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RICHARD R. ROOKER, CLERK
D.C.

LAST WILL AND TESTAMENT

of

TIMOTHY PAUL RUSSELL

I, Timothy Paul Russell, currently domiciled in Davidson County, Tennessee, do make, publish and declare this instrument to be my Last Will and Testament, hereby revoking all wills and codicils heretofore made by me.

ARTICLE 1: NAME & FAMILY

1.1 Name: My full name is Timothy Paul Russell. My date of birth is April 11, 1974, and my Social Security Number is *** - ** - 6147.

1.2 Present Family: I am not currently married, and I have no children.

ARTICLE 2: DISPOSITION OF ESTATE

2.1 Specific Bequest: I give my 401-K investment account at Lochinvar to my Father, Gregory A. Russell.

2.2 Residuary Estate: All the rest, residue and remainder of the property which I may own at the time of my death, real, personal and mixed, tangible and intangible, or whatever nature and wherever situated, including all property which I may acquire or become entitled to after the execution of this Will, including all lapsed legacies and devises and all life insurance payable to my estate, I give, bequeath and devise in fee to my Brother, Andrew Michael Russell. Notwithstanding the foregoing, it is my intent and I hereby direct that any prior designation of my 401-K account other than to my Father, as above, be treated as a convenience designation only; and that my bequest to him of my Lochinvar 401-K be honored.

ARTICLE 3: PERSONAL REPRESENTATIVE

3.1 Personal Representative Named: I nominate Gregory A. Russell personal representative of my Will. If my said personal representative should fail to qualify or cease to serve, I appoint Terri Russell to serve as first alternate personal representative.

3.2 Waiver of Bond: I direct that any personal representative nominated by me to serve under this Will, whether original or successor, be permitted to qualify and serve without giving bond in this or any other jurisdiction.

ARTICLE 4: POWERS OF PERSONAL REPRESENTATIVE

The following general provision shall apply to my personal representative in addition to any others contained in this Will.

4.1 Waiver of Inventory, Reports, Accounting and Appraisal: I authorize my personal representative to administer and settle my estate without the necessity of filing an inventory or making any report or final settlement or accounting with any court to the extent permitted by law. I expressly waive appraisal of my estate.

4.2 Powers: My personal representative shall have each power set forth in *Tennessee Code Annotated,* §35-50-110, which I incorporate by reference into this Will. Further, my personal representative shall exercise, in general, all power with respect to the property included in my estate which any individual would exercise in the management of similar property owned in his own right and not to be responsible for losses, if any, resulting from honest mistakes of judgment.

ARTICLE 5: MISCELLANEOUS PROVISIONS

5.1 Funeral and Administration Expenses: My personal representative should pay my funeral expense (including the cost of a grave marker) and the expense of administering my estate from my residuary estate as soon as possible after my death.

5.2 Taxes and Expenses: 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.

5.3 Debts: My personal representative shall pay my lawful debts from my residuary estate.

IN WITNESS WHEREOF, I, Timothy Paul Russell, have hereunto set my hand to this, my Will, in the sight and presence of the undersigned witnesses, who at my request and in my sight and presence, and in the sight and presence of each other, have subscribed their names as attesting witnesses, all on this 28th day of August, 2007. Furthermore, I have requested these attesting witnesses, pursuant to *Tennessee Code Annotated* §32-2-110, to make the Affidavit which is attached to this Will.

Timothy Paul Russell

We, the undersigned attesting witnesses, do hereby swear and affirm that we witnessed the signing of the foregoing Will by Timothy Paul Russell, who acknowledged the document to be his last will and testament, which was signed in the sight and presence of each of us; and that we signed our own names as witnesses in the sight and presence of Timothy Paul Russell, and in the sight and presence of each other, all on this the 28th day of August, 2007.

Patricia M. Gwin
1714 Valleyview Drive
Mt. Juliet, Tennessee 37122

Shelton Hand
5731 Edmonson Pike #105
Nashville, TN 37211

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

We, **Patricia M. Gwin** and **Shelton Hand**, the undersigned attesting witnesses, after first being duly sworn according to law, make oath or affirm as follows:

1. That Timothy Paul Russell (hereafter called "Declarant") signed the foregoing Will on the same date as the date of this Affidavit, and at the time of such signing Declarant informed us that he signed it as his Will.

2. That Declarant signed this Will when we were both in Declarant's sight and presence. Contemporaneously with the signing, Declarant requested us to sign the Will as his attesting witnesses, which we did in Declarant's sight and presence, and in the sight and presence of each other.

3. That Declarant is more than eighteen (18) years of age as of this date, and we are both more than eighteen (18) years of age. Further, in our judgment, Declarant is legally competent to make a Will.

Witness our hands this the 28th day of August, 2007.

Patricia M. Gwin

Patricia M. Gwin, Witness
1714 Valleyview Drive
Mount Juliet, Tennessee 37122

Shelton Hand

Shelton Hand, Witness
5721 Edmonson Pike #105
Nashville, TN 37211

Sworn to or affirmed and subscribed before me, a Notary Public in and for said County and State, this the 28th day of August, 2007.

NOTARY PUBLIC

My Commission Expires: November 23, 2008

WILSON COUNTY
STATE OF TENNESSEE NOTARY PUBLIC
JOHN T. GWIN

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 ATTACHED EXHIBITS heretofore entered in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 20 day of OCTOBER , 2011 , in Case Number 11P1563 between RUSSELL, ANDREW MICHAEL Petitioner, and RUSSELL, TIMOTHY PAUL 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 04 day of NOVEMBER 2011

RICHARD R. ROOKER, Clerk,

SEAL



By _____
Deputy Clerk