Davidson County WILL
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Last Will and Testament

OF

NELSON EDWIN CHRISTIANSON, JR.

I, **Nelson Edwin Christianson, Jr.**, a resident of and domiciled in Nashville, Davidson County, Tennessee, do make, publish and declare the following to be my Last Will and Testament, hereby revoking all prior wills and codicils made by me.

ARTICLE I

DEFINITIONS

1.1 **Spouse.** I am unmarried at this time.

1.2 **Beneficiaries:** I have two children, **Nelson Edwin Christianson, III,** and **Chet Dodson Christianson.** However, I have intentionally omitted my son, **Chet Dodson Christianson**, from this will for reasons known to my family.

1.3 **Singular and Gender Usage.** Any use of a specific gender includes the other, and any use of the singular includes the plural when such meaning is appropriate.

ARTICLE II

FIDUCIARIES

I appoint **Nelson Edwin Christianson, III**, currently of Nashville, Davidson County, Tennessee, to serve as Executor of my will. If he predeceases me, fails to qualify or ceases to serve, I appoint **Paulette Christianson**, currently of Nashville, Davidson County, Tennessee, to serve as Executrix of my will.

ARTICLE III

PROVISIONS RELATIVE TO FIDUCIARIES

3.1 **Bond.** No bond is required of any fiduciary appointed under this will or by a court.

3.2 **Powers.** Any fiduciary appointed under this will has each power, duty, and discretion which is set forth in this will, as well as each duty, power or discretion contained in Tennessee Code Annotated, Section 35-50-110 as it exists at the time of the execution of this will, which section is incorporated herein by reference.

3.3 **Waiver of Inventory Reports and Appraisal.** I authorize my Executor to administer and settle my estate without the necessity of filing an inventory, making any report, accounting, or final settlement with any court to the extent permitted by law. I expressly waive appraisal of my estate in the event an appraisal is required by law. The fiduciary's only responsibility for statements and accountings shall be to furnish a complete final accounting to the beneficiaries of my residuary estate if such beneficiaries are different than my fiduciary.

ARTICLE IV

PAYMENT OF DEBTS, EXPENSES, AND TAXES

4.1 **Debts.** My fiduciary shall pay all my lawful debts, except as provided in Paragraph 4.2. If permitted by law, my fiduciary may pay a debt without requiring the creditor to file a claim. I suggest that my fiduciary consult with the attorney for my estate before paying any debt.

4.2 **Encumbered Property.** If any interest in property passing under this will or otherwise by reason of my death shall be encumbered by a mortgage or lien or shall be pledged to secure any obligation (whether such interest in property is owned by me individually or jointly), the devisee, legatee, joint owner, or beneficiary shall take such interest in property subject to all encumbrances existing at the time of my death and shall not be entitled to payment of such obligation from my estate. Provided, however, if the creditor files a claim against my estate so that my

fiduciary must pay the debt, my fiduciary shall collect the amount my estate paid to the creditor from the recipient of the property.

4.3 **Funeral and Administration Expenses.** My fiduciary shall pay my funeral expenses, including the cost of a grave marker, and the expenses of administering my estate as soon as possible after my death, including any expenses of ancillary administration in another state.

4.4 **Taxes.** All estate and inheritance taxes including interest and penalties, if any, together with all administration expenses, payable in any jurisdiction by reason of my death, (including those taxes and expenses payable with respect to assets which do not pass under this will,) shall be paid out of and charged generally against the principal of my residuary estate, without apportionment. I waive any right of reimbursement for, recovery of, or contribution toward the payment of those taxes and administration expenses, except my Executor shall, to the maximum extent permitted by law, seek reimbursement for, recovery of, or contribution toward the payment of any increase in federal or state estate tax attributable to property in which I have a qualifying income interest for life or over which I have a power of appointment, or which is included in my gross estate by reason of Section 2036 of the Internal Revenue Code of 1986, as from time to time amended, and which is not otherwise paid or payable. Any generation-skipping tax resulting from a transfer occurring under this will shall be charged to the property constituting the transfer in the manner provided by applicable law.

ARTICLE V

SPECIFIC BEQUESTS

AND

DISTRIBUTION OF TANGIBLE PERSONAL PROPERTY

5.1 **Specific Bequests.** I may leave a memorandum which is not to be a part of this will listing some of the items which I wish

certain persons to have and request, but do not require, that my wishes as set forth in this memorandum be observed. If this list is not discovered within thirty (30) days of my death, this paragraph shall be disregarded. If any item is not found among my possessions after my death, my executor is to consider that the item has been disposed or destroyed prior to my death and may then disregard the gift of such item.

