Davidson County WILL
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20020524-0063668

LAST WILL AND TESTAMENT

I, JOHN D. GILBERT currently residing in the City of Nashville, County of Davidson, State of Tennessee, being of sound mind and memory do hereby make, publish and declare this to be my Last Will and Testament, and hereby revoke any and all Wills and codicils previously made by me.

ARTICLE I. IDENTITY OF SPOUSE AND CHILDREN

At the date of this Will, I am married to SARA ROBINSON GILBERT, and all references in the Will to "my spouse" are to her. I have two children now living. Their names are GAYNELLE GILBERT MCCLANAHAN and JOHN D. GILBERT, JR.

ARTICLE II. DEBTS

I direct my Personal Representative to pay from the principal of my estate all of my just debts, funeral expenses, expenses of my last illness, taxes and costs of ancillary administration; provided however, my Personal Representative shall not be required to pay any obligation in advance of its maturity.

ARTICLE III. SPECIFIC BEQUESTS

I give, devise and bequeath the described property, if owned by me at the time of my death, to the persons surviving me as follows: antique oak case wall telephone to my son, JOHN D. GILBERT, JR., and a ten gauge blank shotgun shell cannon to my daughter, GAYNELLE GILBERT MCCLANAHAN.

ARTICLE IV. RESIDUE

All the rest, residue, and remainder of my estate over which I have the power of testamentary disposition, whether real, personal or mixed, tangible or intangible, or whatsoever nature or wheresoever situated, including all life insurance payable to my estate, I give, devise and bequeath to my spouse.

ARTICLE V. ALTERNATE BENEFICIARIES

In the event my spouse shall predecease me, I give, devise and bequeath all of my property as described as above to my children, in equal shares per capita.

ARTICLE VI. APPOINTMENT OF PERSONAL REPRESENTATIVE

I appoint my spouse as Personal Representative of this my Last Will and Testament with complete power and authority to do all acts necessary to manage and dispose of my property to the same extent as I would have if I were living. If she does not survive me or fails to or refuses to qualify or continue serving as Personal Representative, I appoint JOHN D. GILBERT, JR. and GAYNELLE GILBERT MCCLANAHAN to serve as Personal Representative. No bond or other security shall be required of any Personal Representative serving under the authority of this Will in this or any other jurisdiction. My Personal Representative shall have all powers vested in a fiduciary by law, as well as the especially enumerated fiduciary powers set out in the Tennessee Code Annotated, Section 35-50-110(1-33). I hereby waive the requirements for my Personal Representative to make court accountings of my estate.

ARTICLE VII. PRESUMPTION AS TO ORDER OF DEATH

If my spouse and I die simultaneously or under circumstance that render it impossible to determine who died first, or if she dies within 30 days after the date of my death, it shall be presumed conclusively that my spouse predeceased me and all bequests, devises and provisions made under the Will to her shall be void.

ARTICLE VIII. MILITARY SERVICE

I have served in the United States Armed Forces. To determine whether my family members or estate may obtain benefits or privileges as a result of that service, I direct my Personal Representative to contact the nearest Veterans Administration, Social Security Administration and military personnel offices.

RICHARD R. ROOKER, CLERK

ARTICLE IX. DEFINITIONS

The term "Personal Representative" means "Executor" or "Executrix" where that term is preferred under state law. The term "Children" or "Child" means all children of mine, natural or adopted, including those born to or adopted by me after the date of this Will is executed.

This Will consists of one preceding page, each of which I have signed or initialed, covering items I through VIII inclusive. I now sign this as my Last Will and Testament on this the 5 day of November, 1995, in the presence of the persons who are witnessing it at my request, and pursuant to Tennessee Code Annotated, Section 32-2-110, I request the attesting witness to make the Affidavit attached to this Will.

John D. Gilbert
JOHN D. GILBERT

We certify that this instrument was signed, sealed, published and declared by JOHN D. GILBERT to be his Last Will and Testament in our presence, and that in, his presence and in the presence of each other and at his request we have signed our names as witnesses on the day and year written above.

Residing at Box 112, Lafayette, TN

Residing at 1508 Daventry Ct
Nashville, TN 37221

AFFIDAVIT

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

John D. Wootten Jr. and Debie Sellers after first being duly sworn or affirming, make oath or affirm that the foregoing Last Will and Testament was signed by JOHN D. GILBERT and at that time acknowledged, published and declared by him to be his Last Will and Testament, in the sight and presence of us, the undersigned, who at his request and in his sight and presence, and in the sight and presence of each other have subscribed our names, as attesting witnesses on the 5 day of Nov, 1995 and we further make oath and affirm that the testator was of sound mind and disposing memory and not acting under the fraud, menace, or undue influence of any person, and that she was more than eighteen years of age, and further that each of the attesting witnesses is more than eighteen years of age.

[signature] John D. Wootten, Jr.
Box 112, Lafayette, TN 37083

SSAN: 408968755

[signature] 1508 Davenport Ct
Nashville, TN 37221

SSAN: 422064907

Sworn or affirmed and subscribed before me this 5th day of Nov, 1995.

[signature]
Notary Public

My Commission Expires: 25 Jan 97

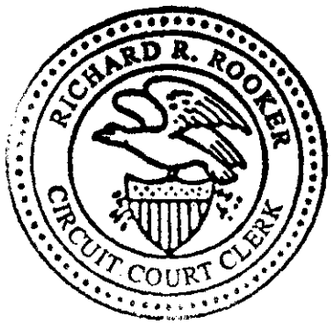
STATE OF TENNESSEE

I, RICHARD R. ROOKER, Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the WILL BK 3988/PG 736189 heretofore entered in the PROBATE SEVENTH Circuit Court for Davidson County, Tennessee, on the 16 day of MAY , 2002 , in the Case Number 02P875 between GILBERT JR., JOHN D ET.AL Petitioner, and GILBERT, JOHN D Respondent.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 23 day of MAY in the year two thousand two and in the 225th year of American Independence.

RICHARD R. ROOKER, Clerk,

SEAL



By _____
Deputy Clerk