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RICHARD R. ROOKER, CLERK
D.C.

LAST WILL AND TESTAMENT

OF

GLADYS BROWN HARDIN

I, GLADYS BROWN HARDIN, social security number xxx-xx-3474, domiciled in Nashville, Davidson County, Tennessee, being of sound mind and disposing memory, do make, publish and declare this to be my Last Will and Testament, hereby revoking all wills and codicils heretofore made by me.

ARTICLE I

I direct that all of my just debts, my funeral expenses, (including the cost of a suitable monument at my grave), unpaid charitable pledges (whether or not the same are enforceable obligations of my estate), and the costs of administration of my estate, be paid as soon as practicable after my death. My Executor, in his sole discretion, may pay from my domiciliary estate all or any portion of the costs of ancillary administration and similar proceedings in other jurisdictions. In the event that any property or interest in property passing under this Will, by operation of law, or otherwise by reason of my death (other than as a part of my residuary estate), shall be encumbered by mortgage or lien, or shall be pledged to secure any obligation, (whether the property or interest in property so encumbered or pledged shall be owned by me jointly or individually), it is my intention that such indebtedness shall not be charged to or paid from my estate, but that the devisee, legatee, joint owner taking by

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survivorship, or beneficiary receiving such property or interest in property shall take it subject to all encumbrances existing at the time of my death.

I direct that there shall be paid out of my residuary estate, without apportionment, all estate, inheritance, succession and other taxes (together with any penalty thereon), assessed by reason of my death, imposed by the government of the United States, or any state or territory thereof, or by any foreign government or political subdivision thereof in respect of all property required to be included in my gross estate for estate or like tax purposes by any of such governments, whether the property passes under this Will or otherwise, including property over which I had a taxable power of appointment, without contribution by any recipient of any such property.

ARTICLE II

To the hereinafter named individuals, I bequeath the following:

1. To my adopted daughter, Marguerite Pointer, of Nashville, Tennessee, if she shall survive me, the sum of FIVE HUNDRED DOLLARS ($500.00) cash, if owned by me at my death.

2. To my cousin, Sheila Perry, of Nashville, Tennessee, if she shall survive me, the sum of FIVE HUNDRED DOLLARS ($500.00) cash, if owned by me at my death.

ARTICLE III

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, of whatsoever nature and wheresoever situated, including all property which I may acquire or become entitled to after the execution of this Will, including all lapsed legacies, devises and all life insurance payable to my

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estate, and all property over or concerning which I may have any power of testamentary disposition, control or appointment, I bequeath and devise in fee to my nephew, ROBERT WAYNE ABERNATHY, of Antioch, Tennessee, and my sister, Christine B. Hailey, in equal shares, share and share alike, *per stirpes*. I also nominate my said nephew, ROBERT WAYNE ABERNATHY, to serve as Executor of this my Last Will and Testament, without bond. I direct that my said Executor shall not be required to file an inventory of my estate, which is hereby waived.

ARTICLE IV

Without diminution or restriction of the powers vested in him by law, or elsewhere in this instrument, and subject to all other provisions of this instrument, my Executor, without the necessity of procuring any judicial authorization therefor, or approval thereof, shall be vested with, and in the application of his best judgment and discretion in behalf of the beneficiaries of this instrument shall be authorized to exercise, any or all of the powers set forth in Tennessee Code Annotated, Section 35-50-110, to the extent applicable, all of which provisions and powers are incorporated herein by reference as fully as if copied herein verbatim. These powers (as set out in said statute on the date of the execution of this Will) are granted, notwithstanding that said statute may be amended hereafter or repealed at the time of my death. Further, my Executor above named shall have the power to sell, transfer and convey my house and lot located at 3213 W. Hamilton Avenue, Nashville, Tennessee 37218, if owned by me at my death, and to convert same to cash for distribution to the beneficiaries of this my Last Will and Testament, without the prior consent of the beneficiaries of this my Last Will and Testament, and without the necessity of obtaining prior court approval, and even though my then

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probate estate may otherwise be solvent and able to pay all of the debts, charges and obligations of my estate in full. Said house and lot are more fully described as being Lot 285 on the Map of Treppard Heights, Section IV, as of record in Book 2854, Page 16, Register's Office for Davidson County, Tennessee.

ARTICLE V

All language of a masculine gender contained in this Will, where appropriate, shall be read to include the feminine and vice versa. Likewise, words having a singular subject shall, where appropriate, be read to include the plural and vice versa, and the term Executor shall, where appropriate, be read to include any successor or alternate Executor.

ARTICLE VI

I have two living brothers and one living sister, namely, John W. Brown, Lewis E. Brown, and Shirley M. Smith. I intentionally make no provision in this my Last Will and Testament for my said brothers and sister as I deem each of them to be financially secure in their own right.

IN WITNESS WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of this and three preceding typewritten pages and for the purpose of identification, I have initialed each such page, all in the presence of the persons witnessing it at my request, on this the 23 day of April, 2010, at Nashville, Davidson County, Tennessee.

Gladys Brown Hardin
GLADYS BROWN HARDIN, Testatrix

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ATTESTATION

The foregoing instrument, consisting of this and four preceding typewritten pages, was signed, sealed, published and declared by GLADYS BROWN HARDIN, the Testatrix, to be her Last Will and Testament, in our presence and sight, and we, at her request, and in her presence and sight, and in the presence and sight of each other, have hereunto subscribed our names as witnesses, this 23 day of April, 2010, at Nashville, Davidson County, Tennessee.

Cindy D. Blair
137 St Andrews Dr
Hendersonville, TN 37075

CJ A. B
137 St. Andrews Dr.
Hendersonville, TN 37075

This Instrument Prepared By:

STEPHEN L. EDWARDS
Attorney at Law
P. O. Box 1503
Hendersonville, TN 37077-1503

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AFFIDAVIT OF WITNESSES TO PROVE WILL

State of Tennessee)

County of Davidson)

Cindy L. Blair and Cayla A. Blair, after being duly sworn according to law, depose and say:

1. That they are adult citizens of Davidson County, Tennessee;

2. That they witnessed the execution of the Last will and Testament of GLADYS BROWN HARDIN, of even date herewith, to which this affidavit is attached, and that this affidavit is being made at the request of the said testatrix, and in accordance with Tennessee Code Annotated, Section 32-2-110;

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 testatrix and in her presence, and in the presence of each other, at the place and on the date recited in said Last Will and Testament;

4. That the testatrix signed said paper writing as and for her Last Will and Testament in their sight and presence; and

5. That at the time they witnessed said will, the Testatrix, GLADYS BROWN HARDIN, was, in their opinion, of sound mind and disposing memory.

Witness

Witness

Subscribed and sworn to before me this 23rd day of April, 2010.

Notary Public

STEPHEN L. EDWARDS STATE OF TENNESSEE NOTARY PUBLIC SUMNER COUNTY

My Commission expires: September 23, 2013

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 25 day of MAY , 2011 , in Case Number 11P560 between ABERNATHY, ROBERT W. Petitioner, and HARDIN, GLADYS B. 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 30 day of JANUARY 2012

RICHARD R. ROOKER, Clerk,



By

Deputy Clerk