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17-253

Davidson County WILL
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CODICIL TO THE LAST WILL AND TESTAMENT

OF CARL D. WEAVER

AM 20 1991

QPS 1035

I, CARL D. WEAVER, of Anderson County, Tennessee, being of sound and disposing mind and memory, do hereby amend and change my Last Will and Testament, dated the 23rd day of May, 1973, by deleting therefrom the FOURTH clause thereof and substituting therefor the following:

In the event that my said wife shall not survive me, I direct that the sum of $5,000.00 each be given to each of my grandchildren, Carl Dail Weaver, III, Wendi Le Weaver Kennison, Ronald Edward Weaver, Jr., and Christine Dawn Weaver. I further give, devise and bequeath all of the rest, residue and remainder of my estate, as heretofore described, to our three sons, Carl Dail Weaver, Jr., Charles Michael Weaver and Ronald Edward Weaver, in equal shares, share and share alike, if they or any of them survive me, or to the survivor or survivors; provided that if any of them predecease me leaving children, their share shall pass to their children, per stirpes; provided further that if all three of them predecease me, such distribution shall be per capita, to be theirs and their heirs, absolutely, in fee simple and forever.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this, a Codicil to my Last Will and Testament, typewritten on 2 sheets of paper, this the 30 day of June, 1983.

Carl D. Weaver
CARL D. WEAVER

On the 30th day of June, 1983, CARL D. WEAVER, declared to us, the undersigned, that the foregoing was a Codicil to his Last Will and Testament,

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and he requested us to act as witnesses to the same and to his signature thereon. He thereupon signed said Codicil in our presence, we being present at the same time. And now we, at his request, in his presence, and in the presence of each other, do hereunto subscribe our names as witnesses. And we, and each of us, declare that we believe this Testator to be of sound mind and memory.

Robert M. Cooper, I ADDRESS 139 N. Main St. Clinton, TN

Judy Whitfield ADDRESS 131 N Main St Clinton, TN

Nancy Jarvis ADDRESS 139 N. Main Clinton, TN.

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APR 20 1991

JP 9030

LAST WILL AND TESTAMENT

OF

CARL D. WEAVER

I, CARL D. WEAVER, of the City of Daytona Beach, County of Volusia, State of Florida, being of sound and disposing mind and memory, do hereby make, publish and declare the following as my Last Will and Testament.

FIRST: I hereby revoke all wills and codicils heretofore made by me at any time.

SECOND: I direct that all ordinary and reasonable debts or bills incurred by me during my lifetime (exclusive of any large debts and of obligations evidenced by promissory notes, [illegible] instruments), and expenses of last illness, funeral and burial, shall be paid as expenses of administration as soon after my death as possible, without requirement of Court approval, and without personal liability to my representative. I direct that all estate or similar taxes in connection with my estate, including property not passing under this will, shall be paid by my estate as expenses of administration, and no part of such taxes shall be apportioned or prorated to any beneficiary or recipient, and I authorize my personal representative to settle any such taxes.

THIRD: All of my property, real, personal or mixed of every

kind and description and wheresoever situated, of which I may die seized or possessed, or to which I may be entitled at the time of my demise, and all property over or concerning which I may have power of appointment, I give, devise and bequeath to my wife, Leona Hayes Weaver, presently residing at 3236 Riverview Lane, Daytona Beach, Florida, if she survives me, to be hers and her heirs, absolutely, in fee simple and forever.

FOURTH: In the event that my said wife shall not survive me, I give, devise and bequeath all of my estate, as aforesaid, to our three sons, Carl Dail Weaver, Jr., presently residing in South Carolina, Charles Michael Weaver, presently residing in Daytona Beach, Florida, and Ronald Edward Weaver, presently residing in Tampa, Florida, in equal shares, share and share alike, if they or any of them survive me, or to the survivors or survivor; provided that if any of them predecease me leaving children, their share shall pass to their children, per stirpes; provided further that if all three of them predecease me, such distribution shall be per capita, to be theirs and their heirs, absolutely, in fee simple and forever.

