Davidson County AFFIDAVIT
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# ATTORNEY'S AFFIDAVIT

THIS INSTRUMENT PREPARED BY
Jim R. Vanderpool, P.C.,
256 Seaboard Lane, G-104, Franklin, TN 37067
file # 12-04556 MATTINGLY

**Affiant:** **Jim R. Vanderpool**
**To:** **Register's Office for Davidson County, Tennessee**
**Re:** **A Last Will and Testament of James Albert Phillips of record in the Seventh Circuit Court for Davidson County, Tennessee Will Book 168, Page 453**

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

BEFORE ME, the undersigned Notary who is authorized to administer oaths and take testimony in the aforesaid jurisdiction, personally appeared before me, Jim R. Vanderpool , who is well known to me and said person swore under oath and stated as follows:

For the purposes of muniment of title the Affiant desires to record an exact copy of the Last Will and Testament of James Albert Phillips ("Document") as found in the Seventh Circuit Court for Davidson County, Tennessee Will Book 168, Page 453. Said Document is attached hereto.

FURTHER AFFIANT SAYS NOT

WITNESS my hand on this Thursday, May 24, 2012.

Jim R. Vanderpool

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Personally appeared before , the undersigned, a Notary Public, in and for said County and State, the within named, Jim R. Vanderpool , the Scrivener(s), with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that he/she/they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Franklin, Tennessee , this Thursday, May 24, 2012

Notary Public_____

My Commission Expires:_____

CHAD I. PEARMAN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES
JULY 3, 2012

Certificate of Authenticity

I, Jim R. Vanderpool, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Signature

State of Tennessee
County of Williamson

Personally appeared before me, the undersigned, a notary public for this county and state, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Notary's Signature

My Commission Expires

CHAD I. PEARMAN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES
JULY 3, 2012

12206
9-29-89

WB168
453

# Last Will and Testament

OF

JAMES ALBERT PHILLIPS

I, JAMES ALBERT PHILLIPS, of Nashville, Davidson County, Tennessee, do hereby make, publish and declare this to be my last will and testament, hereby revoking all wills, testaments and codicils previously made by me.

I

I direct that all debts that shall be legally owing by me, my funeral expenses and the expenses of administration of my estate, be paid by my Executrix as soon as practicable, except that as to any debt secured by real estate, whether by mortgage or by any other security instrument, my Executrix may pay such debt or permit such real estate to pass subject to such debt. I further direct my Executrix to pay all estate, inheritance and death taxes that shall be imposed by reason of my death, including such taxes on proceeds of insurance on my life, whether or not the property, transfer or proceeds with respect to which said taxes are levied are a part of my testamentary estate at my death.

II

I bequeath and devise all of my estate, of every kind and character, real personal or mixed, to my wife, VIVIAN EDWARDS PHILLIPS, but if my wife should not survive me or if we should lose our lives as a result of a common casualty or under circumstances which would make it difficult or impossible to determine which of us

died first, then in either such events, I bequeath and devise all of my property of every kind and character to my adult daughter, PATTY ANNE ZEIGLER. If my wife, VIVIAN EDWARDS PHILLIPS, and I shall die under such circumstances that there is not sufficient evidence to determine the order of our deaths, or if she shall die within a period of thirty (30) days after the date of my death, then all bequests, devises and provisions made under this will to and for her benefit shall be void, and my estate shall be administered and distributed, in all respects, as though my said wife, VIVIAN EDWARDS PHILLIPS, had not survived me.

III

I hereby appoint my daughter, PATTY ANN ZEIGLER, as Executrix of this my Last Will and Testament and request that she not be required to furnish bond for the faithful performance of her duties. If she should die, resign, be disqualified or unwilling or unable to act as such, whether before or after entering upon her duties, then I name my son-in-law, BILLY ZEIGLER, as Alternate Executor hereunder. I direct that any Executor or Executrix appointed be permitted to qualify and serve without giving bond in this or any other jurisdiction. I direct that my attorney, H. FRED FORD, assist my Executrix in administering my estate.

IV

If my wife does not survive me, I hereby give, devise and bequeath all of my estate of every kind and character real personal or mixed to my beloved daughter, PATTY ANN ZEIGLER. In the event that my beloved wife and daughter do not survive me, I give devise and bequeath all of my estate of every kind and character, real personal or mixed to my grandson who is the son of my daughter, PATTY ANN ZEIGLER. In the event that my property passes to my grandson, BARRY WAYNE ZEIGLER, I desire nominate and appoint his father, BILLY ZEIGLER, to be the trustee of the property of his

son surviving me; I direct that he is to have the complete and exclusive management and control of the property accruing to his son and I further direct that he shall have exclusive control of his son's custody, care and control and education. I direct that no bond or other security shall be required in any jurisdiction for the faithful performance of his respective duties as guardian of his son.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of this and two (2) preceding typewritten pages, and for the purpose of identification I have initialed such pages, all in the presence of the persons witnessing it at my request on this the 21 day of June, 1974, at Nashville, Tennessee.

James Albert Phillips
TESTATOR

* * * * * * * * * * *

The foregoing instrument, consisting of this and two preceding typewritten pages, was signed, sealed, published and declared by JAMES ALBERT PHILLIPS, the Testator, to be his Last Will and Testament, in our presence, and we, at his request and in his presence and in the presence of each other, have hereunto subscribed our names as witnesses, this the 21 day of June, 1974, at Nashville, Tennessee.

Robert F. Harris
247 Donnaha Dr
Nashville, Tn 37214

W. Fred Ford
503 Williamsburg Rd
Brentwood Tennessee

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