Davidson County WILL
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LAST WILL AND TESTAMENT OF KELLY J. DAVIS, JR.

FILED
2005 JAN 27 AM 10:48
RICHARD R. ROOKER, CLERK

I, KELLY J. DAVIS, JR., domiciled in and a resident of Davidson County, Tennessee, make, publish and declare this to be my Last Will and Testament. I revoke all wills and codicils previously made by me.

ITEM I. Appointment of Fiduciaries.

A. Appointment of Executors. I appoint my grandson, Jerry Ray Pradines as Executor of this my Last Will and Testament and direct that no bond be required of him in this capacity.

ITEM II. Payment of Debts, Expenses of Administration. I direct that all of my legally enforceable debts, any unpaid charitable pledges (regardless of whether these pledges may be enforceable obligations of my estate), the expense of my last illness, my funeral expenses and the costs of administration of my estate be paid as soon as practicable after my death; provided, however, that my Executor shall not be required to pay any obligation in advance of its maturity. I further direct that there shall be paid out of my estate as an expense of administration, without apportionment, all estate, inheritance, succession and other taxes.

ITEM III. Specific Bequests and Bequests of Tangible Personal Property.

A. Disposition of Tangible Personal Property. I give to my grandson, Jerry Ray Pradines, all my clothing, jewelry, automobiles, home furnishings and all other tangible personal property including cash on hand or deposit owned by me at the time of my death.

ITEM IV. Administration of Real Property. I give to my grandson, Jerry Ray Pradines, all real property, which I may own at the time of my death.

ITEM V. Disposition of Residuary Estate.

A. Residuary Estate. I devise and bequeath all the rest and residue of the property that I may own at the time of my death, or whatever kind and wherever located (my Residuary Estate) to my grandson, Jerry Ray Pradines.

ITEM VI. Statutory Powers Granted to Fiduciaries. I authorize my Executor (including any substitute or successor personal representative) in the exercise of a reasonable discretion with respect to all property, real and personal, at any time forming part of my estate to exercise any or all the powers set forth in Section 35-50-110, Tennessee Code Annotated, to the extent applicable, all of which provisions and powers are incorporated herein by reference as fully as if copied herein verbatim. These powers (as set out in the statute on the date of the execution of this Will) are granted, notwithstanding that the statute may hereafter be amended or repealed.

ITEM VII. Definitions and Miscellaneous Provisions.

A. Definition of Grandson.

1. In this Will the term "grandson" refers to my grandson, Jerry Ray Pradines.

B. Definition of Code. Reference in this Will to the Code shall mean the Internal Revenue Code of 1986, as amended from time to time until my death.

B. Accountings and Bond. I hereby expressly excuse my Executor from filing any inventory, interim accountings and final accounting which might otherwise be required pursuant to applicable law, unless such reports are specifically requested by any beneficiary of my residuary estate.

C. Fiduciary Designations. References to Executor or Co-Executors shall always refer to the party or parties then acting in those capacities, whether originally appointed or serving as successor(s). Any reference to the Executor shall, where appropriate, include any Executrix, Administrator c.t.a., Administratrix c.t.a. or other duly qualified personal representative serving the functions of an Executor under this Will.

D. Headings, Gender and Number. Paragraph headings are for convenience only; the content of the paragraph controls over the heading. Any reference to any party herein in whatever gender shall be deemed to mean the appropriate gender. Any reference in the plural shall include the singular and vice versa, where the context so requires.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of this and one (1) preceding typewritten page, and for the purpose of identification I have initialed each such page, all in the presence of the persons witnessing it at my request on this 25th day of August 2004, at Nashville, Tennessee.

KELLY J. DAVIS, JR.

The foregoing instrument was signed, published and declared by the said KELLY J. DAVIS, JR. as and for his Last Will and Testament on the day and year written above, in our presence and in the presence of each of us who, at his request, in his presence and in the presence of each other, have subscribed our names as witnesses this 25 day of August 2004, at Nashville, Tennessee.

Dorothy Bailey residing at 4409 Idaho Ave

Nicholas D. Bailey residing at 4700 Ellis ave

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

AFFIDAVIT BY WITNESSES TO WILL

Each of the aforesaid witnesses, being Dorothy Bailey and Nicholas D. Bailey deposes and says that said witnesses subscribed to the foregoing Will of KELLY J. DAVIS, JR., executed on the 25 day of August 2004, 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 states that the said KELLY J. DAVIS, JR. was over eighteen (18) years of age, was of sound mind, declared the foregoing instrument to be his Last Will and Testament, published and executed it freely, without undue influence or coercion, by initialing each page and signing the final page in the presence of all of the witnesses who were all present at the same time, and that said witnesses, in his presence, at his request, and in the presence of each other, subscribed their names as witnesses on the 25 day of August 2004.

JAMI WHITWORTH
Notary Public At Large
DAVIDSON COUNTY, TENNESSEE
My Commission Expires March 31, 2007

Dorothy Bailey

Nicholas D. Bailey

Subscribed and sworn to before me, a Notary Public of the above County and State, this the 25 day of August 2004.

Jami Whitworth
Notary Public

My Commission Expires: 3-31-07

Page 3 of my Will: KQJ

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 27 day of JANUARY , 2005 , in the Case Number 05P35 DAVIS JR., KELLY JAMES deceased, as same remains of record in Vol. 5764 , Page 1782371 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 01 day of AUGUST in the year two thousand five and in the 229th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL

