Karen Johnson Davidson County
Batch# 952847 WILL
12/19/2022 10:40:11 AM 13 pgs
Fees: $67.00 Taxes: $0.00
20221219-0130763

STATE OF TENNESSEE

I, JOSEPH P. DAY, 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 filed in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 04 day of NOVEMBER, 2022, in Docket Number 22P1638, IN RE: ASHCRAFT JR., JOHN DUNKLIN ET.AL, as same remains of record in the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 09 day of NOVEMBER in the year 2022 and in the 246 year of American Independence.

JOSEPH P. DAY, Clerk,

By: _____
Deputy Clerk

[SEAL]

JOSEPH P. DAY
CIRCUIT COURT CLERK

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22P1638

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WILL BOOK 34, PAGE 7 CAUSE NUMBER E09-00[illegible]

FILED
NOV - 4 2022
JOSEPH P. DAY, Clerk
By _____ Deputy

LAST WILL AND TESTAMENT

OF

JOHN DUNKLIN ASHCRAFT, JR

I, John Dunklin Ashcraft, Jr., a resident of Greenwood, Leflore County, Mississippi, declare this to be my last will and testament, hereby revoking all wills and codicils heretofore made by me.

My wife, Joanne Gilliam Ashcraft, and my children, John Dunklin Ashcraft III, born April 19, 1952, Mary Joanne Austin, born July 21, 1953. John Edwin Gilliam Ashcraft, born June 15, 1955, Margaret Frances Redding Ashcraft, born August 30, 1957, Josephine Thompson Saunders Ashcraft Austin, born September 5, 1961, are living at the time of execution of this will.

ARTICLE I

I direct that all of my debts (including unpaid charitable pledges whether or not enforceable obligations against my estate), all expenses of my last illness, and funeral and burial expenses (including the cost of a suitable monument at my grave) and the cost of administration of my estate be paid as soon as practicable after death out of the principal of my estate which is included in the share qualifying for the marital deduction. My Executors and Executrix in their joint discretion are authorized to accelerate the payment of any debt or charitable pledge, payment of which may be due at some date in the future or which may be payable in installments, as to discount or otherwise, as it may deem advisable from that portion of my residuary estate which is included in the share qualifying for the marital deduction.

It is my intention, however, that nothing in this Article of my will should be construed as creating an express trust or fund for the payment of debts and expenses which would in any way extend the normal statute of limitations for the payment of my debts or enlarge upon my statutory duty to pay debts

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ARTICLE II

I direct that all estate and inheritance taxes and other taxes in the general nature thereof (together with any interest or penalties thereon), which shall become payable upon or by the terms of this will or any codicil to it hereafter executed by me, or with respect to the proceeds of any policy or policies on my life, or with respect to any other property (including over which I have a taxable power of appointment) included in my gross estate for the purpose of such taxes, shall be paid by my Executor out of the principal of my residuary estate, and I direct that no part of any of such taxes be charged against (or collected from) the person receiving or in possession of the property taxed, or receiving the benefit thereof, it being my intent that all such persons, legatees, devisee, surviving tenant by the entirety, appointees and beneficiaries receive full benefit without any diminution on account of such taxes.

ARTICLE III

I bequeath to my wife, Joanne Gilliam Ashcraft, if she shall survive me, all my personal effects, and all tangible personal property including automobiles owned by me and held for personal use at the time of my death, by excluding cash on hand or on deposit, securities, chose in action or other intangibles.

If my wife shall predecease me, I bequeath so much of the above property to my surviving children to be divided among them with such equality and appropriateness as my Executors and Executrix in their joint discretion shall determine. In the division into equal shares, if any of the surviving issue of a deceased child be a minor, such minor issue's share may be delivered to the person with whom such minor issue resides, or to such minor issue's legal guardian, or directly to such minor issue. The receipt of the guardian, or the person with whom such minor issue resides, or the receipt of such minor issue, shall constitute a full acquittance of my Executors and Executrix with respect to the legacy so delivered. This authority is given

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jointly to my Executors and Executrix notwithstanding any statute or rule of law to the contrary. I direct that any expenses incurred in safeguarding or delivering such property be paid from my estate as an administration expense thereof.

ARTICLE IV

If my wife, Joanne G. Ashcraft, shall survive me, I bequeath to my daughter, Josephine T.S.A. Austin, and my son, John Dunklin Ashcraft III and the Deposit Guaranty National Bank, as Trustees, that fractional share of my residuary estate determined as follows:

1. The numerator shall be the maximum allowable marital deduction as finally determined for federal estate tax purposes, diminished by the value of all other items in my gross estate which pass or have passed to or for the benefit of my said wife under other provisions of this will or otherwise in such manner as to qualify for and be allowed as a marital deduction but no greater amount than is necessary to reduce to zero or the smallest possible amount the federal estate tax payable as a result of my death, taking into account all other deductions and the unified credit and the credit for state death taxes.

