

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

IN RE: ESTATE OF JACQUELINE LOUISE
MITCHELL AND THA ORRIS
MITCHELL, DECEASED

NO. 10-10-2362

**SPECIAL ORDER
TERMINATING THE MITCHELL FAMILY TRUST**

1. This case came on for hearing upon a Petition To:
1. Terminate The Mitchell Family Trust; 2. Probate The Will Of
Jacqueline Louise Mitchell; 3. Probate The Will Of Tha Orris
Mitchell; And 4. Related Matters, filed by Ronnie R. Mitchell and
Barry L. Mitchell, individually, and as beneficiaries of The
Mitchell Family Trust, and the Last Will And Testaments of
Jacqueline Louise Mitchell and Tha Orris Mitchell, deceased. The
Court finds that:

2. Tha Orris Mitchell and wife, Jacqueline Mitchell, both
deceased, on February 29, 1996, and recorded on April 17, 1998,
set up The Mitchell Family Trust (the Trust), recorded in Book 77
at page 165, in the Chancery Clerk's Office of DeSoto County,
Mississippi, naming themselves as Settlers and Trustees of the
Trust. Lifetime Beneficiaries were the Settlers/Trustees, and
their two (2) sons, Petitioners Ronnie R. Mitchell and Barry L.
Mitchell, were named as Remainder Beneficiaries.

Birmingham

3. Jacqueline Louise Mitchell died testate on April 6, 2008, and Tha Orris Mitchell died testate on October 18, 2009. Their respective "Pour-Over Wills" have been admitted to probate in this case.

4. The Trust names Petitioners Ronnie R. Mitchell and Barry L. Mitchell as Successor Co-Trustees (See 7.1 of Trust). The Trust also provides that:

* * * * *

6.6 At the surviving spouse's death, the trustee shall distribute the remaining trust estate in equal shares to the settlors' children, Ronnie R. Mitchell and Barry L. Mitchell, if they survive the surviving spouse... .

* * * * *

5. The Petitioners do not wish to continue the Trust for any reason. Hence, the Petition covered only opening estates for both Settlor/Trustees, now deceased.

6. The Petitioners are the named beneficiaries of the assets of The Mitchell Family Trust and heirs at law of all property not included in the Trust.

7. IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that:

- A. The Mitchell Family Trust be terminated.
- B. A copy of this Order be recorded in the appropriate records of the DeSoto County Chancery Clerk's Office

8. ORDERED, ADJUDGED AND DECREED this the 18th day of
October, 2010.

Vicki B. Cobb

CHANCELLOR

(CAUSE NO. 10-10-2362)

PRESENTED BY:

Drue D. Birmingham, Jr.

DRUE D. BIRMINGHAM, JR.
ATTORNEY FOR THE PETITIONERS



STATE OF MISSISSIPPI, COUNTY OF DESOTO
HEREBY CERTIFY that the above and foregoing is
a true copy of the original filed in this office.

This the 18 day of Oct, 2010
W.E. Davis, Clerk of the Chancery Court
By S. Patrick D.C.