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3-15-96
WB 174-34

Last Will and Testament

BOOK 10683 PG 897

OF

1595 11/14 0101 03CHECK 16.00

HOMER HAMILTON

I, HOMER HAMILTON, of Nashville, Davidson County, Tennessee, being of sound mind and disposing memory, do hereby make, publish and declare this to be my Last Will and Testament, thereby revoking any and all Wills or Codicils heretofore made by me.

ARTICLE I

I will and direct that all my legal debts, including funeral and testamentary expenses of my estate, be paid as soon as may be practical after my death. I further will and direct that all state, inheritance, succession, legacy, transfer and other taxes of the same nature which are payable because of my death, including any interest or penalties thereon with respect to the property comprising my estate for such tax purposes, whether or not such property passes under the Will and whether such taxes are payable by my estate or by any recipient or beneficiary of any such property, shall be paid entirely out of my estate as an expense of administration and without apportionment and with no right of reimbursement from any recipient or beneficiary of such property.

ARTICLE II

I give, devise and bequeath to David Campbell Gann and wife, Ann Marie Gann, of Nashville, Tennessee, my house and lot located at 1114 Tuckaho, Nashville, Davidson County, Tennessee, to have and to hold as their own, or to sell and dispose of as they see fit.

I further give, devise and bequeath to David Campbell Gann and wife, Ann Marie Gann, of Nashville, Tennessee, all of my personal property of any description wheresoever located, including but not limited to, jewelry, household furniture and furnishings, savings accounts, checking accounts, automobiles and any and all other personal property owned by me at the time of my death.

 Homer H. Hamilton

HOMER HAMILTON

I further direct that in the event of the death of David Campbell Gann and wife, Ann Marie Gann, that if they have not sold or disposed of the house and lot located at 1114 Tuckaho, Nashville, Davidson County, Tennessee, and that they have further not sold or disposed of any items of personal property remaining in my estate, that said house and lot and said items of personal property of any description wheresoever located, shall be given to their children, Gina Marie Garner and Brandy Leanna Bosley, share and share alike.

All the rest, residue and remainder of my estate not herein specifically bequeathed, including real, personal, mixed or otherwise, I give, devise and bequeath to David Campbell Gann and wife, Ann Marie Gann, of Nashville, Tennessee, share and share alike.

ARTICLE III

I hereby appoint Ann Marie Gann of Nashville, Tennessee, as Executrix of this my Last Will and Testament, and I further direct that no bond be required for said Executrix for the faithful performance of her duties.

In the event Ann Marie Gann is unable to serve as Executrix of my estate, then it is my desire that David Campbell Gann of Nashville, Tennessee, serve as Alternate Executor of my estate and that no bond shall be required of the said David Campbell Gann as such Alternate Executor.

These appointments are subject to any further Codicils of my Last Will and Testament.

I authorize my Executrix and Alternate Executor in their reasonable discretion with respect to all property, real and personal, at any time forming part of my estate, to exercise any and all the powers set forth in Tennessee Code Annotated §32-50-110, to the extent applicable, all of which provisions and power are incorporated herein by reference as fully as if copied herein

verbatim. These powers (as set out in said statute on the date of execution of this Will) are granted, notwithstanding that said statute may be amended hereafter or repealed at the time of my death.

It is further my desire that my Executrix and Alternate Executor not be required to file an Inventory of the assets of my estate, said requirement being hereby expressly waived.

IN WITNESS WHEREOF, I have hereunto subscribed my name to this, my Last Will and Testament, consisting of four (4) typewritten pages, and for the purposes of identification, I have signed each such page, all in the presence of the persons witnessing it at my request on this 5th day of October, 1990, at Nashville, Tennessee.

Homer H. Hamilton
HOMER HAMILTON, Testator

The foregoing instrument was signed, sealed and published by the above-named Testator in our sight and presence who signified to us, the attesting witnesses, that the foregoing instrument is his Last Will and Testament, and we have hereunto affixed our signatures as attesting witnesses at his request and in his sight and presence, and in the sight and presence of each other this 5th day of October, 1990.

Melanie J. Collins
WITNESS

Katrina S. Cooney
WITNESS

0369745
IDENTIF. ▲ REFERENCE

97 NOV 14 AM 10:03
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

MAIL ENV.

AFFIDAVIT OF WITNESSES TO PROVE WILL

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

MELANIE J. COLLINS and KATRINA S. COOMER,

after being duly sworn according to law, depose and say:

1. That they are adult citizens of Nashville, Davidson County, Tennessee.

2. That they witnessed the execution of the Last Will and Testament of Homer Hamilton, dated the 5th day of October, 1990, to which this Affidavit is attached, and that this Affidavit is being made at the request of the Testator and in accordance with Tennessee Code Annotated §32-2-110.

3. That their respective signatures are affixed to said Last Will and Testament, that they signed or affixed the same at the instance and at the request of the Testator and in his presence, and in the presence of each other, at the place and on the date recited in said Last Will and Testament.

4. That the Testator signed said paper writing as and for his Last Will and Testament in their sight and presence.

5. That at the time they witnessed said Will, the Testator was, in their opinion, of sound mind.

Melanie J. Collins residing at 429 Clearwater Dr.
WITNESS
Nashville, TN

Katrina S. Coomes residing at 2001 21st Ave. So. E-5
WITNESS
Nashville, TN 37212

Sworn to and subscribed before me this 5th day of October, 1990.

Katherine S. Ryan
NOTARY PUBLIC

My Commission Expires:
5-8-91

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 174, Page 348
Given under my hand and official seal, at office, in Nashville, this 14 of November, 1997
RICHARD R. ROOKER, CLERK
By Thomas Bryan
Deputy Clerk

Homer Hamilton

PAGE FOUR OF MY LAST WILL AND TESTAMENT