Davidson County WILL
Recvd: 01/14/02 11:50 4pgs
Fees:22.00 Taxes:0.00
20020114-0005423

PICK-UP

603

Last Will and Testament

DEC 13 2001

WILL BOOK 35 PAGE 603

OF
Edward D. Pulley

Lori Harrell

I, Edward D. Pulley, of Davidson County, Tennessee, do make, declare and publish this, my last will and testament, hereby revoking all former wills and codicils. I am of lawful age and sound and disposing mind and memory and not acting under duress, coercion, or undue influence of any person.

I.

REFERENCES

A. *Family*. My spouse, Mildred Pulley, is referred to as my wife. My children, Jeri Lynn Pulley Smelcer, Nancy Pulley Hackett, William D. Pulley, Cynthia Ann Pulley Anderson, and Robert E. Pulley, are referred to as my children. I have two children by a previous marriage named James E. Pulley and Dowelene Pulley.

B. *Fiduciaries*. For convenience, the fiduciaries (including my alternates) hereinafter appointed are sometimes referred to as the Executrix or Executor, regardless of the gender or the number of the parties serving in each capacity.

II.

DEBTS, ADMINISTRATION EXPENSES AND TAXES

All my lawful debts (except debts secured by a mortgage or other security instrument, which may be paid or retained in the discretion of the Executor), my funeral expenses and the expenses of administration of my estate shall be paid by the Executor as soon as practicable after my death. The Executor shall pay all estate, inheritance and other death taxes which shall become payable by reason of my death, whether in respect of property passing under this will or otherwise, as an expense of administration, without apportionment. The Executor and may utilize any proceeds of life insurance payable to the Executor or to my estate for the payment of debts, taxes and expenses.

III.

DISPOSITION

1. To James E. Pulley and Dowelene Pulley, children from my previous marriage, I give, bequeath and devise $500 to be divided between them.

2. To Jeri Lynn Pulley Smelcer, Nancy Pulley Hackett, William D. Pulley, Cynthia Ann Pulley Anderson, and Robert E. Pulley, I give, bequeath and devise in fee simple all my remaining estate and property of which I may be seized or possessed, or to which I may be entitled at the time of my death, wherever situated or of whatever nature, be it real, personal or

Edward D. Pulley

mixed, including lapsed legacies and any property over which I may have a power of appointment.

IV.

PRESUMPTION AS TO SURVIVORSHIP

If my wife and I shall die under such circumstances that there is not sufficient evidence to determine the order of our deaths, then it shall be presumed that I survived her; and my estate shall be administered and distributed, in all respects, in accordance with such presumption.

V.

POWERS OF EXECUTOR

The Executor, including any substituted or successor personal representative, in the exercise of a reasonable discretion with respect to all property, real, personal or mixed, at any time forming a part of my estate, may exercise any and all of the powers set forth in Tennessee Code Annotated Section 35-50-110, to the extent applicable, all of which provisions and powers are incorporated herein by reference (as set out in said statute on the date of the execution of this will), even if said statute be amended or repealed hereafter and even if my estate be administered in a state other than Tennessee.

VI.

FIDUCIARIES

A. *Executor.* I appoint my daughter, Cynthia Ann Pulley Anderson as the Executor of this, my last will and testament. If she is unable or unwilling to serve as the Executor for any reason, then I appoint Robert E. Pulley as the Executor. I direct that no bond or surety be required of any of my Executors for the faithful performance of his, her or their duties and I direct that he, she or they not be required to file a final accounting or inventory. I waive an appraisal of my real and/or personal property.

VII.

MISCELLANEOUS PROVISIONS

Other Heirs

Except as otherwise provided in this, my last will and testament, I have intentionally omitted to provide herein for any other relative, heir, issue or for any other person, whether claiming to be an heir of mine or not, and, therefore, no other shall take under this will.

Edward O. Pulley

Gender and Number

Except when the context in this will requires otherwise, the singular includes the plural, and the masculine gender includes the feminine and neuter and the feminine gender includes the masculine and neuter when referring to an executrix, executor, testator, testatrix, trustees, guardians, or custodians.

Severability Clause

If any provision of this Will is unenforceable, the remaining provisions shall remain in full effect.

IN WITNESS WHEREOF, I have hereunto subscribed my name to this, my last will and testament, all in the presence of the persons witnessing it and in the presence of each other, at my request, on this, the 30th day of November, 1995, at Nashville, Tennessee.

Edward D. Pulley

Edward D. Pulley

Signed, sealed, and published and declared by the Testator, Edward D. Pulley, to be his last will and testament in the presence of all of us at one and the same time, and we, at his request and in the presence of each other, have hereunto subscribed our names as witnesses, and we do hereby attest to the sound and disposing mind of said Testator and to the performance of the aforesaid act of execution at the place and date set out above.

WITNESSES:	ADDRESSES
Colleen Curtis	1808 W. End Ave Ste 1001, Nashville TN.
Melissa L. Jones	3837 Sam Bonney #2 Nashville, TN

THIS WILL PREPARED BY:
Beverly D. Fisher
1808 West End Ave., Suite 1001
Nashville, Tn 37203
(615) 321-0010

AFFIDAVIT OF SUBSCRIBING WITNESSES

Each of the undersigned, being duly sworn, deposes and says: The foregoing will was signed, published and declared in the presence of the undersigned on the 30th day of November, 1995, at Nashville, Davidson County, Tennessee by Edward D. Pulley who declared said instrument to be his will.

Each of the undersigned then signed his or her name as witness at the end of said will at the request of Edward D. Pulley and in his presence and in the presence of each other.

Edward D. Pulley was, at the time the will was executed, over the age of eighteen and to the best of the knowledge of the undersigned, of sound mind and not under any restraint or in any respect incompetent to make a will.

Each of the undersigned at the time this affidavit was made was examined and verified by each of them as to the signatures of said Edward D. Pulley and of the undersigned.

Colin Curtis

Melissa L Jones

WITNESSES

Severally subscribed and sworn to before me this 30th day of November, 1995.

Beverly Delores Fisk
Notary Public

My commission expires: 10-20-99

STATE OF TENNESSEE, COUNTY OF RUTHERFORD

The undersigned County Clerk of said County and State, hereby certifies that the foregoing is a true and correct copy of the original document filed in the Office of the County Clerk.

This 10th day of January, 2002

ED (SONNY) ELAM, RUTHERFORD COUNTY CLERK

BY: Tina Farrell
Deputy Clerk

STATE OF TENNESSEE, COUNTY OF RUTHERFORD

The undersigned County Clerk of said County and State, hereby certifies that the foregoing is a true and correct copy of the original document filed in the Office of the County Clerk.

This 13th day of December 2001

ED (SONNY) ELAM, RUTHERFORD COUNTY CLERK

BY: Tina Farrell
Deputy Clerk

606