2003 JUL 22 AM 9:23
D.C.

Davidson County WILL
Recvd: 07/25/03 09:00 8pgs
Fees:42.00 Taxes:0.00
20030725-0104076

LAST WILL AND TESTAMENT
OF
ROYCE EDWARD GANN

I, ROYCE EDWARD GANN, of Davidson County, Tennessee, being of sound mind and disposing memory, do make, declare and publish this my last will and testament, hereby revoking all wills and codicils to wills heretofore made by me.

ITEM I

I direct that all my just debts, including my funeral expenses, and the costs of administration of my estate be paid by my Executrix as soon as practicable after my death. I further direct that my Executrix pay all the estate, inheritance and other taxes assessed by reason of my death out of my general estate as an expense of administration without apportionment or proration.

ITEM II

All the rest, residue and remainder of my estate, real, personal and mixed, tangible and intangible, of whatsoever nature and wheresoever situate, I give, devise and bequeath absolutely and in fee to my wife, Rosalee Gann, but if she shall not survive me, then to my daughter, Kathleen Gann Elder, who is aware of my wishes and who, I am confident, will carry them out (although I recognize she is under no legal duty to do so).

ITEM III

I authorize my Executrix, including any substitute or successor personal representative, in the exercise of a reasonable discretion with respect to all property, real and personal, at any time forming a part of my estate, to exercise any and all the powers set forth in Section 3, Chapter 110 of the Public Acts of the Tennessee General

Royce Edward Gann
Testator

Assembly of 1963, T.C.A. § 35-618, to the extent applicable, all of which provisions and powers are incorporated herein by reference as fully as if copied herein verbatim. These powers (as set out in said statute on the date of the execution of this will) are granted even should said statute be amended hereafter or repealed at the time of my death.

ITEM IV

Although my wife, Rosalee Gann, and I are executing our wills at or about the same time, I desire to make it plain that there has been no contract between my wife and me to make a mutual testamentary disposition of our property. It is my intention that, in the event my wife survives me, she shall have full power to execute a later will or wills, making such disposition of her estate as she may desire in her sole discretion, including any or all of the property passing to her under the provisions of this will.

ITEMVV

I appoint my wife, Rosalee,Gann, to be Executrix of this my last will and testament. If my said wife shall predecease me or for any reason shall fail to qualify as Executrix hereunder (or having qualified, shall die or resign), then in such event, I appoint my daughter and son, Kathleen Gann Elder and Edward Gann, to serve as Co-Executors hereunder. I direct that no bond shall be required of the Executrix or of either of the Co-Executors for the faithful performance of their duties.

IN WITNESS WHEREOF, I have hereunto subscribed my name to this my last will and testament, consisting of this and the preceding typewritten page, and for the purpose of identification, I have signed each such page at the bottom thereof, all in the presence of the persons witnessing it, at my request, on this the 29 day of June, 1974, at Nashville, Tennessee.

Royce Edward Gann
Testator

Signed, sealed, published and declared by the Testator, ROYCE EDWARD GANN, 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 his presence 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 on the date hereinabove set out.

WITNESSES:

Names	Addresses
	L-C Tower, Nashville, Tenn.
	L+C Tower, Nashville, Tenn.
Joel M Leeman	L & C Tower, Nashville, Tenn

IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

AT NASHVILLE

IN THE MATTER OF THE ESTATE OF	)	
ROYCE EDWARD GANN	)	**CASE NUMBER**
DECEASED	)	

AFFIDAVIT OF SUBSCRIBING WITNESS

Before me, a Notary Public, personally appeared the Affiant whose name appears as a witness to the Last Will and Testament of Royce Edward Gann, and, after being duly sworn says:

On the 29th day of June, 1974, Royce Edward Gann requested the Affiant to witness the signing of Royce Edward Gann's Last Will; on the same date and in Affiant's sight and presence and in the sight and presence of the other subscribing witnesses to the Last Will of Royce Edward Gann, Royce Edward Gann signed, declared and published his Last Will; in the sight and presence of Jack W. Robinson and in the sight and presence of each other, the Affiant and the other subscribing witnesses to the signing of the Last Will signed the Last Will as witnesses; and on the 29th day of June, 1974, at the time of the signing of the Last Will, Royce Edward Gann was eighteen (18) years of age or older, was of sound mind and disposing memory, was

under no duress, compulsion or constraint and was fully cognizant of the nature of his act.

~~FRANK~~ JACK W. ROBINSON

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Subscribed and sworn to before me this the 30TH day of JUNE, 2003.

NOTARY PUBLIC

LINDA H. ROBERTSON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: _____

My Commission Expires NOV. 27, 2004

IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

AT NASHVILLE

IN THE MATTER OF THE ESTATE OF	)	
ROYCE EDWARD GANN	)	Case Number _____
DECEASED	)	

AFFIDAVIT OF SUBSCRIBING WITNESS

Before me, a Notary Public, personally appeared the Affiant whose name appears as a witness to the Last Will and Testament of Royce Edward Gann, and, after being duly sworn says:

On the 29th day of June, 1974, Royce Edward Gann requested the Affiant to witness the signing of Royce Edward Gann's Last Will; on the same date and in Affiant's sight and presence and in the sight and presence of the other subscribing witnesses to the Last Will of Royce Edward Gann, Royce Edward Gann signed, declared and published his Last Will; in the sight and presence of Joel M. Leeman and in the sight and presence of each other, the Affiant and the other witnesses to the signing of the Last Will signed the Last Will as witnesses; and on the 29th day of June, 1974, at the time of the signing of the Last Will, Royce Edward Gann was eighteen (18) years of age or older, was of sound mind and disposing memory, was under no duress, compulsion or constraint and was fully cognizant of the nature of his act.

Joel M Leeman
JOEL M. LEEMAN

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Subscribed and sworn to before me this the 1st day of July, 2003.

Linda Turner Ray
Notary Public

My Commission Expires:

1/28/06

209632.1/2003118

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 23 day of JULY , 2003 , in the Case Number 03P1103 between DENTON, KATHLEEN GANN Petitioner, and GANN, ROYCE EDWARD Respondent, as same remains of record in Vol. 5406 , Page 1190415 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 24 day of JULY in the year two thousand three and in the 227th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

SEAL

