Davidson County WILL
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PICK-UP

Last Will and Testament

FILED
2002 JAN -9 AM 10:06
RICHARD R. ROOKER, CLERK
D.C.

OF

JAMES RADFORD SHERRILL, JR.

I, JAMES RADFORD SHERRILL, JR., a resident of Joelton, County of Davidson, and State of Tennessee, being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my **LAST WILL AND TESTAMENT**, hereby revoking all Wills and Codicils heretofore made by me.

I. **PAYMENT OF DEBTS AND TAXES.**

I desire and direct that all my legal debts, funeral expenses, expenses of administration of my estate, and any estate, inheritance or like taxes that may be imposed by reason of my death be paid out of my residuary estate by my Executor without proration among the several beneficiaries.

II. **BEQUEST OF TANGIBLE PERSONAL PROPERTY.**

(a) I give and bequeath to my wife, DELORES GAYLE SHERRILL, if she survives me by more than thirty (30) days, all of my tangible personal property.

In the event that my wife should predecease me then:

(b) I give and bequeath all my remaining tangible personal property including savings and checking accounts, furniture, furnishings, clothing, automobile(s) and all articles of personal or household use or ornament, together with all policies of insurance or such tangible personal property to my son, JOEL REESE SHERRILL, and daughter, KRISTI LEIGH BASS, to be divided among them equally or as they may agree.

III. **BEQUEST OF MIXED PROPERTY.**

I give and bequeath to my wife, DELORES GAYLE SHERRILL, all of my mixed property including but not limited to all of my shares of ownership in F & S Properties, Inc. as well as C & S Rid-A-Pest, Inc..

In the event that my wife should predecease me, then I give and bequeath all my mixed property to my son, JOEL REESE SHERRILL, and daughter, KRISTI LEIGH BASS, to be divided among them equally or as they may agree.

IV. DEVISE OF REAL PROPERTY.

I give and devise my interest in the home at 3127 Union Hill Road in Joelton, Tennessee to my wife, DELORES GAYLE SHERRILL, in fee simple. In the event that my wife should predecease me, then I direct that the home be given to my son, JOEL REESE SHERRILL, and daughter, KRISTI LEIGH BASS, in equal shares in fee simple.

V. APPOINTMENT OF EXECUTOR.

I appoint both my son, JOEL REESE SHERRILL, and my daughter, KRISTI LEIGH BASS, to be the Co-Executor and Executrix respectively of this my LAST WILL AND TESTAMENT. If both my son and daughter predecease me or for any reason both shall fail to qualify as Executor or Executrix hereunder (or having qualified shall die or resign) then in such event I appoint ROBERT THOMAS VAUGHN, Attorney, as the sole Executor of my estate. I direct that no bond or other security shall be required of the above named fiduciaries for the faithful performance of their respective duties.

IN WITNESS WHEREOF, I have hereunto set my hand this the 24 day of March, 1992 and do publish and declare this as my LAST WILL AND TESTAMENT, and in the presence of each an all of the subscribing witnesses who I have requested to act as such by signing their names as attesting witnesses in my presence and in the presence of each other.

James Radford Sherrill Jr.
TESTATOR

We do hereby bear witness that the foregoing was signed by the said JAMES RADFORD SHERRILL, JR. as and for his **LAST WILL AND TESTAMENT**, in the presence of us, the undersigned, who, at his request, and in his presence, and in the presence of each other, have subscribed our names hereto as attesting witnesses to the execution of this Will, on the day and date above written.

Kenneth R. Hall, of 6300 old Hickory Blvd.

Rosalie W. Wells, of 1124 Eastdale Ave.,

Elaine M. Stockton, of 1001 Joyce Lane

Page Three and the Last Page of the Will of:

James Radford Sherrill Jr.

JAMES RADFORD SHERRILL, JR.

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

A F F I D A V I T

Personally appeared before me, ELAINE M. STOCKTON, a Notary Public in and for said County and State, KENNETH R. HALL, RONALD W. MILLER and ELAINE M. STOCKTON, to me known, who made oath as follows:

1. That they were requested by the Testator, JAMES RADFORD SHERRILL, JR., to witness Testator's signature to the attached **LAST WILL AND TESTAMENT** of Testator, and they were further requested by the Testator to execute this Affidavit;

2. That the Testator signed said instrument and declared the same to be his **LAST WILL AND TESTAMENT** in the presence of each of the undersigned, on the date set forth therein and herein;

3. That each of the undersigned in turn signed the said instrument on the same date, as attesting witnesses, in the sight and presence of each, of the Testator and of each other;

4. That the Testator was of apparent sound mind and disposing memory at the time of the execution of said instrument; and

5. That this Affidavit is made pursuant to Chapter 568 of the Public Acts of 1972.

ELAINE M. STOCKTON NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Kenneth R. Hall

Ronald W. Miller

Elaine M. Stockton

Sworn to and subscribed before me this 24th day of March, 1992.

Elaine M. Stockton
Notary Public

My Commission Expires: Sept. 16, 1995

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

Living Will

OF

JAMES RADFORD SHERRILL, JR.

I, JAMES RADFORD SHERRILL, JR., of 3127 Union Hill Road, Joelton, Davidson County, Tennessee, willfully and voluntarily make known my desire that my dying shall not be artificially prolonged under the circumstances set forth below, and do hereby declare:

If at any time I should have a terminal condition and my attending physician has determined that there can be no recovery from such condition and my death is imminent, where the application of life-prolonging procedures would serve only to artificially prolong the dying process, I direct that such procedures be withheld or withdrawn, and that I be permitted to die naturally with only the administration of medications or the performance of any medical procedure deemed necessary to provide me with comfortable care or to alleviate pain.

In the absence of my ability to give directions regarding the use of such life-prolonging procedures, it is my intention that this declaration shall be honored by my family and physician as the final expression of my legal right to refuse medical or surgical treatment and accept the consequences of such refusal.

I understand the full import of this declaration, and I am emotionally and mentally competent to make this declaration. In acknowledgement whereof, I do hereinafter affix my signature on this the 24 day of March, 1992.

James Radford Sherrill Jr.
JAMES RADFORD SHERRILL, JR., Declarant

We, the subscribing witnesses hereto, are personally acquainted with and subscribe our names hereto at the request of the declarant, an adult, whom we believe to be of sound mind, fully aware of the action taken herein and its possible consequence.

We, the undersigned witnesses, further declare that we are not related to the declarant by blood or marriage; that we are not entitled to any portion of the estate of the declarant upon his decease under any will or codicil thereto presently existing or by operation of law then existing that we are not the attending physician, an employee of the attending physician or a health facility in which the declarant is a patient; and that we are not a person who, at the present time, has a claim against any portion of the estate of the declarant upon his death.

Kenneth R. Hall

Ronald W. Miller

Sworn to an subscribed before me by JAMES RADFORD SHERRILL, JR., the declarant, and subscribed and sworn to before me by KENNETH R. HALL and RONALD W. MILLER, the witnesses, this 24th day of March, 1992.

Elaine M. Stockton
Notary Public

NOTARY PUBLIC
ELAINE M. STOCKTON
DAVIDSON COUNTY, TENN.

My Commission Expires: Sept. 16, 1995.

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 Last Will and Testament heretofore entered in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 09 day of JANUARY , 2002 , in the Case Number 02P37 SHERRILL JR., JAMES RADFORD deceased,
as same remains of record in Vol. 3121 , Page 573921 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 30 day of DECEMBER in the year two thousand three and in the 227th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL