Davidson County WILL
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RICHARD R. ROOKER, CLERK
DC

Last Will and Testament

OF

ROBERT L. ANDRESS

I, ROBERT L. ANDRESS, a resident of Davidson County, Tennessee, being of sound mind and disposing memory and realizing the uncertainty of life, do hereby make, publish and declare this my Last Will and Testament, hereby revoking all wills and codicils thereto by me at any time heretofore made and with the intention of disposing of my entire estate.

FIRSTLY: I direct that all my just debts and funeral expenses be first paid from my estate.

SECONDLY: I hereby give, devise and bequeath all of my clothing, jewelry, and personal effects to my daughter, CYNTHIA ANDRESS SPAIN.

THIRDLY: My wife, ANN LAWRENCE ANDRESS, and I entered into a pre-nuptial agreement on the 13th day of September, 1993, whereby my said wife waived any rights she may have as my widow in my home located at 106 Two Rivers Court, Nashville, Davidson County, Tennessee, including homestead rights in addition to any other common law or statutory right she might have in the same as a result our marriage. In spite of said agreement, and contrary thereto, I hereby give, devise and bequeath to my said wife, ANN LAWRENCE ANDRESS, a life estate in my home located at 106 Two Rivers Court, Nashville, Davidson County, Tennessee, with the remainder interest therein I give, devise and bequeath to my said daughter, CYNTHIA ANDRESS SPAIN. In the event that said property is sold by the agreement of my said wife and my said daughter during the lifetime of my said wife, it is my wish that my said wife and said daughter shall divide equally the net proceeds derived from the sale of said property.

FOURTHLY: I give, devise and bequeath my clothing, jewelry, and personal effects to my daughter, CYNTHIA ANDRESS SPAIN.

FIFTHLY: All the rest and residue of my estate which remains after payment of my just debts and funeral expenses and the foregoing specific bequest, I give, devise and bequeath to my wife, ANN LAWRENCE ANDRESS, including the Buy Out Agreement from Bailey and Martin & Associates payable to me.

SIXTHLY: In the event of the simultaneous death of my wife and myself, I make no claim of any of the assets owned by my wife at the time of our simultaneous death and I do hereby give, devise and bequeath all of the assets of which I die seized, both real and personal, to my daughter, CYNTHIA ANDRESS SPAIN. In the event that my said daughter does not survive me, I give, devise and bequeath all of said property to my granddaughters, LARAINE SPAIN and MATTIE SUE SPAIN, in equal shares. It shall be conclusively presumed that our deaths were simultaneous if we die within thirty days of each other.

LASTLY: I hereby nominate and appoint my said wife, ANN LAWRENCE ANDRESS, Executrix of this my Last Will and Testament and I authorize her to do any and all things which in her sole discretion are necessary to complete the administration and settlement of my estate and I request that she be permitted to serve without bond and I request that she not be required to file an inventory and/or accounting with any Court.

 Robert L. Andress

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In the event that my said wife does not survive me or for any other reason shall fail to act as my Executrix, then I hereby nominate and appoint my said daughter, CYNTHIA ANDRESS SPAIN, as Alternate-executrix of this my Last Will and Testament with all the same rights, powers, duties and responsibilities as aforesaid and I request that she be permitted to serve without bond and that she not be required to file an inventory and/or accounting with any Court.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of two pages, on this 22nd day of December, 1995.

Robert L. Andress

ROBERT L. ANDRESS - Testator

Signed by the said ROBERT L. ANDRESS, as and for his Last Will and Testament, consisting of two pages, in the sight and presence of the undersigned, who, at his request and in his sight and presence and in the sight and presence of each other have subscribed our names as attesting witnesses on the day and date above written.

WITNESS

WITNESS

Copy

AFFIDAVIT

Frank M. Newman and Nancy P. Cathey,

after first being duly sworn according to law, depose and say:

1. That we are adult citizens of the State of Tennessee.

2. That we witnessed the execution of the Last Will and Testament of ROBERT L. ANDRESS, Testator, dated the 22nd day of December, 1995, 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, Section 32-2-110.

3. That our signatures are affixed to said Last Will and Testament; that we signed or affixed the same at the request of the Testator in his presence, and in the presence of each other, on the date recited in said Last Will and Testament.

4. That the Testator signed said paper writing as and for his Last Will and Testament in our sight and presence.

5. That at the time we witnessed the execution of said Will, the Testator was, in our opinion, of sound mind and disposing memory and was of legal age.

Frank M. Newman
WITNESS

Nancy P. Cathey
WITNESS

STATE OF TENNESSEE)
:
COUNTY OF DAVIDSON)

Sworn to and subscribed before me on this 22nd day of December, 1995.

Notary W. Pedigo
NOTARY PUBLIC

My Commission Expires: 5-23-98

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 16 day of NOVEMBER , 2007 , in Case Number 07P1821 between SPAIN, CYNTHIA ANDRESS Petitioner, and ANDRESS, ROBERT L. 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 06 day of NOVEMBER 2008

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL