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RICHARD R. ROOKER, CLERK
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LAST WILL AND TESTAMENT
OF
MARY JUANITA CARR FUSSELL

I, Mary Juanita Carr Fussell, a resident and citizen of Davidson County, Tennessee, being of sound and disposing mind and memory do make, publish and declare this to be my last will and testament, revoking all prior testamentary instruments. I am single and have no children.

ARTICLE I

Appointment of Personal Representative

I appoint Carol Ruth Allen of Nashville, Tennessee to serve as Executrix of my estate, and direct that she be permitted to serve as such without bond. These and any other successor fiduciaries are referred to generally herein as "my personal representative" or "my fiduciary". I direct that to the extent allowed by law, my personal representative be excused from filing a preliminary, interim, final or any other inventory otherwise required by the Probate Clerk of the Court having jurisdiction over my estate.

If Carol Ruth Allen should predecease me, or if she is unable or unwilling to serve, I then appoint by step-grand daughter, Teri Nicholson, to serve as Executrix and direct that

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she be excused from making bond.

Expenses, Debts and Taxes

All of my lawful debts, pledges, funeral expenses (whether or not another person is obligated to pay the same), and expenses of the administration of my estate shall be paid from my general estate as my fiduciary named herein determines appropriate and proper. I direct that my Executor may pay out of my residuary estate as provided therein and without apportionment, all inheritance, estate and similar taxes which may be assessed or imposed with respect to my estate or property passing outside my probate estate and without contribution from any recipient of any property required to be included for tax purposes.

I direct that any debts of mine which are secured by mortgages, deeds of trust or other security instruments be continued according to their terms and the property interest delivered to the beneficiary subject to the unpaid balance of the obligation.

ARTICLE II

Real Property

I leave to Carol Ruth Allen my interest in the house we jointly own located at 1205 Winter Breeze Court, Nashville, Tennessee, subject to the unpaid balance of any indebtedness secured by the property.

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Any real property I own at my death is to be administered as a part of my probate estate subject to the control of the Executor for purposes of administration, as authorized by T.C.A. § 31-2-103(a). So long as the Executor serves, the Executor shall have the same power over the title to real property as an absolute owner would have, including but not limited to the power to sell, mortgage, lease or otherwise convey any interest in any real estate without the joinder, consent or approval of any heir, legatee, beneficiary, court or other person, provided that in exercising such power the Executor shall be acting in a fiduciary, not an individual, capacity.

In the event that Carol Ruth Allen does not survive me, I leave the house located at 1205 Winter Breeze Court, Nashville, Tennessee, to my step-grand daughter, Teri Nicholson and to Ruth H. Hunter, as tenants in common, subject to the unpaid balance of any indebtedness secured by the property.

ARTICLE III

Tangible Personal Property

I leave the following items of personal property to Carol Ruth Allen: any interest I have in household furniture, furnishings and equipment which I co-own with Carol Ruth Allen and all furniture which is located in my home and owned solely by me. In the event

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Carol Ruth Allen does not want the furniture located in my home, it shall be given to Teri Nicholson.

All my remaining personal property, shall be divided equally among Carol Ruth Allen and Teri Nicholson.

All bequests under this Article or any document described above in this Article are contingent upon my owning the item or items bequeathed at my death and upon the Recipient surviving me, unless I expressly provide otherwise.

I direct that any expenses incurred in safeguarding or delivering such property be paid from my estate as an administrative expense thereof.

Alternate Beneficiaries

If any beneficiary named hereinbefore does not survive me, I then leave such tangible personal property previously designated for that beneficiary to those who do survive of the following: Carol Ruth Allen and Teri Nicholson in as equal portions as is practicable, under the supervision and direction of my personal representative.

Discretion of Personal Representative

In addition to the authority and discretion granted my personal representative in the preceding paragraphs, I further authorize my personal representative to give such part of my

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furniture, household furnishings, personal effects, wearing apparel and articles of personal adornment not wanted by my beneficiaries to my friends, or to a worthy charitable organization.

If there is a dispute over the disposition of items of tangible personalty passing under this Article of my Will, my personal representative shall have the authority to sell these items at a public or private sale and distribute the cash proceeds in lieu of the items of personalty.

