Copy

Last Will and Testament of Gilbert W. Phillips

FILED 09P 1812

2009 DEC 18 PM 3:28

RICHARD R. ROOKER, CLERK

I, Gilbert W. Phillips, a resident of Davidson County, Tennessee, hereby make my last Will and Testament:

1. I hereby revoke all prior wills and codicils I have made.
2. I am presently widowed, and have one stepdaughter, Robyn R. Mace.
3. I give and bequeath all my entire estate, including personal property, tangible assets, and real estate to my stepdaughter Robyn Mace, including my two residences (1918 18th Avenue South, Nashville, TN, and 1723 Peach Avenue, Memphis, TN) to my stepdaughter Robyn. If she does not survive me, I give my residuary estate to her husband Christopher L. Packer.
4. I nominate and appoint my stepdaughter Robyn R. Mace to serve the Executrix of this my last will and testament, granting her full power and authority to sell and convey any or all of my estate, real and personal, or mixed, upon such terms and prices as she may deem proper, without obtaining any proper order of the court and without bond. If she for any reason fails to serve, then I name her husband Chris L. Packer as executor with the same aforementioned powers and authority.
5. I authorize my executor, to pay my enforceable unsecured debts and funeral expenses, expenses related to my last illness and death, and the expenses of administering the estate. I direct my executors to pay all estate, inheritance, and succession taxes (including any interest and penalties thereon) payable by reason of my death. I authorize my executor, if money has to be raised to pay my debts, taxes, or probate fees, to sell any assets I may own.

In Witness Whereof, I have hereunto subscribed my name, and acknowledge and publish this instrument as my Last Will and Testament, consisting of one page in the presence of the undersigned witnesses, on 27 September 2009.

Gilbert W. Phillips

Gilbert W. Phillips
1918 18th Ave. South
Nashville, TN 37212-3804

We hereby certify that the above named Gilbert W. Phillips subscribed his name thereto this day in our presence, and to us declared the same to be his last Will and Testament, and that we subscribe our names hereto as witnesses, at his request and in his presence, and that at the time of the signing, that he was of sound and disposing mind and not under any restraint, to the best of our knowledge and belief. We declare under penalty of perjury that the foregoing is true.

Witness our hand and signature in Shelby County, Tennessee on 27 September 2009.

Dana Karol Sutherland

Dana Karol Sutherland
1723 Peach Avenue, Memphis, TN 38112

Arthur Joseph Sutherland, IV
1723 Peach Avenue, Memphis, TN 38112

BILL GARRETT, Davidson County
Trans:T20110073071 WILL
Recvd: 11/18/11 11:13 8 pgs
Fees:42.00 Taxes:0.00

20111118-0090383

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FILED

IN THE SEVENTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
PROBATE DIVISION

2009 DEC -3 PM 2:33

RICHARD R ROOKER, CLERK

IN RE:	)	D.C.
MATTER OF GILBERT WAYNE PHILLIPS	)	DOCKET # 09P1812
PETITIONER ROBYN R. MACE	)	

AFFIDAVIT OF ARTHUR JOSEPH SUTHERLAND IV

1. That my name is Arthur Joseph Sutherland, IV and that I am over the age of 18.
2. That after first being duly sworn or affirming, make oath or affirm that I have examined the attached copy of the Last Will and Testament of Gilbert Wayne Phillips.
3. That said will was signed by Gilbert Wayne Phillips as and for, and at that time acknowledged, published and declared by him to be his Last Will and Testament, in the sight and presence of us, the two witnesses of the will.
4. That upon his request and in his sight and presence, and in the sight and presence of each of the two witnesses, having subscribed our names as attesting witnesses on the 27th day of September, 2009.
5. I would further make oath or affirm that the Testator was of sound and disposing memory, and not acting under the fraud, menace or undue influence of any person, and was more than eighteen (18) years of age;

Copy

and that each of the attesting witnesses were more than eighteen (18) years of age at the time of execution of said will.

6. That I have reviewed the attached copy of the will and that I have a specific recollection of the execution of said will.
7. That I recognize the signatures on the bottom of the will as being Gilbert Wayne Phillips signature, being my signature and being the signature of my wife.
8. That to the best of my knowledge, information and belief that this will was never revoked or otherwise destroyed.

(Sign Name)

Arthur J. Sutherland IV
(Print Name)

1723 Peach
Address

Memphis TN. 38112
City, State, Zip

Sworn to and subscribed to before me,
On this the 28 day of November 2009

NOTARY PUBLIC
My Commission Expires: 5/6/2013

JEFFREY G JONES
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

Copy

Last Will and Testament of Gilbert W. Phillips

I, Gilbert W. Phillips, a resident of Davidson County, Tennessee, hereby make my last Will and Testament:

1. I hereby revoke all prior wills and codicils I have made.
2. I am presently widowed, and have one stepdaughter, Robyn R. Mace.
3. I give and bequeath all my entire estate, including personal property, tangible assets, and real estate to my stepdaughter Robyn Mace, including my two residences (1918 18th Avenue South, Nashville, TN, and 1723 Peach Avenue, Memphis, TN) to my stepdaughter Robyn. If she does not survive me, I give my residuary estate to her husband Christopher L. Packer.
4. I nominate and appoint my stepdaughter Robyn R. Mace to serve the Executrix of this my last will and testament, granting her full power and authority to sell and convey any or all of my estate, real and personal, or mixed, upon such terms and prices as she may deem proper, without obtaining any proper order of the court and without bond. If she for any reason fails to serve, then I name her husband Chris L. Packer as executor with the same aforementioned powers and authority.
5. I authorize my executor, to pay my enforceable unsecured debts and funeral expenses, expenses related to my last illness and death, and the expenses of administering the estate. I direct my executors to pay all estate, inheritance, and succession taxes (including any interest and penalties thereon) payable by reason of my death. I authorize my executor, if money has to be raised to pay my debts, taxes, or probate fees, to sell any assets I may own.

In Witness Whereof, I have hereunto subscribed my name, and acknowledge and publish this instrument as my Last Will and Testament, consisting of one page in the presence of the undersigned witnesses, on 27 September 2009.

Gilbert W. Phillips
Gilbert W. Phillips
1918 18th Ave. South
Nashville, TN 37212-3804

We hereby certify that the above named Gilbert W. Phillips subscribed his name thereto this day in our presence, and to us declared the same to be his last Will and Testament, and that we subscribe our names hereto as witnesses, at his request and in his presence, and that at the time of the signing, that he was of sound and disposing mind and not under any restraint, to the best of our knowledge and belief. We declare under penalty of perjury that the foregoing is true.

Witness our hand and signature in Shelby County, Tennessee on 27 September 2009.

Dana Karol Sutherland
Dana Karol Sutherland
1723 Peach Avenue, Memphis, TN 38112

Arthur Joseph Sutherland, IV
Arthur Joseph Sutherland, IV
1723 Peach Avenue, Memphis, TN 38112

Copy

IN THE SEVENTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
PROBATE DIVISION

IN RE:	)	
MATTER OF GILBERT WAYNE PHILLIPS	)	DOCKET # 09P1812
PETITIONER ROBYN R. MACE	)	

AFFIDAVIT OF DANA KAROL SUTHERLAND

---

1. That my name is Dana Karol Sutherland and that I am over the age of 18.
2. That after first being duly sworn or affirming, make oath or affirm that I have examined the attached copy of the Last Will and Testament of Gilbert Wayne Phillips.
3. That said will was signed by Gilbert Wayne Phillips as and for, and at that time acknowledged, published and declared by him to be his Last Will and Testament, in the sight and presence of us, the two witnesses of the will.
4. That upon his request and in his sight and presence, and in the sight and presence of each of the two witnesses, having subscribed our names as attesting witnesses on the 27th day of September, 2009.
5. I would further make oath or affirm that the Testator was of sound and disposing memory, and not acting under the fraud, menace or undue influence of any person, and was more than eighteen (18) years of age; and that each of the attesting witnesses were more than eighteen (18)

Copy

years of age at the time of execution of said will.

6. That I have reviewed the attached copy of the will and that I have a specific recollection of the execution of said will.
7. That I recognize the signatures on the bottom of the will as being Gilbert Wayne Phillips signature, being my signature and being the signature of my husband.
8. That to the best of my knowledge, information and belief that this will was never revoked or otherwise destroyed.

Dana Karol Sutherland
(Sign Name)
Dana Karol Sutherland
(Print Name)
1723 Peach
Address
Memphis, TN 38112
City, State, Zip

Sworn to and subscribed to before me,
On this the 24 day of November 2009

NOTARY PUBLIC
My Commission Expires: 5/6/13

JEFFREY G JONES
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

Copy

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Gilbert W. Phillips

Gilbert W. Phillips
1918 18th Ave. South
Nashville, TN 37212-3804

We hereby certify that the above named Gilbert W. Phillips subscribed his name thereto this day in our presence, and to us declared the same to be his last Will and Testament, and that we subscribe our names hereto as witnesses, at his request and in his presence, and that at the time of the signing, that he was of sound and disposing mind and not under any restraint, to the best of our knowledge and belief. We declare under penalty of perjury that the foregoing is true.

Witness our hand and signature in Shelby County, Tennessee on 27 September 2009.

Dana Karol Sutherland

Dana Karol Sutherland
1723 Peach Avenue, Memphis, TN 38112

Arthur Joseph Sutherland, IV

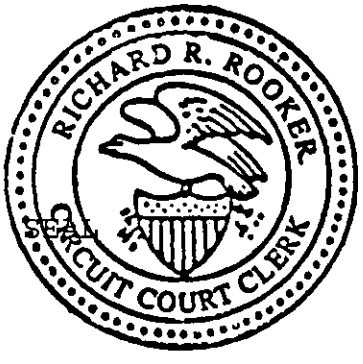
Arthur Joseph Sutherland, IV
1723 Peach Avenue, Memphis, TN 38112

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 18 day of DECEMBER , 2009 , in Case Number 09P1812 between MACE, ROBYN R. Petitioner, and PHILLIPS, GILBERT WAYNE ET.AL 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 07 day of JULY 2011

RICHARD R. ROOKER, Clerk,



By _____

Deputy Clerk