FIFTH: Any person named as beneficiary in this will who shall die at the same time as I or within thirty days of the date of my death shall be deemed to have predeceased me.

SIXTH: I nominate, constitute and appoint my wife, Leona Hayes Weaver, as Executrix of this my Last Will and Testament, and direct that she shall serve in said capacity, whether in the State of Florida or elsewhere, without being required to give any bond or other security for the faithful performance of duty as such. I give my said Executrix the fullest power and authority in all matters and questions

C. D. W.

[illegible]d to do all a[illegible] which I cou[illegible] if living, including, without [illegible]tation, the power to sell and convey any part or all of my estate, at public or private sale, with or without notice, for cash or credit, or to borrow money for the use of my estate and to secure the same by mortgage, trust deed or other form of security to or upon any part of my estate, all without order of Court. In the event my said wife shall not survive me, or shall fail to qualify, or shall resign or cease to act for any reason as Executrix, I hereby nominate, constitute and appoint my sons, Carl Dail Weaver, Jr., Charles Michael Weaver and Ronald Edward Weaver, or those who survive, qualify and continue to serve, as Executors of this my Last Will and Testament and with all the powers and authority hereinabove specified, to serve without bond.

SEVENTH: For and during the period of administration of my estate, I authorize my personal representative to hold any assets which I may have owned at the time of my death, without requir[illegible] liquidation, and my representative shall not be [illegible] of decrease in value of such assets.

EIGHTH: Any distribution hereunder may be made in cash or in kind or partially in cash and partially in kind, valuations as to distribution in kind shall be determined by my personal representatives, with due consideration of valuations established by estate appraisers and final determination for estate tax purposes, if any, and market values as of time of distribution as to any listed securities or other assets having fluctuating values and the determination of my representatives shall be final.

NINTH: In the event that at the time of my death, I am joint owner, co-owner, owner or trustee of any real estate, automobile,

C. D. W.

bank account, government bond or any security or instrument of indebtedness, (whether issued by a private corporation, a government, governmental agency, or an individual), which is registered or issued in my name and that of another person or persons, as tenants by the entirety, joint tenants with right of survivorship, in my name as trustee for a named beneficiary or beneficiaries, or which is shown in writing to be payable to either the co-owner or named survivor, or which in any way appears to be payable to the co-owner or named survivor on my death, I give, bequeath and devise, absolutely and forever, all of my right, title and interest in any such property to the surviving joint owner or co-owner thereof or beneficiary of trust, or to the other survivor apparently entitled thereto upon my death.

IN WITNESS WHEREOF, I hereby sign, seal, publish and declare this as my Last Will and Testament in the presence of the persons witnessing it at my request this 23 day of May, A. D. 19[illegible]

Carl D. Weaver

The foregoing instrument, consisting of four (4) typewritten pages, including this one, was subscribed by the testator in our presence and at the same time said testator declared said instrument to be his Last Will and Testament and requested us to sign as witnesses, and we, in his presence and in the presence of each other, at his request, did so sign our names as witnesses.

[illegible]; residing at Daytona Beach, Fla.

Mary Jo Galbreath residing at New Smyrna Beach, Fla.

[illegible], residing at Daytona Beach, Fla

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TO THE HONORABLE TOM E. GRAY, CHANCELLOR,
CHANCERY COURT FOR SUMNER COUNTY, TENNESSEE

IN RE:]
]
ESTATE OF] NO. 17-253
CARL D. WEAVER, Deceased.]

