Davidson County WILL
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2002 FEB 28 AM 9:06

Last Will and Testament

OF

MOLLIE B. AYERS

I, MOLLIE B. AYERS, a citizen and resident of Nashville, Davidson County, Tennessee, presently being a widow, and being of sound mind and disposing memory, do hereby make, publish, and declare this to be my Last Will and Testament, hereby revoking any Wills and Codicils that I have made at any time heretofore.

I declare that I am presently the mother of four (4) adult children, VIRGINIA ANN BAILEY, BEVERLY JEAN McPHERSON, STEPHENE JOYCE SALE, and LINDA AYERS WILLIAMS. All references to a child or children are to these children only.

ARTICLE I

It is my Will and I hereby direct that my Personal Representative, hereinafter named, or any successor thereto, pay out of any monies coming into her hands from my Estate, all of my just debts, funeral and burial expenses, costs of monument, if any, and costs and expenses of administration, and also, any succession, inheritance or Estate taxes, federal or state, and any penalty and/or interest thereon; and I hereby authorize and empower by Personal Representative, at her discretion, to sell such of my property, whether personal, real or mixed, as is necessary to pay the same.

ARTICLE II

If at the time of my death I have any interest in the real property situated at 4004 Aberdeen Road, in Nashville, Davidson County, Tennessee 37205, then I give, devise, and bequeath all such interest to my daughter, LINDA AYERS WILLIAMS, absolutely and in fee simple title. If my said daughter does not survive me

 Mollie B Ayers
MOLLIE B. AYERS

WITNESS:
WITNESS:

or we die in a common accident, then I direct that my interest in the house that would have passed to her had she survived me shall pass and be distributed as part of my residuary estate as hereinafter provided in Article VI.

ARTICLE III

If at the time of my death I have an interest in real property located at 2109 June Drive, in Nashville, Davidson County, Tennessee 37214, it is my Will and I hereby give, devise and bequeath said real property to my daughter, STEPHENE JOYCE SALE, absolutely and in fee simple title. If my daughter, STEPHENE JOYCE SALE, does not survive me or we die in a common accident, then it is my Will and I hereby direct that my interest in said real property that would have passed to her had she survived me shall pass into and be disposed of as part of my residuary estate as hereinafter provided in Article VI.

ARTICLE IV

With regard to my real property located at 2105 June Drive, in Nashville, Davidson County, Tennessee 37214, I direct that said real property shall be sold as soon after my death as possible and the net proceeds from such sale shall be paid into my residuary estate and disposed of pursuant to those provisions of this my Will.

ARTICLE V

I have given each of my daughters, STEPHENE and LINDA, a home but I have not given real property to my other two daughters to equalize benefits, not for a lack of love for them but based upon the fact that they both have homes at the present time and have successful lives and successful husbands.

ARTICLE VI

In the event that I retain ownership of 4004 Aberdeen Road and 2109 June Drive at the time of my death, then it is my Will

 Mollie B. Ayers
MOLLIE B. AYERS

WITNESS:
WITNESS: Judith M. Nelson

and I hereby give, devise, and bequeath all of the rest, residue and remainder of my Estate, whether personal, real or mixed, wheresoever situated and in which I may have an interest at the time of my death, which I have not otherwise effectively disposed of herein, to my daughters, VIRGINIA ANN BAILEY and BEVERLY JEAN McPHERSON, in equal shares, share and share alike. But in the event I do not retain 4004 Aberdeen Road in my name as owner at the time of my death, then I direct that my residuary Estate shall pass instead to my three daughters, LINDA SUE WILLIAMS, VIRGINIA ANN BAILEY and BEVERLY JEAN McPHERSON, in equal shares, share and share alike.

If I do not retain ownership of 2109 June Drive at the time of my death, then I direct and it is my Will, that I give, devise and bequeath my entire residuary Estate to my four (4) daughters, STEPHENE JOYCE SALE, LINDA SUE WILLIAMS, VIRGINIA ANN BAILEY, and BEVERLY JEAN McPHERSON.

ARTICLE VII

I nominate and appoint my daughter, STEPHENE JOYCE SALE, to serve as Executrix of this my Last Will and Testament and further direct that she be permitted to serve without the necessity of making a bond. If my daughter, STEPHENE JOYCE SALE, cannot serve for any reason as Executrix or predeceases me, then I direct and appoint LINDA AYERS WILLIAMS as Executrix, also without bond.

I direct that my Personal Representative may be compensated for work performed and expenses reasonably incurred on behalf of my Estate, subject to Court approval.

IN WITNESS WHEREOF, I have hereunto set my signature this 16 day of November, 1996, to this my Last Will and Testament and have subscribed the foregoing 3 pages at the bottom thereof for the purposes of identification.

Mollie B Ayers
MOLLIE B. AYERS, TESTATRIX

PAGE 3 ~~OF MY LAST WILL~~: Mollie B Ayers
MOLLIE B. AYERS

WITNESS:

WITNESS:

Signed by the said MOLLIE B. AYERS, as and for her Last Will and Testament, in the presence of us, the undersigned, who at her request and in her sight and presence, and in the presence and sight of each other, have subscribed our names as attesting witnesses, the day and date first above written.

WITNESS: _____

ADDRESS: 214 3rd Ave N.
Nashville, Tn. 37201

WITNESS: _____

ADDRESS: 214 Third Avenue North
Nashville, TN 37201

 Mollie B Ayers
MOLLIE B. AYERS

WITNESS:
WITNESS:

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

AFFIDAVIT

Phil W Dotts and Judith N. Nelson

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

1. That they are adult citizens and residents of Davidson County and Rutherford County, Tennessee, respectively.

2. That they witnessed the execution of the Last Will and Testament of MOLLIE B. AYERS, dated the 6th day of November, 1996, to which this Affidavit is attached, and that this Affidavit is being made at the request of the Testatrix and in accordance with Tennessee Code Annotated Section 32-2-110.

3. That their signatures are affixed to said Last Will and Testament of MOLLIE B. AYERS, and that they signed or affixed same at the instance and request of the Testatrix, and in her sight and presence and in the sight and presence of each other, at the place and on the date recited in said Last Will and Testament.

4. That at the time they witnessed said Will, the Testatrix was, in their opinion, of sound mind.

5. That the Testatrix signed said paper writing as and for her Last Will and Testament ~~in their~~ sight and presence.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 6th DAY OF November, 1996.

MY COMMISSION EXPIRES: 11-28-98

Duncan A. Baker
NOTARY PUBLIC

PAGE 5 OF MY LAST WILL: Mollie B Ayers
MOLLIE B. AYERS

WITNESS:
WITNESS:

STATE OF TENNESSEE

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 Order heretofore entered in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 27 day of FEBRUARY , 2002 , in the Case Number 02P281 between SALE, STEPHENE JOYCE Petitioner, and AYERS, MOLLIE B ET.AL Respondent, as same remains of record in Vol. 3471 , Page 639243 of the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 18 day of JUNE in the year two thousand three and in the 226th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk.

SEAL

RICHARD R. ROOKER CIRCUIT COURT CLERK