5.2 **Remaining Tangible Personal Property.** All my remaining tangible personal property that I own at my death, including any household furniture and furnishings, automobiles, books, pictures, jewelry, art objects, hobby equipment and collections, wearing apparel, and other articles of household or personal use or ornament shall be given to my son, **Nelson Edwin Christianson, III,** or if he predeceases me, to his wife, **Paulette Christianson.**

ARTICLE VI

DISTRIBUTION OF RESIDUARY ESTATE

All the rest, residue and remainder of my property real and personal, and wheresoever situated, including all lapsed bequest and devises, but not including any property over which I have power of appointment, I give, bequeath and devise to **Nelson Edwin Christianson, III**. If he predeceases me, my residuary estate shall be distributed to **Paulette Christianson.**

ARTICLE VII

MISCELLANEOUS PROVISIONS

7.1 **Real Estate.** Any real property which I own at my death is to be part of my probate estate and treated as personalty for administrative purposes.

7.2 **Spendthrift Provision.** Prior to distribution, no interest of any beneficiary in the corpus or income of my estate, as distributed in any Article of this will, shall be subject to assignment, alienation, pledge, attachment, or claims of creditors of such beneficiary, including the claims of any divorced spouse

for alimony or support payments, and may not otherwise be voluntarily or involuntarily alienated or encumbered by any beneficiary and the same shall not be subject to be taken by beneficiary's creditors by any process whatsoever.

7.3 **Construction.** I direct that should any clause in this will be construed contrary to state laws such clause shall be construed to conform to state law in the implementing of this my Last Will and Testament according to my expressed desires.

IN WITNESS WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of this and four (4) preceding typewritten pages, in the sight and presence of the persons witnessing it at my request on this 21 day of October, 2004, at Nashville, Tennessee. In accordance with Tennessee Code Annotated, Section 32-2-110. I have requested these witnesses to make the Affidavit which is attached to this Last Will and Testament.

Nelson E. Christianson Jr

Nelson Edwin Christianson, Jr., Testator

ATTESTATION CLAUSE

On the date last above written, we saw **Nelson Edwin Christianson, Jr.** in our presence, sign the foregoing instrument at its end. He then declared it to be his Last Will and Testament and requested us to act as witnesses to it. We then, in his presence and in the presence of each other, signed our names as attesting witnesses, believing him at all times herein mentioned to be of sound mind and memory and not acting under constraint of any kind.

Sarah Bearden Residing at 1122 Hayston Ave. Nashville, Tn 37216

James Wallace Residing at 1129 Richmond Dr. Nashville Tn.

AFFIDAVIT OF WITNESSES

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Tamah Bearden and JAMES WALLACE

being severally duly sworn, depose and say that:

We are acquainted with **Nelson Edwin Christianson, Jr.**, who executed this annexed Last Will and Testament, consisting of five (5) pages, dated October 21, 2004, at Nashville, Tennessee, by subscribing his name at the end thereof in the presence and sight of each of us.

At the time of subscribing such Last Will and Testament, **Nelson Edwin Christianson, Jr.** declared the instrument so subscribed by him to be his Last Will and Testament and we thereupon signed our names as witnesses at the end of such instrument at his request and in his presence and sight, and in the presence and sight of each other.

At the time of executing such Last Will and Testament, **Nelson Edwin Christianson, Jr.** was over the age of eighteen (18) and in our opinion was of sound mind, memory and understanding and not under any restraint or in any respect incompetent to make a Last Will and Testament.

This Affidavit is made at the request of **Nelson Edwin Christianson, Jr.**.

The annexed Last Will and Testament was examined by the undersigned at the time this affidavit was made.

Tamah Bearden

James Wallace

SWORN TO AND SUBSCRIBED before me, this 21st day of October, 2004.

Colleen C Mahler

Notary Public

My Commission Expires: 11/25/06.

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 28 day of SEPTEMBER , 2005 , in the Case Number 05P1484 CHRISTIANSON JR., NELSON EDWIN deceased,
as same remains of record in Vol. 5997 , Page 2051952 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 28 day of SEPTEMBER 2005

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

SEAL

