Davidson County WILL
Recvd: 10/09/07 14:06 7 pgs
Fees:37.00 Taxes:0.00
20071009-0120270

FILED 07P 1445
2007 SEP 19 AM 11:09
RICHARD R ROOKER, CLERK
D.C.

LAST WILL AND TESTAMENT

OF

H. C. TINNELL

I, **H. C. TINNELL** of Davidson County, Tennessee, being of sound mind and disposing memory, do make, publish and declare this my Last Will and Testament, hereby revoking any and all wills and codicils heretofore by me at any time made.

I.

I nominate and appoint my sons, **WILLIAM T. TINNELL** and **GREGG B. TINNELL**, Co-Executors of this my Last Will and Testament.

I nominate and appoint my sons, **WILLIAM T. TINNELL** and **GREGG B. TINNELL**, Nashville, Tennessee, Co-Trustees of the trust hereinafter created, to serve with bond.

II.

Except for mortgages and installment payments, I will that all of my just debts, including funeral and testamentary expenses, and expenses of my last illness, be paid by my Co-Executors as soon as practicable after my death. I authorize my Co-Executors to sell any or all of my property (real, personal or mixed) and to execute all conveyances necessary to effectuate such sale. I direct my Co-Executors to pay all estate, inheritance, transfer, succession and other death taxes, and charge the same generally as an expense of administration without attempting in any way to prorate any taxes against any beneficiary named herein.

H. C. Tinnell

5-15-07

III.

I will, give, devise and bequeath all of my property (real, personal or mixed), wheresoever located to the hereinafter named persons, as follows:

1. I will $25,000 to each of my grandchildren, namely: **GLORIA ELISE FLATT, STACY ANN KOCKER, JEORGE EUGENE MORAN, JR., NATHAN GREGORY TINNELL, BLAKE TINNELL, KATHRYN ALEXIS TINNELL, OLIVIA RAYE TINNELL** and **GINA LYNN MORAN WAITS**;

2. I will $100,000.00 to my friend, **ARTIE TAYLOR**.

3. I will the following to my son, **GREGG B. TINNELL**:

   (a) My one-half interest in Keenland Farms Development Company. Presently each partner, **H. C. TINNELL** and **GREGG B. TINNELL**, owns a fifty percent interest in said partnership;

   (b) Except for mortgages payable to COLOGY HOMES, INC., and money or land owned by Cology Homes, Inc., I will all of my stock, right, title and interest in COLOGY HOMES, INC., a Tennessee Corporation, whose stock is wholly owned by me.

H.C. Tinnell

5-18-07

4. I will all of my corporate stock in **Tinnell Company, Inc.**, to my sons, **WILLIAM T. TINNELL** and **GREGG B. TINNELL**, share and share alike. In the event either son predeceases me, then, in this event, I will all of the said corporate stock to the survivor.

5. I will and appoint **WILLIAM T. TINNELL** and **GREGG B. TINNELL** co-general partners of **Tinnell Family Limited Partnership**. The survivor of the two shall serve as the sole General Partner of the **Tinnell Family Limited Partnership**.

6. I will one-fourth (1/4) of the remainder of my estate to my Co-Trustees for the following uses and benefit of my daughter, **SANDRA FAYE MORAN**, to-wit:

   (a) I authorize my Co-Trustees to pay the trust income and corpus for my daughter's necessities (food, clothing, shelter, medical care, dental care, hospital expenses and special needs).

   (a) This trust shall terminate upon the death of my daughter and the remainder of the trust income and corpus shall be divided among **SANDRA FAYE MORAN'S** children, share and share alike.

7. I will all the rest, residue and remainder of my estate to my three sons, (**HENRY C. TINNELL, JR., WILLIAM T. TINNELL**, and **GREGG B. TINNELL**), share and share alike, the issue of a deceased son representing and taking it's deceased parent's share, per stirpes.

5-18-07

IV.

My Co-Trustees are instructed to invest the trust's liquid assets in U.S. Government Securities or Federally insured bank deposits and savings and loan association deposits, or other Federally insured accounts, whichever from time to time pays the greatest interest.

V.

Neither the principal nor the income of the trust fund shall be liable for the debts of my daughter hereunder; nor shall the same be subject to seizure of any creditor of my daughter under any writ or proceeding at law or equity; and my daughter shall have no power to sell, assign, encumber, or in any manner to anticipate or dispose of her interest in the trust fund or in the income produced thereby.

VI.

Except as herein provided, my Co-Trustees and my Co-Executors are authorized to execute all or any of the powers and authorities contained in Tennessee Code Annotated §35-50-110, and said powers and authorities in their entirety are specifically incorporated herein by reference.

VII.

Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

5-28-07

IN WITNESS WHEREOF, I have executed the foregoing will, which consists of four (4) typewritten pages, on this the 16 day of May, 2007, at Nashville, Davidson County, Tennessee, by subscribing my name on the last page thereof and on the margins of the preceding three pages.

H. C. TINNELL

Signed, sealed, published and declared by the Testator, H. C. TINNELL, to be his Last Will and Testament, in the presence of all of us at one and the same time, and we, at his request and in his presence and in the presence of each other, have hereunto subscribed our names as witnesses, and we do hereby attest to the sound and disposing mind of said Testator, and to the performance of the aforesaid act of execution at the place and on the date hereinabove set out.

WITNESS

315 Union St
ADDRESS
Nashville, TN 37201

WITNESS

315 Union St
ADDRESS
Nashville TN 37201

STATE OF TENNESSEE
COUNTY OF DAVIDSON

AFFIDAVIT

After first being duly sworn, Shalanda Stewart and Drew Farmer, make oath that the foregoing Last Will and Testament was signed by **H. C. TINNELL** in our sight and presence, and that he acknowledged and declared the same to be his Last Will and Testament in the sight and presence of each of the undersigned, who at his request and in his sight and presence, and in the sight and presence of each other, subscribed our names as attesting witnesses on this 18th day of May, 2007, and we further make oath and affidavit that **H. C. TINNELL** was of sound mind and disposing memory, and he was more than 18 years of age and that each of the witnesses is more than 18 years of age.

Shalanda Stewart
WITNESS

315 Union St
Nashville, TN 37201
ADDRESS

WITNESS

315 Union St
Nashville, TN 37201
ADDRESS

Sworn to and subscribed before me this
18th day of May, 2007.

Mary V. Erickson
NOTARY PUBLIC

My Commission Expires: 11.22.10

MARY V. ERICKSON
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires NOV. 22

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 19 day of SEPTEMBER , 2007 , in Case Number 07P1445 between TINNELL, WILLIAM T. ET.AL Petitioner, and TINNELL, H.C. Respondent, as same remains in the records of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 09 day of OCTOBER 2007

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

SEAL