LAST WILL AND TESTAMENT

OF

JAMES ALEXANDER BAILEY

Davidson County WILL
Recvd: 03/31/06 15:12 5 pgs
Fees:27.00 Taxes:0.00
20060331-0036907

I, JAMES ALEXANDER BAILEY, a resident of Davidson County, Tennessee, residing at 3420 Amanda Avenue, Nashville, Tennessee, 37215, being of sound mind and disposing memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking and making void all previous Wills and Codicils heretofore made by me intending to dispose of all property of whatever kind and wherever situate of which I may die seized and possessed.

ITEM I

I direct my Executrix, hereinafter named, to pay all my just debts and funeral expenses as soon after my death as practicable. She shall pay out of my Estate all Inheritance and Estate Taxes, both State and Federal assessed to and against my estate, as may be proper, and I direct that the same be considered and treated as claims against my estate, which shall also, as to said taxes, include the payment of such taxes as may be assessed upon the proceeds of all policies of life or other insurance on my life, which said policies of life insurance are made payable to my sister, MISS ALICE CORNELIA BAILEY, who is beneficiary named therein, and as to any such life insurance policies which may be payable to my estate I direct that the proceeds of the same be used first for the payment of debts of my estate, funeral expenses, cost of administration and said taxes, but as to all policies of insurance which are payable to my said sister, as beneficiary, I direct that the proceeds therefrom go direct to my said sister, MISS ALICE CORNELIA BAILEY.

ITEM II

I give and devise my residence real property located at 3420 Amanda Avenue, Nashville, Davidson County, Tennessee, to my sister, MISS ALICE CORNELIA BAILEY, to be hers absolutely. At the present time there is a balance owing of approximately $7,000 on a monthly payment installment

James Alexander Bailey

JAMES ALEXANDER BAILEY

note secured by said property. I direct that my said sister take said property as it now is, or as it may be at the time of my death, with reference to said mortgage indebtedness and that she assume and pay the remaining monthly payments on said mortgage indebtedness.

ITEM III

I give and bequeath to my said sister, MISS ALICE CORNELIA BAILEY all of my household goods, items of personalty at my residence, including all of my personal belongings therein and thereon located including all of the household tools and equipment, yard and gardening tools; and I also give and bequeath to her any automobile which I may own at the time of my death.

ITEM IV

My said sister and I have certain government savings bonds which stand in the name of James A. Bailey or Alice Cornelia Bailey. I give and bequeath all of said savings bonds on which her name appears to her, absolutely.

ITEM V

As to all remaining property of which I die seized and possessed, and wherever situate, which consists of money in bank or banks, or any other property not heretofore disposed of, I do hereby give, devise and bequeath to my sister, Miss Alice Cornelia Bailey, 75% or 3/4ths of the same and the remaining 25% or 1/4th thereof, I hereby give, devise and bequeath to my brother, HARRY CRAIG BAILEY, presently residing at 403 Avoca Avenue, Nashville, Tennessee, 37203, to be his absolutely. Should my said brother be deceased at the time of my death said 25% interest will go, and I hereby give and bequeath the same to my said sister.

ITEM VI

In the event my said sister, Alice Cornelia Bailey, has pre-deceased me, I do hereby give, devise and bequeath all of the foregoing property, real, personal and mixed , together with the proceeds of any policies of insurance on my life payable to my estate, as set forth in Items II, III, IV, and V, to my brother, Harry Craig Bailey, to be his absolutely.

James Alexander Bailey

JAMES ALEXANDER BAILEY

In the event my said sister, and my said brother both have predeceased me, I do hereby give, devise and bequeath all of said property, of every kind, real, personal and mixed and the proceeds of any policies of life insurance on my life payable to my estate, to my cousin, MRS. ELIZABETH WALTRIP SUTTLE, presently residing in Phoenix, Arizona, to be hers absolutely.

ITEM VII

I do hereby nominate and appoint my said sister, MISS ALICE CORNEI BAILEY, the Executrix of this my Last Will and Testament, without bond.

In the event my said sister should predecease me or upon being appointed executrix and being, for any reason whatever, unable to administer my estate, I do hereby nominate and appoint The First American National Bank, Nashville, Tennessee, the sole executor or successor executor of this my Last Will and Testament to serve without bond, which I do hereby Specifically waive.

IN TESTIMONY WHEREOF, I have subscribed my name to this my Last Will and Testament, consisting of this and two (2) preceeding typewritten pages and for the purpose of identification, I have signed each such page, all in the presence of the persons witnessing it at my request, on this 22 day of June, 1977, at Nashville, Tennessee.

James Alexander Bailey
JAMES ALEXANDER BAILEY, Testator

The foregoing instrument, consisting of this and two (2) preceeding typewritten pages was signed, published and declared by JAMES ALEXANDER BAILEY, Testator, to be his Last Will and Testament in our sight and presence and we, at his request, and in his sight and presence and in the sight and presence of each other, have hereunto subscribed our names ~~as~~ witnesses, this 22 day of June, 1977, at Nashville, Tennessee.

Richard Marshall residing at 746 Elysian Fields Rd
NAME Nashville, Tenn. 37205

Jan E Marshall residing at 137 Shepherd Dr.
NAME Franklin, Tenn 37064

Page Three and Last Page of the Last Will and Testament of:

James Alexander Bailey
JAMES ALEXANDER BAILEY

STATE OF TENNESSEE §
§
COUNTY OF DAVIDSON §

AFFIDAVIT

Richard Marshall and James E. Maurer after being duly sworn according to law, depose and say:

1. That they are adult citizens of Tennessee and at the time of the making of this affidavit are in Nashville, Davidson County, Tennessee.

2. That they witnessed the execution of the Last Will and Testament of JAMES ALEXANDER BAILEY, dated the 22 day of June, 1977, to which this Affidavit is attached, and that this Affidavit is being made at the request of the Testator, and in accordance with Tennessee Code Annotated, §32-211.

3. That their signatures are affixed to said Last Will and Testament; that they signed or affixed the same at the instance and at the request of the Testator, after he had signed the same and in his sight and presence, and in the sight and presence of each other, at the place and on the date recited in the said Last Will and Testament.

4. That the Testator signed said paper writing as and for his Last Will and Testament in their sight and presence, and declared and signified the same to be his Last Will and Testament.

5. That at the time they witnessed said Will, the Testator was, in their opinion, of sound mind.

Richard Marshall

Jas E Maurer

STATE OF TENNESSEE §
§
COUNTY OF DAVIDSON §

Subscribed and sworn to before me, this 22nd day of June, 1977, at Nashville, Davidson County, Tennessee.

Notary Public at Large for the State of Tennessee

My Commission Expires: Feb. 1, 1981

STATE OF TENNESSEE, DAVIDSON COUNTY

I, Richard R. Rooker, Clerk of the Probate Court of Davidson County, State aforesaid, do certify that the foregoing is a full, true and complete copy, of the original on file in my office. Will Book 197 Page 255

Given under my hand and official seal of office in Nashville, this 2nd of February 2010

RICHARD R. ROOKER, CLERK

By Patricia Clerk