2. The denominator shall be the balance of my residuary estate.

In making the computations to determine such fractional share of my residuary estate, the final determinations in the federal estate tax proceedings shall control.

My Executors and Executrix are jointly authorized to satisfy said share in cash or in kind or partly in each; and if wholly or partly in kind, to select, transfer and convey the specific asset or assets so selected; provided, however, that any assets transferred in kind to satisfy said share shall be valued for that purpose at their fair market values determined as of the dates of their respective transfers. This share shall carry with

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it (as income and not as principal) its proportionate share of all net income received during the administration of my estate.

This trust shall be held and administered for the following uses and purposes:

Section 1.

I direct that during the lifetime of my wife, the net income derived from my trust estate shall be paid over to my wife, Joanne Gilliam Ashcraft, or applied for her benefit in monthly or quarterly installments.

If my wife disclaims her interest in this trust, it shall be administered as though she has predeceased me.

Section 2.

Upon the death of my wife if she shall survive me, or upon my death if my wife shall predecease me, the principal and accumulated income then constituting my trust estate shall be apportioned in equal shares to such of my children as shall then be living and to the living issues per stirpes of such of my children as shall be dead with issue then living, such issue representing its parent; and I direct that the several equal shares shall be administered and disposed of as follow:

(a) The share apportioned under Section 2, supra, to each child of mine shall thereupon be delivered and conveyed to such child, discharged of the trust, subject to the provisions contained in Section 3 hereunder.

(b) The one such equal share of my trust estate apportioned under Section 2, supra, to the living issue per stirpes of each child of mine who shall be dead with issue living, shall thereupon vest in and be delivered and conveyed to such issue per stirpes, subject to the provisions contained in Section 3

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hereunder.

Section 3.

If any of the funds and properties constituting part of a trust shall vest in any person among any deceased child's issue who shall be under twenty-one years of age at the time of the vesting thereof in accordance with the foregoing provisions of this Article IV, I direct that such principal or accumulated income so vesting shall nevertheless continue to be held in trust by my Trustees under the provisions hereof and be administered as a separate trust and that the net income therefrom or the principal thereof shall be applied, in such manner as at such intervals and in such amounts as my Trustees in their joint discretion shall deem requisite or desirable, for the suitable support and eduction of such person until he or she shall attain the age of twenty-one years, or shall sooner die, whereupon the then principal and any accumulated income of such trust shall be delivered and conveyed, discharged of the trust, to such person if he or she shall attain the age of twenty-one years, or, if such person shall die prior to his or her attainment of twenty-one years, to such person's executors or administrators.

Section 4.

I hereby authorize and empower the Trustees in their joint and absolute discretion, at any time and from time to time, to disburse from the principal of any of the trust estates created under this Article (even to the point of completely exhausting same), such amount as they may jointly deem advisable to provide adequately and properly for the support, maintenance, education and health of the current income beneficiary thereof, including, but not by way of limitation,

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expenses incurred by reason of illness, disability and education. In determining the amounts of principal to be so disbursed, the Trustees shall take into consideration any other income (other than capital gains) or property which such income beneficiary or other person may have from any other source, and the Trustees' joint discretion shall be conclusive as to the advisability of any such disbursement and the same shall not be questioned by anyone. Further, before any such distributions are made to or for the benefit of issue more remote than the other current beneficiary, I would expect the Trustees to jointly consider the possible effect of the Generation-Skipping Transfer Tax under the Internal Revenue Code, or similar tax, and exonerate the Trustees from liability for any action taken or withheld based upon such consideration. For all sums so distributed, the Trustees both individually and collectively shall have full acquittance. All such disbursements from principal shall be charged against the trust fund from which they are made, and shall not be charged against any individual share of principal subsequently distributed to any beneficiary.

I bequeath and devise and appoint all of my residuary estate, including all lapsed legacies and devises (but excluding any property over or concerning which I may have a power of appointment), unto my Executors and Executrix jointly, and direct that my Executors and Executrix shall jointly administer and dispose of my said residuary estate in accordance with the terms and provisions set forth and contained in the succeeding Articles of this will.

Only assets which qualify for the marital deduction shall be used to satisfy the foregoing bequest.

