PICKUP

Davidson County WILL
Recvd: 06/24/04 12:20 9pgs
Fees:47.00 Taxes:0.00
20040624-0075169

2004 JAN 23 PM 2:47
RICHARD R. ROOKER, CLERK
D.C.

LAST WILL AND TESTAMENT

OF

JERIE ELLEN BROUDY

I, JERIE ELLEN BROUDY, a resident of Nashville, Tennessee, being of sound and disposing mind and memory and intending to dispose of all my property by the Will, do hereby make, publish and declare this to be my Last Will and Testament. I hereby revoke any and all other Wills or Codicils by me heretofore made.

ITEM I

I direct my Executor to pay all of my funeral expenses and all enforceable debts out of my estate prior to distribution as an expense of administration without any apportionment thereof or reimbursement from any beneficiary.

ITEM II

I hereby name my husband, LEONARD BROUDY, as Executor of my estate and waive any bond on his part. In the event that my husband is unable or unwilling to serve as Executor, I nominate and appoint my daughter, CANDACE LEDFORD, as successor Executrix of my estate and waive any bond on her part.

ITEM III

I make no bequest of household furniture, furnishings, dishes, china, silverware, and other household effects located in my home because such property already belongs to my husband, LEONARD BROUDY, and does not constitute part of my estate. I bequeath all of my personal effects and other tangible personal property, which may not already belong to my husband, such as automobiles, furniture, paintings, jewelry, coins, books, clothing, articles of personal adornment and the like, to my husband, LEONARD BROUDY, to be his sole property absolutely.

JEB

ITEM IV

All the rest, residue and remainder of the property, real and personal, of every kind and description, wheresoever situate, which I may own or have the right to dispose of at the time of my decease, I give, devise, and bequeath to my husband, LEONARD BROUDY, absolutely and in fee simple.

ITEM V

In the event that my husband LEONDARD BROUDY does not survive me, then, subject only to the specific bequests enumerated below, all interest in and share of my estate devised and bequeathed to my spouse, shall by way of substitution, pass to and vest in my children DAVID BROUDY, CANDACE LEDFORD, and VIRGINIA NIXON, equally to share and share alike. Said property is to be divided in as nearly equal shares, as to the value thereof, as shall be practical and in such manner, as to the individual items thereof, as my children shall desire. In the event that my children cannot agree upon valuation of property in connection with such division, my Executrix is directed to obtain an appraisal from a qualified appraiser and is directed to divide such property based on the appraised value of the property. Any items which my children do not desire to keep shall be sold and the proceeds from such sale shall be divided equally between or among my children.

ITEM VI

I give, devise, and bequeath the sum of Ten Thousand Dollars ($10,000.00) to my granddaughter, MARTHA ELLEN NIXON, if she shall survive me, to be set up in a trust account to provide her with assistance in her educational pursuits, which shall be held, administered, and disposed of as follows:

(A) TRUSTEE APPOINTMENT. I hereby nominate and

appoint my daughter, Virginia Nixon, to act as Trustee of such trust and direct that my Trustee, whether original or successor, shall not be required to give any bond for the performance of said duties. In the unlikely event that Virginia Nixon is unable or unwilling to serve as Trustee, then I appoint Randall Nixon to act as successor Trustee.

(B) DISTRIBUTION OF TRUST ASSETS. I direct that interest and principal of said trust account shall be turned over to MARTHA ELLEN NIXON when she has reached eighteen (18) years of age. During the continuance of the trust created hereunder, I expressly authorize and empower my Trustee to withdraw from said trust fund such amounts as my Trustee, in the Trustee's absolute and uncontrolled discretion, shall determine to be in the best interests of the beneficiary thereof, and to pay or apply the same to or for the use of the trust beneficiary.

ITEM VII

I give, devise, and bequeath one round, gold locket, formerly belonging to Pauline Flounlacker, to my granddaughter MARTHA ELLEN NIXON, if she shall survive me, to be her sole property absolutely.

ITEM VIII

I give, devise, and bequeath all of my firearms and related items to my son, DAVID BROUDY, if he shall survive me, to be his sole property absolutely.

ITEM IX

I give, devise, and bequeath one certificate of deposit in the approximate amount of Ten Thousand Dollars ($10,000.00) and one savings account in the approximate amount of Four Thousand Dollars ($4,000.00) to PAULINE FLOUNLACKER to be her sole property absolutely.

ITEM X

In the event that any of my children shall have

predeceased me leaving a spouse and/or issue surviving them, then such spouse or issue shall collectively take the share which their deceased spouse or parent would have taken if living.

In the event that any of my children shall predecease me without leaving a spouse or issue surviving them, then I direct that their share shall pass in equal shares to my surviving children or to any one lone survivor.

ITEM XI

In carrying out his duties under this Will, my Executor, original or successor, shall have, in addition to his common law and statutory powers and without court order, all of the powers set out in Section 35-618 of the Tennessee Code Annotated as it is constituted on the date of execution of this Will and that section is hereby incorporated and made a part of this Will.

ITEM XII

My Executor, original or successor, shall have the power to claim any election he may have as to whether to claim any expense of administration of my estate as a deduction for any death tax or income tax purpose in such manner as he believes will minimize the total tax burden on my estate. I hereby relieve my Executrix from any liability to any beneficiary by reason of making or failing to make such election.

ITEM XIII

If the order of my death and that of my spouse cannot be established by evidence or if my spouse dies within thirty (30) days after my death, it shall be conclusively presumed that my spouse has survived me.

ITEM IXV

I direct that my body shall be buried in the National Cemetery at Nashville, Tennessee, and that my

funeral shall be conducted with a Rabbi in attendance. I direct that my Executor make any necessary arrangements in this regard.

IN WITNESS WHEREOF, I have hereunto set my hand to this my Last Will and Testament, this the 29 day of April, 1993.

Jerie Ellen Broudy
JERIE ELLEN BROUDY

The foregoing instrument was signed, published, and declared by the said JERIE ELLEN BROUDY as and for her Last Will and Testament on the day and year written above, in our presence and in the presence of each of us who, at the Testator's request, in the Testator's presence, and in the presence of each other, have subscribed our names as witnesses this 29th day of April, 1993.

Patty J. Pope
WITNESS residing at 5130 JOE BOND TRAIL MURFREESBORO TN 37129

Douglas L. Mabry
WITNESS residing at 411 MOSS TRAIL GOODLETTSVILLE, TN. 37027

Evelyn K Sloan
WITNESS residing at P.O Box 331 Hoodlellewlle TN 37070

AFFIDAVIT BY WITNESSES TO WILL

Each of the aforesaid witnesses, being Tim Bullard, Douglas Maby, and Evelyn Sloan, subscribed to the foregoing Last Will and Testament of JERIE ELLEN BROUDY, executed on this the 29th day of April, 1993, having been requested by the Testator to make and sign this Affidavit, and having first been duly sworn before the Notary Public whose name appears below, hereby state that the said JERIE ELLEN BROUDY was over eighteen (18) years of age, was of sound mind, declared the foregoing instrument to be her Last Will and Testament, published and executed it by signing it in the presence of all of us who were present at the same time and we, in the Testator's presence, at the Testator's request and in the presence of each other, subscribed our names as witnesses on this the 29th day of April 1993.

AFFIANT

Douglas L. Maby
AFFIANT

Evelyn K Sloan
AFFIANT

SWORN TO AND SUBSCRIBED TO BEFORE ME, THIS THE 29th DAY OF April, 1993.

David W. Fuqua
NOTARY PUBLIC

MY COMMISSION EXPIRES: 11-25-95

Codicil to Last Will and Testament

OF

JERIE ELLEN BROUDY

JUN 23 PM 2:48 D.C.

I, JERIE ELLEN BROUDY, a resident of Davidson County, Tennessee, being of full age and sound and disposing mind and memory, hereby make, publish and declare this Codicil to my Last Will and Testament dated April 29, 1993.

In the event Leonard Broudy predeceases me or is unable or unwilling to serve as Executor of my Last Will and Testament, I hereby nominate and appoint Virginia Mae Nixon to be the Successor Executrix of my Last Will and Testament. I hereby direct that neither Leonard Broudy or Virginia Mae Nixon shall not be required to give any bond, file any inventory or make any accounting as such Executor/Successor Executrix.

I hereby ratify and confirm my said will in all other aspects.

IN WITNESS WHEREOF, I hereunto set my hand, and declare the foregoing instrument to be a Codicil to my Last Will and Testament.

Dated this the 24 day of July, 1997.

Jerie Ellen Broudy
JERIE ELLEN BROUDY

On this 24th day of July, 1997, JERIE ELLEN BROUDY, of the City of Nashville, County of Davidson, State of Tennessee, declared the foregoing to be a Codicil to her Last Will and Testament, and asked us to witness the execution thereof, signed her name, JERIE ELLEN BROUDY, in our presence, at the end of said instrument in our presence, and as witnesses thereof, we do now, at her request, in her presence, and in the presence of each other, hereunto subscribe our names and addresses, this clause having been first read to us, and we having noted and hereby certifying that the matters herein stated took place in fact and in the order herein stated.

Kim M. Coats — Nashville Tenn
NAME OF WITNESS — ADDRESS OF WITNESS

Wa Moody — Nashville Tn
NAME OF WITNESS — ADDRESS OF WITNESS

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, a Notary Public for the above State and County, the within-named witnesses, who after being duly sworn according to law, deposed and said that they are the subscribing witnesses of the foregoing Codicil of the Last Will and Testament of JERIE ELLEN BROUDY; that each of them signed the attestation clause of the said Codicil at the request of JERIE ELLEN BROUDY and in her sight and presence, and in the sight and presence of each other, and that all facts stated in the foregoing attestation clause are true.

NAME OF WITNESS

W a Moody
NAME OF WITNESS

Sworn to and subscribed before me
this 24th day of July,
1997.

Susan Long Clem
NOTARY PUBLIC

My Commission Expires: 1/20/99



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 23 day of JANUARY , 2004 , in the Case Number 04P163 BROUDY, JERIE E. deceased,
as same remains of record in Vol. 5567 , Page 1383701 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 JUNE in the year two thousand four and in the 227th year of American Independence.

RICHARD R. ROOKER, CLERK

By Peggy Deputy Clerk

SEAL

RICHARD R. ROOKER CIRCUIT COURT CLERK