

STATE MS.-DESO TO CO.  
FILED

SEP 19 9 27 AM '00

THIS INSTRUMENT PREPARED BY:  
EDWARD T. AUTRY  
5521 Murray Road  
Memphis, TN 38119  
(901) 767-8200

BK 86 PG 703  
W.F. ... PLK.

BOOK 488 PAGE 31-33

MEMORANDUM OF TRUST

STATE OF TENNESSEE

COUNTY OF SHELBY

The undersigned, having been duly sworn, according to law, states that ANITA E. "SUSIE" FUSSELL, is the Grantor of a Trust known as the ANITA E. "SUSIE" FUSSELL, LIVING TRUST which was established on the 27th day of June, 2000.

The following information is given for the purposes of allowing third persons seeking to deal with the Trustee or Successor Trustee to have sufficient information regarding the powers, duty and authority of the Trustee with respect to the Trust. Accordingly, the following information is presented:

1. NAME OF TRUST: ANITA E. "SUSIE" FUSSELL., LIVING TRUST
2. ADDRESS OF TRUST: 530 Clarington Drive, Southaven, MS 38671
3. NAME OF GRANTOR: ANITA E. "SUSIE" FUSSELL
4. ADDRESS OF GRANTOR. 530 Clarington Drive, Southaven, MS 38671
5. NAME OF TRUSTEE: ANITA E. "SUSIE" FUSSELL and ALSTON RANDOLPH FUSSELL, SR.
6. ADDRESS OF TRUSTEE. 530 Clarington Drive, Southaven, MS 38671
7. NAME OF BENEFICIARIES: The Grantor during Grantor's lifetime. Following the Grantor's death, the beneficiaries shall be as set forth in the trust.
8. TYPE OF TRUST: This trust is a Revocable Grantor Trust.
9. TAX ID#: This is a Grantor Trust as described in Internal Revenue Code Section 1.671-4(b) and pursuant to Section 301.6109-1(a)(2) should use the Grantor's Social Security Number for tax reporting. The Social Security Number is 430-82-8547.
10. TERM: Unless otherwise terminated by the Grantor, the Trust shall continue during the lifetime of the Grantor.
11. POWERS RETAINED BY THE GRANTOR. The Grantor reserves the power to alter, amend, modify or terminate the Trust during the Grantor's lifetime.
12. DISABILITY OR DEATH OF GRANTOR. In the event of the disability of the Grantor, or following the death of the Grantor, ALSTON RANDOLPH FUSSELL, SR., and JOHN NICHOLAS FUSSELL shall serve as the Successor Trustee; and if ALSTON RANDOLPH FUSSELL, SR., is not able or willing to serve, he shall not be succeeded. If JOHN NICHOLAS FUSSELL is not able or willing to serve, then ALSTON RANDOLPH FUSSELL, JR., shall serve.
13. TRUSTEE POWERS. The Trustee and Successor are granted the following specific powers.

- a. All powers under Mississippi Code Annotated Sections 91-9-101, et seq., and 91-13-1, et seq.;
- b. Full power to deal with real estate without the approval of any Court, joinder of Beneficiary and without disclosing any Beneficiary of the Trust;
- c. All Trustee powers shall be broadly construed and may be exercised without Court approval;
- d. No person dealing with the Trustee in the capacity of purchaser, seller, acquirer, lender, tenant, lessor, lessee, contractant or otherwise shall be bound to inquire into the capacity to act on the part of the Trustee or into the authority for or the propriety of any act of the Trustee nor shall such person be required to see to the application or disposition of any money or the property paid, delivered or loaned to the Trustee.

14. TRANSFER OF ASSETS. The Grantor does, by the execution of the trust and this Memorandum of Trust transfer, quitclaim and assign to the trust all of the Grantor's assets, including real and personal property of every nature and type whatsoever, except for assets which, if transferred, would result in income tax consequences to the Grantor. Should the title to any transferred assets not be changed or should any transferred assets continue to be held in the name of the Grantor, without the designation of the trust, then it is declared that any such assets held in the name of the Grantor, whether individually or jointly with right of survivorship, are intended to be held and are in fact held by the Grantor as a Trust asset.

15. REAL PROPERTY TRANSFERRED TO TRUST.

(1) 530 Clarington Drive, Southaven, Mississippi 38671

16. SPENDTHRIFT PROVISIONS. The trust contains spendthrift provisions prohibiting a Beneficiary from transferring, mortgaging, pledging, assigning or otherwise encumbering any portion of the trust estate until same shall have been actually transferred or paid over to the beneficiary. The trust estate shall not be subject to execution or other legal process for any debt or liability of any beneficiary.

WITNESS my hand this 27th day of June, 2000.

Anita E. Fussell  
ANITA E. "SUSIE" FUSSELL  
Grantor

Anita E. Fussell  
ANITA E. "SUSIE" FUSSELL  
Trustee

Alston Randolph Fussell, Sr.  
ALSTON RANDOLPH FUSSELL, SR.  
Trustee

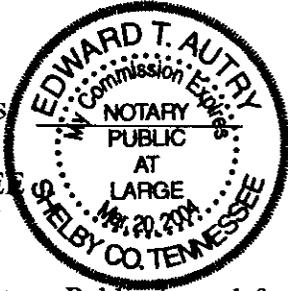
STATE OF TENNESSEE  
COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared ANITA E. "SUSIE" FUSSELL, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal at office this 27th day of June, 2000.

My Commission Expires

STATE OF TENNESSEE  
COUNTY OF SHELBY

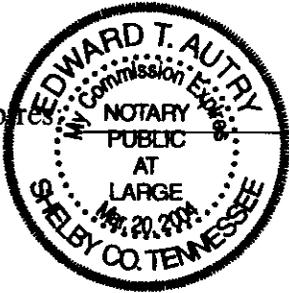


Edward T. Autry  
NOTARY PUBLIC

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared ALSTON RANDOLPH FUSSELL, SR., to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal at office this 27th day of June, 2000.

My Commission expires



Edward T. Autry  
NOTARY PUBLIC

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State of ARKANSAS  
County of MISSISSIPPI (Chickasawba District)

I hereby certify that this instrument was FILED FOR RECORD and is RECORDED on the DATE and TIME and in the BOOK and PAGE as stamped hereon.

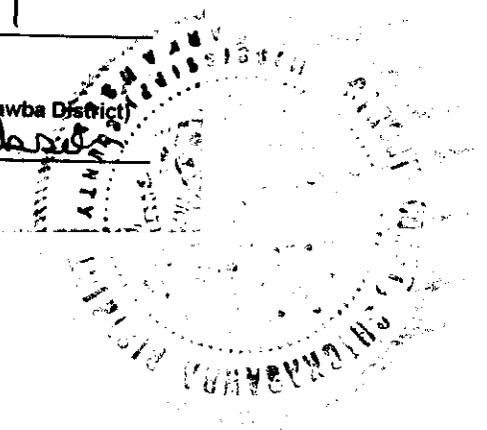
DATE: 9-8-2000 TIME: 10:30 AM

BOOK: 488 PAGE: 31

DONNA DICICCO

Recorder of Mississippi Co. (Chickasawba District)

By Alicia Sachse  
Deputy Clerk



488 # 3943 6-27-2006

31 moved  
at court

Anita E. "Annie" Farrell

to  
 Anita E. "Annie" Farrell  
 Spring Court.

Anita E. "Annie" Farrell, Clerk  
 \* Alston Randolph Farrell, Jr., Clerk

FILED FOR RECORD

This 8th Day of Sept 2006

at 10:30 o'clock A.M.  
NONNA DICICCA, Clerk

By Quinn Jacobs DC

Em: Williams, McDonald,  
Wolfe & Womack, P.C.  
P.O. Box 172247  
Memphis, TN 38187

Williams  
McDaniel  
for (see)