WB 12
290

LAST WILL AND TESTAMENT

OF

BOOK 11479 PG. 759

THOMAS A. WIGGINTON

I, Thomas A. Wigginton, a resident of Nashville, Davidson County, Tennessee, being of sound mind and disposing memory, do hereby make, publish and declare this my Last Will and Testament, hereby revoking all Wills and Codicils heretofore made by me.

ITEM I

I direct that my just debts, funeral expenses and costs of administration be paid as soon after my death as practicable. My Executrix, in her sole discretion, may pay from my domiciliary estate all or any portion of the costs of ancillary administration and similar proceedings in other jurisdictions.

ITEM II

I direct that there shall be paid out of my residuary estate, without apportionment, all estate, inheritance, succession and other taxes (together with any penalty thereon) assessed by reason of my death, imposed by the government of the United States, or any state or territory thereof, in respect of all property required to be included in my gross estate for estate or like tax purposes by any of such government, whether the property passes under this Will or otherwise.

ITEM III

I give, devise and bequeath all the rest, residue and remainder of my property outright to my daughter, Anne Wigginton Der, if she survives me. If my daughter does not survive me, but has issue living at the time of my death, the amount otherwise passing to her shall pass to her issue then living, per stirpes. If neither my daughter survives me nor any of my issue survives me, then all the rest, residue and remainder of my estate shall be distributed to those persons who may then be my heirs-at-law, as determined under the laws of the State of Tennessee then in force.

T. A. W.
T.A.W.

RECORDERS MEMO
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ITEM IV

I appoint my daughter, Anne Wigginton Der, as Executrix of this my Last Will and Testament and direct that no bond be required of her for the faithful performance of her duties.

ITEM V

In addition to any powers or duties provided by other provisions in this Will or by law, my Executrix shall have the following powers:

A. The powers enumerated in the provisions of Section 35-50-110 Tennessee Code Annotated, including the introductory paragraph and all subparagraphs thereof to the extent applicable. Said provisions (as in force on the date of execution of this Will) are hereby incorporated herein by reference as fully as though copied herein verbatim, notwithstanding that said statute may be amended hereafter or repealed.

B. The power to exercise any election available to my estate with regard to claiming any administrative expense of my estate either as a deduction for any death tax or income tax purpose. Said elections may be made in such manner as will minimize the total tax burden on my estate and shall not require adjustments as between the income and principal accounts of my estate. I hereby relieve my Executrix of any liability to any beneficiary by reason of making or failing to make any such election.

C. To the extent afforded by Tennessee law in effect at the time of my death, I hereby relieve my Executrix of any responsibility, duty or obligation to file accounting, inventories or reports with any court having probate jurisdiction over my estate.

ITEM VI

A. Purchasers from, lenders to and others dealing with my Executrix shall not be required to inquire as to the occasion for such sale, loan or other

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transaction, nor to see to the application of the purchase, loan or other money or property. Written receipts and/or cancelled checks retained by my Executrix shall be good and sufficient discharges for the sum therein stated to have been received. Transfer agents and other persons dealing with my Executrix may deal with her as if she was the sole owner of the property dealt with.

C. The Executrix named herein shall not be entitled to compensation for services, but may be reimbursed for all reasonable expenses incurred. Such expenses may be charged, in the Executrix's discretion, to either income or principal.

ITEM VII

Currently, my immediate family includes only my daughter, Anne Wigginton Der.

ITEM VIII

As used in this Will, in referring to any person, a word of one gender shall be deemed to include the other, and a reference to the singular shall include the plural, and vice versa, if the context indicates that such a reading would be appropriate. If a successor Executor is appointed, any reference to the word "Executrix" shall be deemed to refer to such successor Executor.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of this and two (2) preceding typewritten pages and, for the purpose of identification, I have signed each page all in the presence of the persons witnessing it at my request this the 12th day of August, 1986, at Nashville, Tennessee.

Thomas A. Wigginton
Thomas A. Wigginton

T.A.W.

The foregoing instrument consisting of this and three (3) preceding typewritten pages was signed, sealed, published and declared by Thomas A. Wigginton, the Testator, to be his Last Will and Testament in our presence and we, at his request and in his sight and presence and in the sight and presence of each other, have hereunto subscribed our names as witnesses this the 12th day of August, 1986, at Nashville, Tennessee.

WITNESS:

Cliff K. Murfree

Martha J. Butler

ADDRESS:

2700 L&C Tower

Nashville, TN 37219

2700 L&C Tower

Nashville, TN 37219

T.A.W.

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

BOOK 11479 PG. 763

AFFIDAVIT

CLAIBORNE K. McLEMORE III and [illegible]

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

1. That they are adult citizens of the State of Tennessee.

2. That they witnessed the execution of the Last Will and Testament of Thomas A. Wigginton, the Testator, dated the 12th day of August, 1986, to which this affidavit is attached, and that this affidavit is being made at the request of the Testator and in accordance with Tenn. Code Ann. §32-2-110.

3. That their signatures are affixed to said Last Will and Testament, that they signed or affixed the same at the insistence 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, over the age of eighteen (18) and of sound mind.

Sworn to and subscribed before me,
this 12th day of August, 1986.

Notary Public

My Commission Expires: 5/13/90

BOOK 11479 PG. 764

State of Tennessee
County of Montgomery

NO. 90-P7-517

I, DOROTHY T. HALL, Clerk and Master of the Chancery Court, Probate Division, of Montgomery County, Tennessee, hereby certify that the foregoing is a true and correct copy of the Will filed on the 20TH day of JUN, 1990 in the Estate of

EST. THOMAS A. WIGGINTON

as the same appears on the Probate Books of said Court, in my office and recorded in WILL BOOK 12, page 290.

IN WITNESS HEREOF, I HAVE SIGNED AND AFFIXED THE SEAL OF COURT ON THIS 13TH DAY OF MAY, 1999.

SEAL:

DOROTHY T. HALL, CLERK AND MASTER

BY: Cindy Winters

DEPUTY CLERK

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IDENTIFICATION/REFERENCE
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