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LAST WILL AND TESTAMENT

OF

O'DELLE K. HOLT

P-93-1165

FILED _____
ENTERED 11-19-93
will 56 PAGE 570-574
JEROME W. JORDAN, Clerk & Master

I, O'DELLE K. HOLT, being of sound mind and disposing memory, declare this to be my Last Will and Testament, hereby revoking any and all Wills heretofore made by me, together with any codicils thereto.

ITEM I: I direct my Executor hereinafter named to pay all of my just debts, including but not limited to, all succession taxes and funeral expenses out of the first monies coming into his hands. If, at the date of my death, there is insufficient personal property on hand to satisfy such obligations, then I do hereby authorize and empower my Executor to sell such parts or portions of my estate as he deems appropriate by the exercise of good business judgment, either real or personal, wherever the same may be located, in order to satisfy such obligations, without the necessity of suggesting the insolvency of my estate. For this purpose, I authorize my Executor to execute and deliver any and all legal instruments that may be required in order to transfer a good valid title to the property sold to the purchaser or purchasers. I waive the necessity of the purchaser following the proceeds of the sale.

ITEM II: I bequeath the following special bequests:

- a. To MARTHA PICKINS, the sum of TEN THOUSAND (\$10,000) DOLLARS for her faithful service to my beloved husband and me.
- b. To DOUGLAS WAGGONER, the sum of FIFTY THOUSAND (\$50,000) DOLLARS for his faithful service to my beloved husband and me.
- c. To R. N. HERBERT, Smyrna Road, kinsman of my beloved husband, JOHN P. HOLT, the sum of FIVE THOUSAND (\$5,000) DOLLARS.

d. To ANNA MAE KELLEY, my sister-in-law of Pharr, Texas, the sum of FIVE THOUSAND (\$5,000) DOLLARS, provided she survives me. If she does not survive me, then I bequeath this money to the MEXICAN AMERICAN METHODIST CHURCH at Pharr, Texas.

e. To the METHODIST ORPHANAGE HOME, 1111 Herring Avenue, Waco, Texas 76708, the sum of FIVE THOUSAND (\$5,000) DOLLARS.

f. To the AUSTIN AVENUE METHODIST CHURCH at Waco, Texas 76708, the sum of FIVE THOUSAND (\$5,000) DOLLARS.

g. To the METHODIST CHURCH at Pharr, Texas, the sum of FIVE THOUSAND (\$5,000) DOLLARS.

h. To MARTHA PICKINS, Trustee for the EDMONDSON CHAPEL CHURCH, on Crockett Road, Williamson County, Tennessee, the sum of ONE THOUSAND (\$1,000) DOLLARS. I instruct my Trustee to spend said monies in accordance with her own discretion as to what is best for the Church. Said Trustee will not be required to make any bond or make any accounting.

In the event there is insufficient cash on hand at the time that my Executor should timely make distributions, i.e., that is after payment of all death taxes, expenses of administration of my Estate, including but not limited to executors fees, attorney's fee and Court costs, then these bequests shall be apportioned pro rata amongst my above named beneficiaries of legatees.

ITEM III: I devise all of that certain land located in Cherokee County, Texas, whether herein properly described or not, to Loyd Collins, for and during his natural life, with remainder to my niece CHERRY K. POMP. The said CHERRY K. POMP, shall hold said real property free from the debts or claims, statutory or otherwise, of any present or future husbands. The life estate granted to LOYD COLLINS, is in recognition of his long and loyal service to my father.

The property herein devised is that certain tract or parcel of land situated in Cherokee County, Texas and more particularly described as follows, to-wit:

(FIRST TRACT) described in deed from Thomas Finty, Jr., ADM. of the Estate of Wade and Kate Bonner, decd., recorded in Volume 90, page 522, Deed Records of Cherokee County, Texas:

(SECOND TRACT) described in deed from E. L. Gregg, et al, to J. C. Kelley recorded in Volume 86, page 217, Deed Records of Cherokee County, Texas; and

(THIRD TRACT) described in deed from H. E. Rahe, et ux, to J. C. Kelley recorded in Volume 94, page 18, Deed Records of Cherokee County, Texas.

Reference to all of which is here made for the purpose of incorporating a description of the property herein and which said property contains, by estimation, 550 acres, more or less.

Reference is here made to deed of Cherry Kelly Hall, et ux, et al, recorded in Book 591, page 588, land records of Cherokee County, Texas for the purpose of incorporating herein the description and as evidence of title.

ITEM IV: At the writing of this my Last Will and Testament, I own a one-half ($\frac{1}{2}$) undivided interest, in what is estimated to be two hundred seventy-five (275) acres, more or less, of what is called the JOHN P. HOLT FARM, on Crockett Road, Williamson County, Tennessee. I devise a life estate in this property to CHARLES W. WITHERSPOON, JR., for and during his natural life. The said CHARLES W. WITHERSPOON, JR., shall have full power to sell said land, giving fee simple title thereto, and impress his life estate on the funds derived therefrom. Any purchaser of this real property shall not be required to trace any funds. It will not be necessary for the said CHARLES W. WITHERSPOON, JR., to make any bond or give any accounting to the remaindermen hereinafter named.

At the death of CHARLES W. WITHERSPOON, JR., said one-half ($\frac{1}{2}$) undivided interest in said real property and/or any funds derived from the sale of said property by CHARLES W. WITHERSOON, JR., I devise and bequeath to the CITY OF BRENTWOOD, for the sole

purpose of establishing and/or maintaining a public library to be given the name of JOHN P. HOLT LIBRARY. The CITY OF BRENTWOOD may use these funds on an already established public library but if said library funds are used for this purpose, the name of said library must be changed to the name stated above. If the CITY OF BRENTWOOD cannot or does not comply within a reasonable period of time with this request, then this bequest of remainder shall fail and this interest shall fall into the residuary clause hereinafter set out.

ITEM V: All the rest and residue of my property, whether it be real, personal or mixed, I do hereby devise and bequeath to the BRENTWOOD METHODIST CHURCH, to be used as they see fit, in the memory of JOHN P. HOLT, a devoted member of their congregation.

ITEM VI: I am mindful of the fact that I have other blood kin, but it is my intention to exclude them from my estate. Some of them I have had no contact with in years.

ITEM VII: I do hereby appoint TYLER BERRY, JR., as Executor of this my Last Will and Testament, after making sufficient bond. In the event that he is incapable or unwilling to do so for any reason, I then appoint MARY ELIZABETH HOOVER, Executrix of this my Last Will and Testament, after making sufficient bond, and she is to have all of the powers as set out in ITEM I of my Will.

Witness my hand at Franklin, Tennessee, on this the 7 day of Jan., 1985.



O'DELLE K. HOLT

Signed, sealed, published, and declared by the Testatrix, O'DELLE K. HOLT, to be her Last Will and Testament, in the presence of each of us at one and the same time, and we, at her request, have

in her presence and in the presence of each other, subscribed our names as witnesses, and we do hereby attest to the sound and disposing mind of said Testatrix, and to the performance of the aforesaid act of execution at the place and on the date hereinabove set out.

Patricia Hesson

Jamie Ford
ATTESTING WITNESSES