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STATE OF TENNESSEE, DAVIDSON COUNTY

I Richard R. Rooker, Clerk of the Probate Court of Davidson County, State aforesaid, do certify that the foregoing is a full, true and complete copy, of the original on file in my office. Will Book 1169 Page 644
Given under my hand and official seal, at office, in Nashville, this 27th of Sept. 1994.
RICHARD R. ROOKER, CLERK
By Deputy Clerk

Last Will and Testament

OF

ANDREW L. BARGATZE

I, ANDREW L. BARGATZE, being of sound mind and disposing memory do hereby make and publish this my Last Will and Testament, hereby revoking and voiding any and all prior Wills and Codicils to Wills made by me.

BOOK 9482 PG 111

SECTION I

I hereby make and publish this my Last Will and Testament without any interference, duress or intimidation from any person or persons whatsoever, but with a strong will to carry out my plan of disposition and to the exclusion of those persons named as excluded or not otherwise provided for herein.

SECTION II

I direct that all of my just debts, including my funeral expenses and costs of the administration of my estate, be paid out of my general estate by my Executrix as soon as practicable after my death. I direct my Executrix to pay all estate, inheritance and other taxes which may be payable by or chargeable against my estate. I authorize my Executrix to sell any of my real or personal property necessary to pay my funeral expense, administration cost or inheritance tax due on my estate.

SECTION III

I give, devise and bequeath to my wife CATHERINE ELIZABETH BARGATZE my home located at 553 Elysian Fields Road for her life. However, during her lifetime she shall have the privilege and the authority to sell said home and to sign said deed or other instrument necessary for the transfer of said home without the

A. L. B.

necessity of the joinder of any other beneficiaries. However, if my wife should sell my home at 553 Elysian Fields Road, then the net proceeds shall be divided as follows: to my son JAMES A. BARGATZE the sum of Eight Thousand 00/100 ($8,000.00) Dollars; to my son BILLY MACK BARGATZE the sum of Four Thousand 00/100 ($4,000.00) Dollars; and to his son SCOTT OGDEN BARGATZE the sum of Four Thousand 00/100 ($4,000.00) Dollars which I would hope that he would use to further his education; however, that is not a requirement of receiving same. All of the rest and remainder of the net proceeds of said sale will go to my wife CATHERINE ELIZABETH BARGATZE.

SECTION IV

I give, devise and bequeath to my wife CATHERINE ELIZABETH BARGATZE all household furniture and furnishings located in said home mentioned above and in addition thereto, all of my personal property including any automobile which I may have to use, retain or sell as she may choose.

SECTION V

If my wife should predecease me or should we die in a common disaster, then I give, devise and bequeath all household furniture and furnishings located in my home at 553 Elysian Fields Road to ANNETTE WISE TAYLOR to have and use as she may choose.

All of the rest and remainder of my property which consists mainly of my home at 553 Elysian Fields Road, I give, devise and bequeath as follows: One-half (1/2) of the remainder of my estate to JAMES A. BARGATZE. The remaining one-half (1/2) to be divided equally between BILLY MACK BARGATZE and his son SCOTT OGDEN BARGATZE. It is my hope and wishes that SCOTT OGDEN BARGATZE would use his share to further his education; however, that is not a requirement for his receiving same.

A.L.B.

SECTION VI

In the event that my wife CATHERINE ELIZABETH BARGATZE and I should die in a common disaster or within such close proximity so as to make it impossible to determine which one of us died first, I hereby direct that my Will shall not speak and my estate shall pass as if my wife survived me.

SECTION VII

I hereby nominate, constitute and appoint my wife CATHERINE ELIZABETH BARGATZE as Executrix to this my Last Will and Testament. In the event CATHERINE ELIZABETH BARGATZE should predecease me or for any reason refuse, decline or be unable to serve, I hereby nominate, constitute and appoint JAMES A. BARGATZE to serve as Executor in her place. I hereby authorize and empower my Executrix or my substitute Executor to sell at public or private sale and for such consideration as my Executrix or Executor deems reasonable, any or all of my real and personal property and the net proceeds of such sales shall then be combined with my general estate. All of the decisions made by my Executrix or Executor regarding the administration of my estate shall be absolute and final. I direct that no bond or security shall be required of my Executrix and Executor for the faithful performance of her or his duties.

SECTION VII

IN WITNESS WHEREOF, I, ANDREW L. BARGATZE, have hereunto set my hand to this my Last Will and Testament at Nashville, Tennessee, this 2nd day of December, 1985.

Andrew L. Bargatze.
ANDREW L. BARGATZE

WITNESSES:

Names

Addresses

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FELIX Z. WILSON REGISTER
DAVIDSON COUNTY, TN.

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IDENTIF. & REFERENCE

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