Will of Barbara Ann Ayers

FILED
IN COUNTY
WILLIAMSON
CLERK & MASTER
3753

2004 AUG 13 PM 1:14

ENTERED 8-16-04

PERSONAL INFORMATION
I, Barbara Ann Ayers, a resident of the State of Tennessee, Williamson, declare that this is my will. My Social Security Number is 236-14-8791.

REVOCATION OF PREVIOUS WILLS
I revoke all wills and codicils that I have previously made.

CHILDREN
I have the following child now living: Jo Ayers Gottschalk.

DISPOSITION OF PROPERTY
All beneficiaries must survive me for 45 days to receive property under this will. As used in this will, the phrase survive me means to be alive or in existence as an organization on the 45th day after my death.

All personal and real property that I leave in this will shall pass subject to any encumbrances or liens placed on the property as security for the repayment of a loan or debt.

If I leave property to be shared by two or more beneficiaries, it shall be shared equally by them unless this will provides otherwise.

If I leave property to be shared by two or more beneficiaries, and any of them does not survive me, I leave his or her share to the others equally unless this will provides otherwise for that share.

Entire estate means all property I own at my death that is subject to this will.

I leave my entire estate to my child Jo Ayers Gottschalk. If Jo Ayers Gottschalk does not survive me, I leave my entire estate to Paul J. Gottschalk and K. JoAnn Reed in equal shares.

PERSONAL REPRESENTATIVE
I name Jo Ayers Gottschalk to serve as my personal representative. If Jo Ayers Gottschalk is unwilling or unable to serve as personal representative, I name Paul J. Gottschalk to serve instead.

No personal representative shall be required to post bond.

PERSONAL REPRESENTATIVE'S POWERS
I direct my personal representative to take all actions legally permissible to have the probate of my will done as simply and as free of court supervision as possible under the laws of the state having jurisdiction over this will, including filing a petition in the appropriate court for the independent administration of my estate.

I grant to my personal representative the following powers, to be exercised as he or she deems to be in the best interests of my estate:

1) To retain property without liability for loss or depreciation.

Davidson County WILL
Recvd: 11/22/04 13:56 5pgs
Fees:27.00 Taxes:0.00
20041122-0139829

PICK-UP

73 701

THE CHANCERY COURT WILLIAMSON CO. TN SEAL

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2) To dispose of property by public or private sale, or exchange, or otherwise, and receive and administer the proceeds as a part of my estate.

3) To vote stock, to exercise any option or privilege to convert bonds, notes, stocks or other securities belonging to my estate into other bonds, notes, stocks or other securities, and to exercise all other rights and privileges of a person owning similar property.

4) To lease any real property in my estate.

5) To abandon, adjust, arbitrate, compromise, sue on or defend and otherwise deal with and settle claims in favor of or against my estate.

6) To continue or participate in any business which is a part of my estate, and to incorporate, dissolve or otherwise change the form of organization of the business.

The powers, authority and discretion I grant to my personal representative are intended to be in addition to the powers, authority and discretion vested in him or her by operation of law by virtue of his or her office, and may be exercised as often as is deemed necessary or advisable, without application to or approval by any court.

PAYMENT OF DEBTS
Except for liens and encumbrances placed on property as security for the repayment of a loan or debt, I want all debts and expenses owed by my estate to be paid in the manner provided for by the laws of Tennessee.

PAYMENT OF TAXES
I want all estate and inheritance taxes assessed against property in my estate or against my beneficiaries to be paid in the manner provided for by the laws of Tennessee.

NO CONTEST PROVISION
If any beneficiary under this will contests this will or any of its provisions, any share or interest in my estate given to the contesting beneficiary under this will is revoked and shall be disposed of as if that contesting beneficiary had not survived me.

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 Initials: BA Sy aw D Date: 3-9-03

THE CHANCERY COURT WILLIAMSON CO. TN SEAL

73 702

Will of Barbara Ann Ayers

SEVERABILITY
If any provision of this will is held invalid, that shall not affect other provisions that can be given effect without the invalid provision.

