Davidson County WILL
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2001 MAY 21 PM 3:49
CLERK
D.C.

LAST WILL AND TESTAMENT

OF

MARGARET ELIZABETH JOHNSON SHARBEL

I, MARGARET ELIZABETH JOHNSON SHARBEL, of Nashville, Davidson County, Tennessee, being of sound mind and disposing memory do hereby make, publish, and declare this instrument to be my Last Will and Testament hereby revoking all testamentary dispositions heretofore made by me.

I.

I direct that my Executor, or his Successor, hereinafter named, pay all of my legal debts, including the expenses of my last illness, burial, and costs of administration as soon as practical after my death.

I further directed my Executor or his Successor, to pay out of that portion of my residuary estate, all estate, inheritance, transfer, succession, and other death taxes and duties, by whatever name called, including any interest and penalties thereon, which may be assessed in any way by reason of my death, and I hereby waive on behalf of my estate any right to recover from any person, including any beneficiary of insurance on my life, any part of such taxes so paid, nor shall any such taxes be borne by any of the property passing to my children under the provisions of this will or otherwise.

I direct that assets sold by my Executor or his Successor, to make the payments hereinabove provided for, to the extent practicable, so as to minimize the recognition by my estate of gain for federal income and/or estate tax purposes.

II.

I hereby nominate and appoint my son, HERBERT JAMES SHARBEL, as Executor of this my Last Will and Testament. In the event that he predeceases me or that he should for any reason decline or be unable to serve or resign after his appointment and qualification, I nominate and appoint my next oldest surviving child who is capable of serving as Executor, as the case may be, as Successor Executor, that is my next child KELLY MATTHEW SHARBEL, JR. shall succeed my son, HERBERT JAMES SHARBEL, as Executor, and if KELLY MATTHEW SHARBEL JR. is unable to serve as Executor, then JOHN NOLAN SHARBEL, SR. shall serve as Executor, and if JOHN NOLAN SHARBEL SR. is unable to serve as Executor, then CHARLES

MS

RICHARD SHARBEL shall serve as Executor, and if CHARLES RICHARD SHARBEL is unable to serve as Executor, then JEANNIE MARIE SHARBEL VENTRESS GOWER shall serve as Executrix, and if JEANNIE MARIE SHARBEL VENTRESS GOWER is unable to serve as Executrix, then MARY CECILIA LOUISE SHARBEL shall serve as Executrix, and if MARY CECILIA LOUISE SHARBEL is unable to serve as Executrix, then JOSEPH ANTHONY SHARBEL shall serve as Executor, until one of my children is qualified to serve as Executor or Executrix, as the case may be, of this my Last Will and Testament.

I direct that my Executor and his Successor(s) shall serve without being required to give bond or other security for the faithful performance of their duties as such. My Executor and his Successor(s) shall not be required to file an accounting.

III.

In addition to any powers granted my Executor and his Successors, as the case may be, by law, I hereby grant my Executor and his Successor all those rights, powers, duties, and privileges, and immunities contained in Sections I through IV of Chapter 110 of the Public Acts of Tennessee for 1963, except Items 18 and 19 therein as those Sections appear in the Act as of the date of the execution of this instrument and for that purpose I hereby incorporate in this instrument by reference as fully and particularly as though set forth in detail herein, those Sections of Chapter 110 from the Public Acts of Tennessee for 1963 as are herein above enumerated.

IV.

I will, devise, and bequeath, all of the rest, residue and remainder of my estate, including all property which I may acquire or become entitled to after the execution of this Last Will and Testament, including all lapsed legacies and all life insurance payable to my estate, I give, devise and bequeath to my children, HERBERT JAMES SHARBEL, KELLY MATTHEW SHARBEL, JR., JOHN NOLAN SHARBEL, SR., CHARLES RICHARD SHARBEL, JEANNIE MARIE SHARBEL VENTRESS GOWER, MARY CECILIA LOUISE SHARBEL, CATHERINE ANN SHARBEL, and JOSEPH ANTHONY SHARBEL, equally, per stirpes, share and share alike.

MS

First Codicil of My Last Will and Testament

I, Margaret Elizabeth Johnson Sharbel, being of sound mind and body, hereby execute this First Codicil to my last will and testament, dated August 1, 1996.

I hereby restate my last will and testament, dated August 1, 1996, as if fully stated herein, provided, however, that I hereby specifically devise my home, located at 2505 Oakland Avenue, Nashville, Tennessee, to Catherine Ann Sharbel.

In witness whereof, I have hereunto set my hand on this 30th day of June, 1998.

Margaret E. Sharbel
Margaret Elizabeth Johnson Sharbel

Brandy Miniat

AFFIDAVIT

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Brandy Miniat and Jean Duncan, after first being duly sworn or affirming, make oath or affirm that the foregoing First Codicil was signed by Margaret Elizabeth Johnson Sharbel as and for, and at that time acknowledged, published and declared by her to be her first codicil to her last will and testament, in the sight and presence of us, the undersigned, who at her request and in her sight and presence, and in the sight and presence of each other have subscribed our names as attesting witnesses on the 30th day of June, 1998, and we further make oath or affirm that the testator was of sound mind and disposing memory and not acting under the fraud, menace or undue influence of any person, and was more than eighteen (18) years of age; and each of the attesting witnesses is more than eighteen (18) years of age.

Brandy Miniat

Sworn to and subscribed before me this 30th day of June, 1998.

Elizabeth Ann Reese
Notary Public

My Commission Expires:

March 23, 2002

IN WITNESS WHEREOF, I have hereunto set my hand on this and the preceding pages of this my Last Will and Testament on this 1st day of ~~July~~ August, 1996, and pursuant to Chapter 568 of the 1972 Public Acts of the General Assembly of the State of Tennessee, I request the attesting witnesses to make the affidavit set out below.

Margaret Elizabeth Johnson Sharbel

MARGARET ELIZABETH JOHNSON SHARBEL - TESTATRIX

The foregoing instrument was signed, published, executed and acknowledged by MARGARET ELIZABETH JOHNSON SHARBEL as and for her Last Will and Testament on the day it bears date and in our sight and presence, and we hereunto subscribe our names as attesting witnesses at the request of the Testatrix in her sight and presence and in the sight and presence of each other.

Carla J. Wade

WITNESS -

Ben Guest

WITNESS -

AFFIDAVIT

STATE OF TENNESSEE, COUNTY OF DAVIDSON:ss

Carla H. Wade and Beth Guest

after first duly sworn, make oath that the foregoing Last Will and Testament was signed by MARGARET ELIZABETH JOHNSON SHARBEL as and for, and at that time, acknowledged, published, and declared by her to be her Last Will and Testament, in the sight and presence of us, the undersigned, who, at her request, and in her sight and presence, and in the sight and presence of each other, subscribed our names as attesting witnesses on the 1st day of ~~July~~ August, 1996; and we further make oath that the Testator was of sound mind and disposing memory and not acting under the fraud, menace, or undue influence of any persons and was more that eighteen (18) years of age, and that each of the attesting witnesses is more than eighteen (18) years of age.

Carla H. Wade residing at 1215 Lipscomb Dr.
(Street Address)
~~Nashville~~, Tennessee ~~372~~ 37027
Brentwood

Beth Guest residing at 3505 Amanda Ave
(Street Address)
Nashville, Tennessee 37215

Subscribed and sworn to before me this 1st **day of** ~~July~~ August, **1996.**

My Commission Expires: 3/27/99 Sandra Bowden, **NOTARY PUBLIC**

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 21 day of MAY , 2001 , in the Case Number 01P30 SHARBEL, MARGARET ELIZABETH JOHNSON deceased, as same remains of record in Vol. 1872 , Page 343433 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 29 day of MARCH in the year two thousand five and in the 228th year of American Independence.

RICHARD R. ROOKER,

By Peggy Jr... Deputy Clerk

SEAL