AFFIDAVIT OF WITNESS TO PROVE WILL

ELBERT M. COOPER, first being duly sworn according to law, deposes and says:

1. The paper writing to which this Affidavit is attached is a true and exact photocopy of a certain paper writing that was signed by Carl D. Weaver in the sight and presence of Affiant and in the sight and presence of Judith Whitfield (who signed her name thereto as Judy Whitfield) and in the sight and presence of Nancy Jarvis, on the 30th day of June, 1983; said paper writing was there and then acknowledged by the said Carl D. Weaver to be a Codicil to the Last Will and Testament of Carl D. Weaver; thereupon, Judith Whitfield, Nancy Jarvis and Affiant, at the request of Carl D. Weaver and in his sight and presence and in the sight and presence of each other, subscribed our names to said paper writing as attesting witnesses, all on the 30th day of June, 1983.

2. At the time that Affiant and the other named witnesses witnessed the execution of said Codicil, Carl D. Weaver, the Testator, was, in my opinion, of sound mind and disposing memory, more than eighteen (18) years of age, and was acting under no duress or undue influence, and each of said attesting witnesses was more than eighteen (18) years of age and of sound mind.

3. This Affidavit is made at the request of Carl Dail Weaver, Jr., one of the named beneficiaries under said Codicil, acting by his attorney, Leroy J. Ellis, III.

ELBERT M. COOPER

STATE OF TENNESSEE)
COUNTY OF ANDERSON)

Subscribed and sworn to before me, this 16th day of July, 1991.

NOTARY PUBLIC

My Commission Expires: 3/22/93.

TO THE HONORABLE TOM E. GRAY, CHANCELLOR,
CHANCERY COURT FOR SUMNER COUNTY, TENNESSEE

IN RE:]
]
ESTATE OF] NO. 17-253
CARL D. WEAVER, Deceased.]

AFFIDAVIT OF WITNESS TO PROVE WILL

BILLIE W. WOODHOUSE, first being duly sworn according to law, deposes and says:

1. The paper writing to which this Affidavit is attached is a true and exact photocopy of a certain paper writing that was signed by Carl D. Weaver in the sight and presence of Affiant and in the sight and presence of Frank L. Pyle and Mary Jo Galbreath, on the 23rd day of May, 1973; said paper writing was there and then acknowledged by the said Carl D. Weaver to be his Last Will and Testament; thereupon, Frank L. Pyle, Mary Jo Galbreath and Affiant, at the request of Carl D. Weaver and in his sight and presence and in the sight and presence of each other, subscribed our names to said paper writing as attesting witnesses, all on the 23rd day of May, 1973.

2. At the time that Affiant and the other named witnesses witnessed the execution of said paper writing, Carl D. Weaver, the Testator, was, in my opinion, of sound mind and disposing memory, more than eighteen (18) years of age, and was acting under no duress or undue influence, and each of said attesting witnesses was more than eighteen (18) years of age and of sound mind.

3. This Affidavit is made at the request of Carl Dail Weaver, Jr., one of the named executors and beneficiaries under said Will, acting by his attorney, Leroy J. Ellis, III.

4. I know of my own knowledge that Frank L. Pyle is deceased. I was employed by his law firm, Kinsey, Vincent & Pyle,

and I am now retired. I knew Mary Jo Galbreath but I have no knowledge of her present whereabouts or if she is living.

BILLIE W. WOODHOUSE

STATE OF FLORIDA)
COUNTY OF VOLUSIA)

Subscribed and sworn to before me, this 17th day of July, 1991.

NOTARY PUBLIC

Notary Public, State of Florida at Large
My Commission Expires: May 3, 1994
Bonded by American Pioneer Casualty Insurance Co.

My Commission Expires:_____

STATE OF TENNESSEE
SUMNER COUNTY

I, Brenda M. Page, Clerk & Master of said County, do hereby certify that the foregoing instrument contains a true and complete copy of Last Will and Testament as same appears of record or on the file in Book 30 Page 227 of the records of the Chancery Court of Sumner County, Tennessee
Given under my hand and seal this 30 day of July 2021

BRENDA M. PAGE, Clerk & Master

By _____ D.C.