SIGNATURE
I, Barbara Ann Ayers, the testator, sign my name to this instrument, this 3rd day of March, 2003, at Nashville, TN. I declare that I sign and execute this instrument as my last will, that I sign it willingly, and that I execute it as my free and voluntary act. I declare that I am of the age of majority or otherwise legally empowered to make a will, and under no constraint or undue influence.

Barbara Ann Ayers
(Signed)

WITNESSES
We, the witnesses, sign our names to this instrument, and declare that the testator willingly signed and executed this instrument as the testator's last will.

In the presence of the testator, and in the presence of each other, we sign this will as witnesses to the testator's signing.

To the best of our knowledge, the testator is of the age of majority or otherwise legally empowered to make a will, is mentally competent and under no constraint or undue influence.

We declare under penalty of perjury that the foregoing is true and correct, this 3rd day of March, 2003, at Nashville, TN.

Witness #1: Susan Green
Residing at: 8160 Sawyer Brown Rd Nash. TN
Witness #2: Dot Whittemore
Residing at: 8160 Sawyer Brown Rd Nash TN
Witness #3: Stephanie Sadler
Residing at: 8160 Sawyer Brown Rd Nash TN

 Initials: BA Sg DW Date: 3-3-03

THE CHANCERY COURT WILLIAMSON CO. TN SEAL

73 703

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE

ESTATE OF: Barbara Ann Ayers) NO. _____
)

AFFIDAVIT OF WITNESSES TO PROVE WILL

Personally appeared before me, the undersigned Notary Public, _____ and Suzanne E Greer, who, each being separately and duly sworn, each for himself on his oath or affirmation disposes and says:

1. That I am the witness whose name is signed to the Last Will and Testament of Barbara Ann Ayers;
2. That Barbara Ann Ayers, the testator, in my presence, signed the Will willingly after declaring it to be his Last Will;
3. That I, as witness, signed and witnessed the Will in the presence of the testator and in the presence of the other witness;
4. That it is my belief that the testator was of sound mind and memory and under no constraint or undue influence whatsoever when he signed his Will; and
5. That I, as witness, the other witness, and the testator are each at least eighteen (18) years of age.

Suzanne Greer
Witness

STATE OF TENNESSEE
COUNTY OF TN

Subscribed and sworn to before me, this the 9th day of August, 2004.

Barbara N Sadler
Notary Public/Clerk & Master

My Commission Expires: 1/28/06

THE CHANCERY COURT OF WILLIAMSON CO. TN SEAL

73 701

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE

ESTATE OF: Barbara Ann Ayers) NO. _____
)

AFFIDAVIT OF WITNESSES TO PROVE WILL

Personally appeared before me, the undersigned Notary Public, ~~Jennifer L Akers~~ and Stephanie K Sadler, who, each being separately and duly sworn, each for himself on his oath or affirmation disposes and says:

1. That I am the witness whose name is signed to the Last Will and Testament of Barbara Ann Ayers;
2. That Barbara Ann Ayers, the testator, in my presence, signed the Will willingly after declaring it to be his Last Will;
3. That I, as witness, signed and witnessed the Will in the presence of the testator and in the presence of the other witness;
4. That it is my belief that the testator was of sound mind and memory and under no constraint or undue influence whatsoever when he signed his Will; and
5. That I, as witness, the other witness, and the testator are each at least eighteen (18) years of age.

Stephanie K Sadler
Witness

STATE OF TENNESSEE
COUNTY OF Davidson

Subscribed and sworn to before me, this the 9th day of August, 2004.

Jennifer Akers
Notary Public/Clerk & Master

My Commission Expires: _____

My Commission Expires MAY 28, 2006

STATE OF TENNESSEE
WILLIAMSON COUNTY
I, THE UNDERSIGNED CLERK & MASTER, DO HEREBY CERTIFY THIS TO BE A TRUE COPY OF THE ORIGINAL OF THIS INSTRUMENT FILED IN THIS CAUSE
Sharon L Easton, Dep.
ELAINE D. BEELER, Clerk & Master

THE CHANCERY COURT WILLIAMSON CO. TN SEAL

73 705