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RICHARD RIDDICK, CLERK
D.C.

LAST WILL AND TESTAMENT

OF

MARGARET L. BANNIZA

I, MARGARET L. BANNIZA a resident of 698 Harding Place, Nashville (Davidson Tennessee, being of sound mind and disposing memory, do hereby make, publish and declare this to be my LAST WILL and TESTAMENT, hereby revoking and making void all Wills, Codicils and other testamentary dispositions heretofore executed by me.

I.

I direct that all my just debts, including funeral expenses, and expenses in connection with the administration of my estate (including any estate, inheritance or other taxes legally imposed on my estate) be paid out of my general estate by my Executor or Executrix hereinafter named as soon as practicable after the time of my death.

To this end I authorize my said Executor or Executrix to use and/or sell any of my property, real, personal and/or mixed and to execute all conveyances and related documents necessary to effectuate such sale without obtaining an order from Court to do so.

II

After the above payments I hereby make the following specific bequests:

1. I hereby give, devise and bequeath the house and lot that I own at 700 Harding Place, Nashville, Davidson County, Tennessee in equal shares to my sons, namely JAMES R. BANNIZA, ROBERT BANNIZA, HARRY BANNIZA, CHARLES BANNIZA, LARRY BANNIZA AND MICHAEL ANTHONY BANNIZA. If any of my sons be deceased at the time of my death, I give, devise and bequeath his share to his surviving children in equal shares.

BILL GARRETT, Davidson County
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2. I hereby give, devise and bequeath the house and lot (which is my primary residence) located at 698 Harding Place, Nashville, Davidson County, Tennessee to my daughters, TELISA DAWN GREENE and BARBARA ANN BANNIZA as follows: To TELISA DAWN GREENE I give a three fourths undivided interest and to BARBARA ANN BANNIZA a one fourth undivided interest. I hereby give, devise and bequeath all furniture, fixtures and personal items located in said house to my daughter TELISA DAWN GREENE.

3. I hereby give, devise and bequeath all my collection of coins and or silver money to my daughters TELISA DAWN GREENE and BARBARA ANN BANNIZA for the purpose of dividing the collection as equally as possible among of my living children as heretofore named this my Last Will and Testament. The manner of division shall be in the sole discretion of my said daughters with no other child having the right to contest said division.

4. I hereby give, devise and bequeath all my jewelry go to my two daughters, TELISA DAWN GREENE and BARBARA ANN BANNIZA.

III.

After the payment and or disbursement of all the specific bequests and expenses of administration hereinabove setforth I hereby give divise and bequeath all the rest, residue and remainder of my property real, personal or mixed, tangible or intangible in equal shares to my eight children, namely BARBARA ANN BANNIZA, JAMES R. BANNIZA, HARRY BANNIZA, ROBERT BANNIZA, CHARLES BANNIZA, LARRY BANNIZA, MICHAEL ANTHONY BANNIZA and TELISA DAWN GREENE. To this end my Executrix or Executor hereinafter named shall have the authority to convert any item to cash in order to effectuate an equal division of my assets and to execute any and all documents necessary. However it is my wish and I hereby, give devise bequeath and direct that FIVE THOUSAND AND NO/100 DOLLARS (5,000.00) of any cash money going to my son ROBERT BANNIZA be distributed directly to his son RICHIE BANNIZA by my Executrix or Executor hereinafter named as his sole and separate property.

IV

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I hereby nominate and appoint my daughter, TELISA DAWN GREENE as Executrix of this My Last Will and Testament and hereby excuse and exonerate her from giving bond or other security or filing inventory for the faithful discharge of her duties. In the event she is unable to serve I appoint my daughter, BARBARA ANN BANNIZA as Executrix and if both daughters are unable to serve I appoint my son, LARRY BANNIZA as Executor of this My Last Will and Testament. Should either Barbara Ann Banniza or Larry Banniza be appointed Executrix or Executor I hereby also excuse and exonerate either of them from giving bond or other security or filing inventory for the faithful discharge of their duties.

Any Beneficiary under this Will who files legal action in any Court contesting this My Last Will and Testament shall forfeit any bequest granted under this Will.

IN WITNESS THEREOF I, MARGARET L. BANNIZA have hereunto set my hand to this my LAST WILL AND TESTAMENT and declare it and publish it as such in the presence of witnesses, at Nashville, Tennessee, on this 27 day of December 1999.

Margaret L. Banniza
TESTATRIX

Signed, sealed, published and declared by the TESTATRIX to be her LAST WILL and TESTAMENT in the presence of all of us at one and the same time, and we, at her request and in her presence and in the presence of each other, have hereunto subscribed our names as witnesses, and we hereby attest to the sound and disposing mind of said Testatrix and to the performances of the aforesaid act of execution at the place and on the date hereinabove set out.

Sonya M. Berry — 109 Shacklett Lane, Antioch, TN 37013
WITNESS **ADDRESS**

William T. Berry — 109 Shacklett Lane Ct. Antioch TN 37013
WITNESS **ADDRESS**

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

IN RE:	)	
	)	
MATTER OF	)	DOCKET # 091439
MARGARET L. BANNIZA	)	
	)	
PETITIONER	)	
TELISA PHELPS	)	

AFFIDAVIT OF SONJA M. BERRY

1. That my name is Sonja M. Berry 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 Margaret L. Banniza.
3. That said will was signed by Margaret L. Banniza as and for, and at that time acknowledged, published and declared by her to be her Last Will and Testament, in the sight and presence of us, the two witnesses of the will.
4. That upon her request and in her 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 December, 1999.
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)

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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 Mrs. Banniza's 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.

Sonja M. Berry
(Sign Name)
SONJA M. BERRY
(Print Name)
143 BERRY Rd.
Address
ROGERSV. TN, TN 37857
City, State, Zip

Sworn to and subscribed to before me,
On this the 20 day of Aug., 2009
Sharon D. Winstead
NOTARY PUBLIC
My Commission Expires: 12/2/09

SHARON D. WINSTEAD
STATE OF TENNESSEE NOTARY PUBLIC
HAWKINS COUNTY
My Commission Expires December 2, 2009

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

IN RE:	)	
MATTER OF MARGARET L. BANNIZA	)	DOCKET # 99P1439
PETITIONER TELISA PHELPS	)	

AFFIDAVIT OF WILLIAM T. BERRY

1. That my name is William T. Berry and that I am over the age of 18 and am an attorney licensed in the State of Tennessee and have been since 1968. That my license is currently active and in good standing.
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 Margaret L. Banniza.
3. That said will was signed by Margaret L. Banniza as and for, and at that time acknowledged, published and declared by her to be her Last Will and Testament, in the sight and presence of us, the two witnesses of the will.
4. That upon her request and in her 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 December, 1999.
5. I would further make oath or affirm that the Testator was of sound and

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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) 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 Mrs. Banniza's 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.

William T. Berry
(Sign Name)
William T. Berry
(Print Name)
143 Berry Rd.
Address
Rogersville TN 37857
City, State, Zip

Sworn to and subscribed to before me,
On this the 20th day of Aug., 2009
Sharon D. Winstead
NOTARY PUBLIC
My Commission Expires: 12/2/09

SHARON D. WINSTEAD
STATE OF TENNESSEE NOTARY PUBLIC
HAWKINS COUNTY
My Commission Expires December 2, 2009

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 08 day of OCTOBER , 2009 , in Case Number 09P1439 between PHELPS, TELISA ET.AL Petitioner, and BANNIZA, MARGARET 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 13 day of MARCH 2012

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL