Last Will and Testament

OF

RUBY M.GENUNG

Davidson County WILL
Recvd: 12/16/04 13:39 5pgs
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20041216-0149745

State of Tennessee, County of Davidson
I, Shannon Conley, C & M [illegible] certify this instrument
to be an exact copy of the original
as appears of record in Will Book
No. 24, Page [illegible] This [illegible]
day of Nov, 20[illegible]
Attest: [illegible] Clerk & Master [illegible]
PROBATE TENNESSEE

I, **RUBY M.GENUNG** of Hendersonville, Sumner County, Tennessee, being of sound mind and disposing memory, and realizing the uncertainty of life and the certainty of death do hereby make and publish this my Last Will and Testament, hereby revoking all Wills and Codicils thereto by me at any time heretofore made.

I.

I direct that all my just debts and funeral expenses be paid from my estate.

II.

Except as otherwise directed herein, I give, devise and bequeath to my husband, absolutely and in fee simple, all the property which I own or have the right to dispose of at my demise and which remains after my just debts and funeral expenses of whatever kind, character and description, real, personal, tangible and mixed and wherever situated.

III.

I give, devise and bequeath to my daughter, **JOAN ELLEN GENUNG GLASSER**, my diamond necklace and diamond ring.

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IV.

In the event my husband does not survive me, then I give, devise and bequeath the entirety of my estate, subject to the other provisions herein, to my children, per stirpes. Should any of my children predecease me, then that child's share shall go to his or her children, my grandchildren, share and share alike. Should any of my grandchildren be minors, then that child's share shall go into a Trust and I nominate and appoint my son, **RICHARD KEITH GENUNG**, Trustee of said Trust. Said trust shall be used for the college education of my grandchildren. Said trust shall vest as to each child when he or she reaches the age of 22 years or receives a Bachelor's Degree, whichever comes last.

V.

In the event my husband does not survive me or dies within three days after my death, if his death and mine shall not result from a common accident or within thirty days after my death, if his death and mine shall result from a common accident, then I direct that my children, prior to the liquidation of my estate, shall have the right, subject to the approval of **RICHARD KEITH GENUNG**, to divide my household goods, art objects, personal items and heirlooms as they see fit provided, however, that if agreement cannot be reached, then my Trustee shall have the right to liquidate all of said items to cash, and divide the proceeds, per stirpes.

VI.

Although my husband 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 husband and me to make a mutual testamentary disposition of our property. It is my intention that no such contract be inferred from the execution of Wills that are substantially similar in content. It is my intention that, in the event my husband survives me, that he have full power to execute codicils to his Will and to revoke said Will and to execute a later Will or Wills, making such disposition of her estate as he may desire, and at his sole discretion, including any and all the property passing to him under the provisions of this Will.

VII.

I nominate and appoint my said son, **RICHARD KEITH GENUNG**, Executor of this my Last Will and Testament, and I authorize my said Executor to do any and all things, which in his opinion are necessary to complete the administration and settlement of my estate, including full right, power and authority without the order of any Court, upon such terms and under such conditions, which to my said Executor shall seem best as to the proper management of my estate, to bargain, sell, convey, transfer, deed, mortgage, lease, exchange, pledge, manage and deal with any and all property belonging to my estate, to compromise, settle, adjust, release, and discharge any and all obligations or claims in favor of or against my estate, without in any way limiting the

scope or powers enumerated herein of my Executor. I hereby specifically give to my Executor, full power to retain any and all securities and property owned by me at the time of my demise whenever in his absolute and uncontrolled discretion, such a course shall seem to my Executor to be best without liability for depreciation or loss, free from investment restrictions incident to trusteeship or executorship, whether imposed by common law or statute. In the execution of said duty and power, said Executor shall have the power to comply with all legal requirements as to the execution of deeds and all other writings, documents, and formalities without the Order of any Court.

I request that no bond be required of my son, **Richard Keith**, in the faithful performance of his duties.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this my Last Will and Testament on this the 19th day of August, 1986.

Ruby M Genung
RUBY M. GENUNG - Testatrix
ent 3-2-04

ATTEST TO EXECUTION OF WILL:

Curtis M. Lincoln (Name) — 919 W. Main St Hendersonville Tenn (Address)

M.V. Brooks (Name) — 919 W. Main, Hendersonville, Tn. (Address)

AFFIDAVIT OF WITNESSES TO THE WILL

OF

RUBY M.GENUNG

STATE OF TENNESSEE

COUNTY OF SUMNER

This day personally appeared before the undersigned authority, Curtis M. Lineweh and M.V. Brooks, who having been first duly sworn, did depose and say:

That they are the same persons who subscribed their names as witnesses to the annexed Will of **RUBY M.GENUNG**, bearing the date of the 19 day of August, 1986, that the Testatrix, **RUBY M.GENUNG**, signed and acknowledged the paper writing here annexed as and for her Will in their presence; that at the time the Testatrix was of sound mind and disposing memory and over the age of 18 years; that at the request of **RUBY M.GENUNG**, the Testatrix, they signed their names to the paper writing in the presence of **RUBY M.GENUNG**, and in the presence of each other, as attesting witnesses; and that they are making this Affidavit at the request of the Testatrix to be offered in evidence when the Will is presented for probate.

Curtis M. Lineweh

M.V. Brooks

Sworn to and subscribed before me
on this the 19th day of August, 1986.

J. K. Woodall
NOTARY PUBLIC

My Commission Expires: Jan. 25, 1988

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