Davidson County WILL
Recvd: 06/25/02 10:21 4pgs
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20020625-0075999

Last Will and Testament

OF

JEFFIE WILLIAM DUTY

I, **JEFFIE WILLIAM DUTY**, a resident of Davidson County, Tennessee, being of sound and disposing mind and memory, and above the age of 18 years, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all Wills, or Codicils to Wills heretofore made by me.

I.

I name and appoint my wife, **MAGGIE SCHUTT DUTY**, as Executrix of this, my Last Will and Testament, and request that she not be required to make bond for the faithful performance of her duties. In the event of my wife's death, refusal, or inability to act as such Executrix, I appoint my son, **PAUL WILLIAM DUTY**, as successor Executor, and request that he not be required to make bond for the faithful performance of his duties.

II.

I direct that all debts that shall be legally owing by me, my funeral expenses, and the expenses of the administration of my Estate be paid by my Executrix as soon as practicable except that as to any debt secured by real estate, whether by mortgage or any other security instrument, my Executrix may pay such debt or allow such real estate to pass subject to such debt. I further direct my Executrix to pay all estate, inheritance and death taxes that shall be imposed by reason of my death, including such taxes on proceeds of insurance on my life, whether or not the property, transfer or proceeds with respect to which said taxes are levied as a part of my Testamentary Estate at my death.

III.

In the event that my wife and I die under circumstances whereby there is not sufficient evidence that we have died other than simultaneously, all of my property shall be disbursed to the beneficiary named hereinbelow in the manner provided for such beneficiaries as though my wife had survived me.

IV.

I give, devise and bequeath all my estate and property of every kind and character, including any proceeds of insurance on my life, wherever located, in which I may own an

interest at the time of my death to my wife, **MAGGIE SCHUTT DUTY**, to be hers absolutely and without restriction.

V.

In the event that my said wife, **MAGGIE SCHUTT DUTY**, should not survive me, then I hereby give, devise and bequeath all my estate and property, of every kind and character, real, personal or mixed, wherever located, which I may own, or in which I may have an interest at the time of my death, absolutely and forever, in fee, equally to my son, **PAUL WILLIAM DUTY**, to be his absolutely and without restriction.

VI.

The powers, duties, obligations, restrictions and conditions governing the Executrix of my Estate shall, where applicable, include but not be limited to those enumerated in Tennessee Code Annotated, Section 35-50-110, paragraphs (1) through (31), inclusive, which are hereby incorporated by reference into this instrument.

IN TESTIMONY WHEREOF, I have hereunto set my signature this 21 day of May, 1992.

Jeffie William Duty
JEFFIE WILLIAM DUTY

SIGNED by the said **JEFFIE WILLIAM DUTY**, as and for his Last Will and Testament, in the 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 day and date first above written.

Robert E. Burgess
Witness

1047 Heritage Dr.
Address

[illegible]
Witness

2034 Nora Ln 37[illegible]
Address

AFFIDAVIT

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Robert E. Burgess and Wm C. Spann being first duly sworn, make oath that the foregoing Last Will and Testament was signed by **JEFFIE WILLIAM DUTY**, as and for his Last Will and Testament, 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 subscribed our names as attesting witnesses on the 21 day of May, 1992, in Davidson County, Tennessee, and we further make oath that the Testator was of sound mind and disposing memory on said date and did not appear to be under any undue influence and was more than eighteen (18) years of age; and that each of the witnesses was more than eighteen (18) years of age.

Robert E. Burgess
WITNESS

Wm C Spann
WITNESS

SWORN TO and SUBSCRIBED before me this 21 day of May, 1992.

T. C. [illegible]
NOTARY PUBLIC

My Commission Expires: 11-26-94

DAVD

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/4166 PG/768720 heretofore entered in the PROBATE Circuit Court for Davidson County, Tennessee, on the 18 day of APRIL , 2000 , in the Case Number 00P591 between DUTY, MAGGIE SCHUTT Petitioner, and DUTY, JEFFIE WILLIAM Respondent.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 19 day of JUNE in the year two thousand two and in the 225th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Cl...

SEAL

RICHARD R. ROOKER CIRCUIT COURT CLERK