The decision of my personal representative on valuation of assets, assignment of assets to beneficiaries, and all other matters under this Will is conclusive and binding on each beneficiary.

ARTICLE IV

Disposition of Residuary

I leave to Carol Ruth Allen the rest, residue and remainder of my net estate wheresoever located or situated, which I own or to which I may be entitled at the time of my death, after all debts and expenses.

If Carol Ruth Allen does not survive me, I leave the rest, residue and remainder of my net estate to Teri Nicholson and Ruth H. Hunter, in equal shares.

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ARTICLE V

Fiduciary Powers

In extension and not in limitation of the powers given by law or other provisions of this Will, I direct that the Executors under this Will, any successor Executors, the Trustees and any successor Trustees shall have all powers and authority as set out in Section 35-50-110 of the Tennessee Code Annotated as it presently exists and as it may be amended from time to time, all of which provisions and powers are incorporated herein by reference as fully as if copied herein verbatim.

Payments to Minors, Etc.

If my fiduciary determines that income or principal is payable to a minor or to a person under a mental or physical disability, whether or not adjudicated, then my fiduciary shall have the discretion to either make payments directly to the beneficiary, to the legally appointed guardian or conservator or by disbursing and using such amounts directly for the benefit of such beneficiary. No recipient of payments from my fiduciaries for the benefit of a minor or incompetent shall be required to furnish bond with respect to any such funds, nor make reports as to the disposition of same.

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Beginning of Payments

Beginning as soon as possible after my death, my personal representative may begin making payments to the beneficiaries during the administration of my estate and need not wait for the final settlement of the estate. My personal representative shall be given credit on the settlement of the estate for all disbursements made to the beneficiaries under the provisions of this power.

Disposition of Life Insurance Proceeds

My personal representative shall distribute life insurance proceeds payable to my estate according to the provisions of this Will or, in his or her discretion, use all or a part of the proceeds for the payment of funeral and administration expenses, death taxes and my lawful debts.

ARTICLE VI

Common Disaster

In the event any beneficiary under this Will should die under such circumstances as to make it impossible to determine the order of our deaths, or if any beneficiary should not survive me by ninety days, it shall be presumed for all purposes of this Will that the beneficiary did not survive me.

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IN WITNESS WHEREOF, I have executed this as my Last Will and Testament at Nashville, Tennessee, this 13th day of February, 2004, and request the attesting witnesses to make the affidavit set out below.

Mary Juanita Carr Fussell
Mary Juanita Carr Fussell
Testatrix

On the date shown above, Mary Juanita Carr Fussell, produced to us the foregoing instrument, consisting of seven typewritten pages each of which was initialed by her, and declaring it to be her Last Will and Testament, and she signed the same in our sight and presence and we, the undersigned, at her request and in her sight and presence, and in the sight and presence of each other, have signed our names on the day and date above shown.

ATTEST TO EXECUTION OF WILL: ADDRESSES:

Janet D Coleman
Witness

6961 Somerset Farms Circle
Nashville TN 37221

Albert E Coleman
Witness

6961 Somerset Farms Circle
Nashville TN 37221

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STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

AFFIDAVIT OF ATTESTING WITNESSES

We, the undersigned witnesses to the foregoing Last Will and Testament to which this is attached, being more than eighteen years of age and having no interest in her estate, do depose and make affidavit that Juanita C. Fussell on the day and date shown, produced the foregoing instrument, consisting of ten typewritten pages each of which was initialed by her, declared same to be her Last Will and Testament and signed it as such in our sight and presence and we, at her request and in her sight and presence, and in the sight and presence of each other, signed as attesting witnesses. At the time, we considered Juanita C. Fussell to be of sound mind and knew her to be more than eighteen years of age.

Sworn to and subscribed before me on this the 13th day of February, 2004.

Notary Public

My Commission Expires: My Commission Expires MAR. 26, 2005

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 17 day of AUGUST , 2011 , in Case Number 11P1146 between ALLEN, CAROL RUTH Petitioner, and FUSSELL, MARY JUANITA CARR 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 31 day of JANUARY 2012

RICHARD R. ROOKER, Clerk,

SEAL

By _____
Deputy Clerk