Subject to the foregoing, the joint decision of my Executors and Executrix as to which assets shall be distrib ted in

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satisfaction of this bequest for the benefit of my wife, as to whether my estate shall be valued under the optional provisions of the federal estate tax law, as to what elections shall be exercised, and as to what proceedings are necessary to complete the ascertainment of the federal estate tax, shall be conclusive and binding on all persons.

ARTICLE V

All the residue of the property which I may own at the time of my death, real or personal, tangible and intangible, of whatsoever nature and wheresoever situated, including all property which I may acquire or become entitled to after the execution of this will, including all lapsed legacies and devises, or other gifts made by this will which fail for any reason (but excluding any property over or concerning which I may have any power of appointment), I bequeath and devise in fee to my wife, Joanne Gilliam Ashcraft. If my said wife, Joanne Gilliam Ashcraft, shall not survive me, then I bequeath and devise the said property in fee and in equal shares to my children, John Dunklin Ashcraft III, Mary Joanne Austin, John Edwin Gilliam Ashcraft, Margaret Frances Redding Ashcraft, Josephine Thompson Saunders Ashcraft Austin, as shall then be living and to the living issues per stirpes of such of my children as shall be dead with issue then living, such issue representing its parent.

ARTICLE VI

If any beneficiary hereunder shall contest the probate or validity of this will or any provision thereof, or shall institute or join in (except as a party defendant) any proceeding to contest the validity of this will or to prevent any provision thereof being carried out in accordance with its terms (regardless of whether or not such proceedings are instituted in good faith and with probable cause), then all benefits provided for such contesting beneficiary shall pass to the residuary beneficiaries to this will (other than such contesting

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beneficiary) in the proportion that the share of each such residuary beneficiary bears to the aggregate of the effective shares of the residuary. If all of the residuary beneficiaries join in such contest or proceedings, then such benefits shall pass to those persons (other than the persons joining in such contest) who are living at my death and who would have been distributees had I died intestate a resident of the State of Mississippi and had the person or persons contesting my will died immediately before me. Each benefit conferred herein is made on the condition precedent that the beneficiary shall accept and agree to all of the provisions of this will and the provisions of this Article are an essential part of each and every benefit.

ARTICLE VII

I hereby grant to my Executrix and Executors jointly and also to the Trustees of the trust established hereunder jointly (including any substitute or successor personal representative or trustee or ancillary trustee) continuing absolute, discretionary power to deal with any property, real or personal, held in my estate or in any trust, as freely as I might in the handling of my own affairs. Such power may be exercised upon agreement of the Executrix and the Executors, or the Trustees, as the case may be, independently and without prior or subsequent approval of any court or judicial authority, and no person dealing with the Executrix and Executors or Trustees shall be required to inquire into the propriety of any of their actions. I specifically grant to my Executors and Executrix jointly, and Trustees jointly, the power to make distributions (including the satisfaction of any pecuniary bequests) in cash or in specific property, real or personal, or divided or undivided interest therein or partly in cash and partly in such property.

Without in any way limiting the generality of the foregoing and subject to the Mississippi Code Annotated, Sections 91-9-101 through 91-9-109 (1972), I hereby grant to my Executrix and Executors jointly and Trustees hereunder jointly the specific

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powers set forth in Mississippi Code Annotated, Sections 91-9-101 through 91-9-109 (1972), and these powers are hereby incorporated by reference and made a part of this instrument as if fully copied herein in words and numbers, and such powers are intended to be in addition to and not in substitution of the powers conferred by law.

ARTICLE VIII

I appoint my daughter, Josephine T.S.A. Austin, and my son, John Dunklin Ashcraft III and the Deposit Guaranty National Bank to be Executrix and Executors of this my last will and Trustees of all trusts created hereunder. I direct that no surety be required on the bond of my daughter, Josephine T.S.A. Austin, and son, John Dunklin Ashcraft III as Executrix and Executor hereunder. If my daughter or son predecease me or for any reason shall fail to qualify as Executrix or Executor hereunder (or having qualified, shall die or resign) then in such event, said remaining son or daughter shall act as Executor or Executrix of my estate with said Deposit Guaranty National Bank; and in such capacity shall possess and exercise jointly all powers and authority herein conferred on them. If my daughter and son as Executrix and Executor determine that it is in the best interest of my estate that Deposit Guaranty National Bank not serve as an Executor and Trustee of my last will and all trusts created hereunder, they shall have the authority to choose another financial institution to be substituted in the place and stead of said Deposit Guaranty National Bank, to serve with the same power and authority as said Deposit Guaranty National Bank. I vest my Executrix and Executors with full joint power and joint authority to sell, transfer and convey any property, real or personal, which I may own at the time of my death at such time and place and upon such terms and conditions (including credit) as they may determine and to do every other act and thing necessary and appropriate for the complete administration of my estate.

I direct that my daughter, Josephine T.S.A. Austin, and my

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son, John Dunklin Ashcraft III, as compensation for its services as Executrix and Executor and as Trustees hereunder, shall receive reasonable compensation and reimbursement of actual expenses incurred for and in the performance of such services.

I direct that said Deposit Guaranty National Bank or successor financial institution, as compensation for its services as Executor and as Trustee hereunder, shall receive reasonable commissions agreed by my daughter and son, jointly (or individually if one should resign or predecease me or be disqualified), with said Deposit Guaranty National Bank or other successor financial institution for the performance of such services.

IN WITNESS WHEREOF, I sign, seal, publish and declare this instrument to be my last will this the 25th day of February, in the Nineteen Hundred and Ninety Third year of our Lord, at Greenwood, Leflore County, Mississippi.

John Dunklin Ashcraft Jr.

JOHN DUNKLIN ASHCRAFT, JR.

The forgoing instrument, consisting of this and nine proceeding typewritten pages, was signed, sealed, published and declared by John Dunklin Ashcraft, Jr., the testator, to be his last will, in our presence, and we, at his request and in his presence and in the presence of each other have hereunto subscribed our names as witnesses, this the 25th day of February, in the Nineteen Hundred and Ninety Third year of our Lord, at Greenwood, Mississippi.

J. E. Gilliam Ashcraft

JOHN EDWIN GILLIAM ASHCRAFT
Rural Route 1
Box 118
Sidon, Mississippi 38954

Willis Burch Brumfield

WILLIS BURCH BRUMFIELD
307 Grand Boulevard
Greenwood, Mississippi 38930

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AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF LEFLORE

THIS DAY PERSONALLY APPEARED BEFORE ME, the undersigned duly commissioned and qualified Notary Public, acting within and for the State and County aforesaid, Willis Burch Brumfield, whose name appears as a subscribing witness to the foregoing and attached instrument of writing, who after having been duly sworn, say on oath that on the 25th day of February, 1993, John Dunklin Ashcraft, Jr., in the presence John Edwin Gilliam Ashcraft and Willis Burch Brumfield, signed his name thereto, and in their presence declared the same to be his Last Will and Testament; that at his request, in their presence, and in the presence of each other, the said affiant subscribed his name thereto as a witness to its execution and publication; that the said John Dunklin Ashcraft, on the 25th day of February, 1993, was of lawful age, was of sound and disposing mind and memory, and there was no evidence of undue influence.

Willis Burch Brumfield

WILLIS BURCH UMFIELD
307 Grand Bou vard
Greenwood, Mi issippi 38930

SWORN TO ND SUBSCRIBED before me this the 25th day of February, in e Nineteen Hundredth and Ninety Third year of Our Lord.

TREY EVANS
CIRCUIT CLERK

My Commission Expires January 1, 1996

Notary Public
By Daye Barnes, D.C.

My commission expires:

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BY D.C.

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AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF LEFLORE

THIS DAY PERSONALLY APPEARED BEFORE ME, the undersigned duly commissioned and qualified Notary Public, acting within and for the State and County aforesaid, John Edwin Gilliam Ashcraft, whose name appears as a subscribing witness to the foregoing and attached instrument of writing, who after having been duly sworn, say on oath that on the 25th day of February, 1993, John Dunklin Ashcraft, in the presence John Edwin Gilliam Ashcraft and Willis Burch Brumfield, signed his name thereto, and in their presence declared the same to be his Last Will and Testament; that at his request, in their presence, and in the presence of each other, the said affiant subscribed his name thereto as a witness to its execution and publication; that the said John Dunklin Ashcraft, Jr., on the 25th day of February, 1993, was of lawful age, was of sound and disposing mind and memory, and there was no evidence of undue influence.

J.E. Gilliam Ashcraft

JOHN EDWIN GILLIAM ASHCRAFT
Rural Route 1, Box 118
Sidon, Mississippi 38954

SWORN TO AND SUBSCRIBED before me this the 25th day of February, in the Nineteen Hundredth and Ninety Third year of Our Lord.

Leslie C. Lumpkin
Notary Public

9-14-96
My commission expires:

CHANCERY COURT OF LEFLORE COUNTY ★ MISSISSIPPI ★

I hereby certify that the foregoing is a true and complete copy of the original thereof as the same appears of record in my office.
Given under my hand and official seal this 1st day of June, 2022
Johnny L. Gary, Jr., Clerk of Chancery Court
Leflore County, MS
By Yolanda Williams D.C.

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SAM ABRAHAM, CHANCERY CLERK
BY D.C.