend and Godchild, Freddie C. Fielder	$10,000.00; and
To my friend, Vivian J. Fielder	$20,000.00; and,
To my cousin, Verenice King	$10,000.00; and,
To my cousin, Roscoe D. King	$10,000.00; and,
To my friend, Ernestine Reeves Hicks	$20,000.00; and,
To my friend, Lynee Fielder	$10,000.00; and,
To my great nephew David Ponder	$30,000.00; and,
To my friend, Kermit Maurice Jeffries	$60,000.00; and,
To my friend Andre Prince Jeffries	$20,000.00; and
To my sister, Gwendolyn Butler	$60,000.00; and,
To my niece, Davidae W. Walker	$60,000.00; and,
To my niece, Barbara W. Redwine	$60,000.00; and,
To my nephew, Freddie E. Wright, Jr.	$10,000.00; and,
To my nephew, Chambliss R. Wiggins	$10,000.00; and,
To my nephew, Reginald W. Mahone	$10,000.00; and,
To my nephew, Craig R. Wilson	$50,000.00; and,
To my nephew, Calvin E. Carter	$20,000.00; and,
To my nephew, Dwight L. Redwine	$60,000.00; and,
To my great nephew, Alfred Ponder	$60,000.00; and,
To my great nephew, Mathew Aaron Redwine	$20,000.00; and,
To my great nephew, William Simmons	$20,000.00; and,
To my great nephew, Louis Simmons	$20,000.00; and,
To my great nephew Freddie E. Wright, III	$30,000.00; and,

Should one or more of the above persons fail to survive me his, her, or their special bequest or bequests shall lapse and become part of my residuary estate; and,

Item Four

I bequeath $25,000.00 (unrestricted) To Morehouse College, Atlanta, GA; and,

Item Five

I bequeath any automobiles I own at my death to Kermit M. Jeffries; and,

Item Six

Provided Kermit Maurice Jeffries shall continue to serve as the Executor of my estate

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all the way through the entry of an order closing my estate, concurrently with the entry of such closing order, he shall be paid $50,000.00 from my estate for completion of such services; however should he fail to survive me or declines to serve or ceases to serve as my Executor prior to entry of an order closing my estate, then in any of such events I hereby nominate and appoint my great nephew, Alfred Ponder, as substitute or successor Executor to serve in the place and stead of Kermit Maurice Jeffries and with the same waivers, exception, and powers; and direct that, concurrently with Alfred Ponder's causing the entry of an order closing my estate, the said Alfred Ponder shall be paid said $50,000.00 from my estate for his completing such services; and,

Item Seven

Provided he survives me I devise 405 West North Street, Valdosta Ga., of record in Book 204, page 41 in the office of the Superior Court Clerk of Lowndies County, Ga., to my great nephew, Freddie E. Wright, III, however should he fail to survive me, said devise shall lapse and become part of my residuary estate and in such event I authorize and direct my personal representative to treat it and sell it as personal property and add the net proceeds to my residuary estate; and,

Item Eight

Provided she survives me, I devise 3301 Batavia Street, Nashville, TN of record in Bk 4335, pg 208 RODC, aka Par 184, Tax Map 92-5, to Barbara W. Redwine, however should she fail to survive me, said devise shall lapse and become part of my residuary and as before, I direct my personal rep to sell it and add the net proceeds to my residuary estate; and,

Item Nine

Provided he survives me I devise 624 North 5th street, Nashville TN of record in Bk 6738, pg 218 RODC, aka Parcel 439, Tax Map 82-7; and 626 North 5th St., Nashville, TN of record in Bk 3925, pg 882 RODC, aka Par 438, Tax Map 82-7; to Kermit Maurice Jeffries, however should he fail to survive me said devise shall lapse and become part of my residuary and as before direct my personal rep to sell it and add the net proceeds to my residuary estate; and,

Item Ten

Provided she survives me, I Devise 630 North 5th St, Nashville, TN, of record in Bk 5226, pg 934, RODC, aka Par 436, map 82-7 to Davidae W. Walker; and should she fail to survive me said devise shall lapse and I direct my personal rep to sell it and add the net proceeds to my residuary estate; and,

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Item Eleven

Provided all of the following: (Two nieces and Five nephews) Davidae W. Walker, Barbara W. Redwine, Freddie E. Wright, Jr., Chambliss R. Wiggins, Reginald W. Mahone, Craig R. Wilson, and Calvin E. Carter, reach and execute a written agreement specifying which of them gets which item or items; and thereafter deliver such written agreement to my personal representative/Executor; all on or before the sixtieth (60th) day after my death; I hereby bequeath the contents of my home and my other tangible personal property, (such as household appliances, furniture, furnishings, pictures, personal jewelry, guns, tools, pots, pans, books, clothing, mementoes and other miscellaneous tangible personal property) to all of them collectively; and, to the extent that such agreement is reached and executed by all of them, and provided said executed agreement is delivered to the Executor/personal representative, within the time frame specified in said agreement, then the agreement shall be binding; and shall be followed by the personal representative/Executor; however should no such agreement be reached and signed by those named above or should it not be delivered to the executor/personal representative, on or before the date specified therein, then the executor/personal representative shall proceed to sell or otherwise liquidate/convert to cash, all such items as were to be covered by said agreement and are left; and any net proceeds there-from (if any there be), shall be divided equally among such two nieces, and five nephews, or among their heirs per stirpes; and,

Item Twelve

Recognizing that the earliest an estate may currently be closed is generally the later of: (a) four months after the Order of Probate shall have been **entered** and (b) additionally after the "notices to creditors to file claims" shall have been mailed to all known or reasonably ascertainable creditors of the Testator, and (c) the time for filing claims against the estate shall also have expired: and (d) any claims that were actually filed against the estate have been settled, paid and released, or excepted to and denied or "allowed by the court and then paid and released; and further; it is customary for the Personal Representative/Executor to first pay those items given priority by law, and to pay the same in accordance with the relative priority assigned to each by law; all prior to satisfying the special bequests, devises, and distributions to residuary beneficiaries that may have been be designated in the Will; especially since the Personal Rep risks being held personally liable for making any distribution(s) out of order; never-the-less,

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Testator hereby requests that as soon (after the four months shall have passed), and as soon as my personal representative/Executor, substitute or successor, shall have determined that all necessary pre-requisites have been ascertained and satisfied, he/she shall distribute any remaining residuary in/of my estate in equal shares to my residuary beneficiaries, Barbara W. Redwine, Alfred Ponder, Craig Wilson, and Davidae W. Walker and then proceed to cause an order closing my estate to be entered.

IN WITNESS WHEREOF I have hereunto set my hand to this my Last Will and Testament on 9/ 8/2011.

Calvin Elijah King

Calvin Elijah King

ATTESTATION

The undersigned, hereby certify and attest that at the time of his execution of this testamentary document, Calvin Elijah King, appeared to be of sound and disposing mind and memory and acting under no coercion, fraud, or other undue influence, and he signed the same in our presence; and we have signed the same as his attesting witnesses, at his request and in his sight and presence and in the sight and presence of each other, all on 9/ 8/2011.

Witness: Debra K. Phillips

Address: 2525 Lebanon Rd Nashville TN 37214

Witness: [illegible]

Address: 2625 Cohn Hill Rd. Nashville TN 37214

AFFIDAVIT OF ATTESTING WITNESSES

The undersigned, having been duly sworn, do upon our oaths, certify that:

1. We and each of us are adult citizens of Tennessee; and,

2. At the time of his execution of the foregoing instrument, Calvin Elijah King appeared to us to be of sound and disposing mind and memory, and to be acting under no coercion, fraud or other undue influence, and he made, published, and declared the foregoing to be his "Last Will and Testament", and signed the same in our presence; and we have signed the same as his attesting witnesses at his request, and in his sight and presence and in the sight and presence of each other, all on 9/8/2011.

Copy.

Debra K. Phillips
Affiant

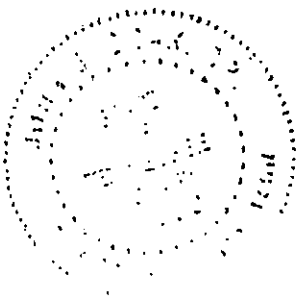
Affiant

STATE OF TENNESSEE

The affiants whose signatures appear above, personally appeared before me a notary public in and for Tennessee and swore to and subscribed the foregoing testamentary document as attesting witnesses and then, each of them acknowledged that he/she had executed the same for purposes described therein and as and for the free act and deed of each, all at my office in Nashville, Davidson County, Tennessee.

Notary Public

My Commission Expires on : 11/07/2012.



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 ADMITTED TO PROBATE IN COMMON FORM in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 08 day of AUGUST, 2012, in Case Number 12P1162 *IN RE*: Petition to Probate the Last Will and Testament of Calvin Elijah King, wherein John G. Doak, Sr. was Petitioner and Kermit Maurice Jeffries, was appointed Executor, as the same remains in the records of the Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said court, at office, in Nashville, the 29 day of August 2012

RICHARD R. ROOKER, Clerk,

By _____

Deputy Clerk

