BILL GARRETT, Davidson County
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SEP 26 2013
RICHARD R. ROOKER, Clerk
By: [illegible] D.C.

LAST WILL AND TESTAMENT
OF

JAMES W. MCKINNEY

13P1358

I, JAMES W. MCKINNEY, a resident of Nashville, Tennessee, being of sound and disposing mind and memory, and being over the age of eighteen years, do hereby make, publish and declare this instrument to be my Last Will and Testament, revoking any and all Wills and Codicils hertofore made by me.

FIRST: I am married to GRAYCE A. MCKINNEY, and all references in this will to my wife are to him. I have one child now living, BRIDGET B. MCKINNEY. The term "my children", as used in this Will, includes any other children hereafter born to or adopted by me.

SECOND: I direct all of by just debts and the expenses of my last illness, funeral and burial to be paid out of my estate in such amount as my Executrix may deem proper.

THIRD: The term "my estate", as used in this Will, includes all of the property of which I may be seized or possessed or to which I may be entitled at the time of my death, wherever situated or of whatever nature, be it real, personal or mixed, including lapsed legacies and any property over which I may have power of appointment.

FOURTH: I give, devise, and bequeath all of my estate to my wife, GRAYCE A. MCKINNEY absolutely and to be exclusion of my children heretofore or hereafter born to or adopted by me.

FIFTH: In the event that my said wife predeceases me, I give, devise, and bequeath all of my estate to my children, in equal shares, Should any of my children predecease me, then the descendants of such child or children who may be living at my death shall take by right of representation, per stirpes and not pers capita. Should any of my children predecease me leaving no descendants, then the share of such child or children shall be divided among my surviving children, and the surviving descendants to take by reight of representation, per stirpes and not per capita.

SIXTH: If my wife, my children and all issue of my children fail to survive me, I give, devise, and bequeath all of my estate in equal shares to KAREN M. GRAHAM or such of them that survive me.

SEVENTH: I hereby nominate my wife, GRAYCE A. MCKINNEY, as Executrix of this Will, and I request that she be permitted to written herein, the language contained in the introductory paragraph and language contained in subparagraphs "1" to "32" inclusive of Section 35-618 of the Tennessee Code Annotated, and I hereby authorize my Executrix in his sole discretion to exercise any and all powers enumerated in Section 35-618 of the Tennessee Code Annotated, subparagraphs "1" to "32" inclusive, as further defined and authorized by Tennessee Code Annotated, Sections 35-616-617. I further authorize by said Executrix to perform all acts and to execute all documents which my said Executrix may deem necessary, convenient or proper in regard to my property, subject only to such confirmation of Court as may be required by law. If my Executrix shall predecease me, or shall for any reason refuse or be unable to serve or continue serving as Executrix hereof, I hereby nominate Executrix as Executrix in stead to serve without bond or surety and with all the same powers and authority.

(Witness Initials)

JAMES W. MCKINNEY

(Witness Initials)

IN WITNESS WHEREOF, I, JAMES W. MCKINNEY, having made publication of this my Last Will and Testament to the below signed persons, and having requested such persons to witness by signature below, and my signature on the previous page, and to execute their attestation of my signature in my presence, and in the presence of each other, do hereby set my hand and seal to this my Last Will and Testament, on this 9th day of August of 1987, at Nashville, Tennessee.

JAMES W. MCKINNEY

The foregoing instrument, consisting of two typewritten pages which bear his signature was signed, published and declared by him to be his Last Will and Testament in the presence of both of the undersigned, who, at his request, in his presence, and in the presence of each other have hereunto subscribed our names as witnesses at the place on the date set forth immediately above.

Lee Ann Geringer of Nashville, TN
(Witness' Signature) (City & State)

_____ of _____
(Witness' Signature) (City & State)

IN THE SEVENTH CIRCUIT COURT (PROBATE DIVISION) OF DAVIDSON COUNTY TENNESSEE

FILED

2013 AUG 22 AM 9:28

RICHARD R. ROOKER, CLERK

IN THE MATTER OF:

ESTATE OF JAMES W. McKINNEY,

Deceased.

No. _____ D.C.

AFFIDAVIT OF VAN B. WILSON

Before me, a Notary Public, personally appeared the Affiant (VAN B. WILSON) whose name appears as a witness to the Last Will and Testament of JAMES W. McKINNEY, and, after being duly sworn says:

On the 9TH day of August, 1987, JAMES W. McKINNEY, requested me to witness the signing of his Last Will and Testament; on the same date and in my sight and presence and in the sight and presence of the other subscribing witness, LEE ANN ELLINGBOE, JAMES W. McKINNEY signed, declared and published his Last Will and Testament. In the sight and presence of JAMES W. McKINNEY and in the sight and presence of each other, I signed and the other witness (LEE ANN ELLINGBOE) signed such Last Will and Testament as witnesses; and at the time of the signing of the Last Will and Testament, JAMES W. McKINNEY, was eighteen (18) years of age or older, was of sound mind and disposing memory; was under no duress, compulsion or constraint and was fully cognizant of the nature of his act.

Signed this the 1 day of MAY, 2013.

Van B Wilson

VAN B. WILSON

DEBRA J. JORDAN STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

STATE OF TENNESSEE

COUNTY OF Davidson

Sworn to and subscribed before me this 1 day of May, 2013.

Debra J Jordan

Notary Public

My commission expires: Nov. 5, 2014

FILED

IN THE SEVENTH CIRCUIT COURT (PROBATE DIVISION) OF DAVIDSON COUNTY TENNESSEE

2013 AUG 22 AM 9:28

RICHARD R. ROOKER, CLERK

IN THE MATTER OF:

ESTATE OF JAMES W. McKINNEY,

Deceased.

No. _____ D.C.

AFFIDAVIT OF LEE ANN RANDALL
(FORMERLY KNOWN AS LEE ANN ELLINGBOE)

Before me, a Notary Public, personally appeared the Affiant (LEE ANN RANDALL (formerly known as LEE ANN ELLINGBOE)) whose name appears as a witness to the Last Will and Testament of JAMES W. McKINNEY, and, after being duly sworn says:

On the 9TH day of August, 1987, JAMES W. McKINNEY, requested me to witness the signing of his Last Will and Testament; on the same date and in my sight and presence and in the sight and presence of the other subscribing witness, VAN B. WILSON, JAMES W. McKINNEY signed, declared and published his Last Will and Testament. In the sight and presence of JAMES W. McKINNEY and in the sight and presence of each other, I signed and the other witness (VAN B. WILSON) signed such Last Will and Testament as witnesses; and at the time of the signing of the Last Will and Testament, JAMES W. McKINNEY, was eighteen (18) years of age or older, was of sound mind and disposing memory, was under no duress, compulsion or constraint and was fully cognizant of the nature of his act.

Signed this the 29th day of June, 2013.

Lee Ann Randall

LEE ANN RANDALL
(formerly known as LEE ANN ELLINGBOE)

STATE OF TENNESSEE

COUNTY OF Davidson

Sworn to and subscribed before me this 29 day of June, 2013.

Kristen Osborne
Notary Public

My commission expires: November 3, 2015

KRISTEN A. OSBORNE
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

My Commission Expires November 3, 2015

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 26 day of SEPTEMBER , 2013 , in Case Number 13P1398 between MCKINNEY, GRAYCE A. Petitioner, and MCKINNEY, 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 10 day of OCTOBER 2013

RICHARD R. ROOKER, Clerk,

By _____

Deputy Clerk