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12P960

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2012 JUN 27 PM 3:29

RICHARD R. ROOKER: CLERK

D.C.

Last Will and Testament

OF

MYRTLE FRANCES ALLEN

I, MYRTLE FRANCES ALLEN, of Davidson County, Tennessee, being of sound mind and disposing memory, do make, declare, and publish this my Last Will and Testament, hereby revoking all former wills and codicils to wills heretofore made by me.

ARTICLE I

I direct that all of my just debts, including my funeral expenses and the cost of administration, be paid out of my general estate by my co-executors as soon as practicable after my death. To this end, I authorize my co-executors to sell any of my property, real, personal, or mixed, and to execute all conveyances necessary to effectuate such sale. I expressly authorize my co-executors to make distributions in kind. I authorize my co-executors in their discretion to use insurance proceeds payable to my estate to satisfy any debts or taxes of my estate. All inheritance and estate taxes assessable by reason of my death shall be discharged by my estate without charge or apportionment against any beneficiary of assets whether passing under this will or otherwise.

ARTICLE II

I hereby give, devise and bequeath one-half of my interest in the property at 98 Keaton Avenue including the lot, the building and Allen's Lawnmower Shop located therein to my son, LESLIE W. ALLEN, and direct that the other one-half pass under the residuary clause of this Will. I further give, devise and bequeath all of my right, title and interest in and to the property, a house and lot, located at 112 Hickerson Street to my daughter, ANNA M. COX. If my said daughter, ANNA M. COX, should predecease me, then I hereby direct that all of my right, title and interest in and to said property shall pass to my son-in-law, ANDREW J. COX.

BILL GARRETT, Davidson County
Trans:T20120053729 WILL
Recvd: 07/23/12 08:08 8 pgs
Fees:42.00 Taxes:0.00
20120723-0064165

Myrtle Frances Allen
MYRTLE FRANCES ALLEN

Copy

ARTICLE III

I hereby give, devise and bequeath the rest, residue and remainder of any property which I may own at the time of my death, whether real, personal or mixed, wherever situated to be divided equally among the following persons, a one-sixth share to each of my surviving children, MARGARET CAPPS, GERALD WAYNE ALLEN, ALICE FAYE HOGAN, ANNA MARIE COX and LESLIE W. ALLEN, and the remaining one-sixth to be divided equally between the two children of my late son, JAMES W. ALLEN, to wit, KATHERINE DAWN KELSO and JOHN LAWRENCE ALLEN. If any child or grandchild fails to survive me, then his or her share shall be divided equally among his or her children then living. If any of my children fail to survive me and leave no children surviving him or her, then that child's share shall pass to my surviving children.

ARTICLE IV

I hereby nominate, constitute and appoint my son, LESLIE W. ALLEN, and my daughter, ANNA MARIE COX, as co-executors of my estate. Should one of the co-executors not survive me or is unable or unwilling to serve, then I direct that the remaining co-executor may serve alone under the same terms and conditions set forth herein. I direct that no bond or other security shall be required of my said co-executors for the faithful performance of their duties as such and that they shall not be required to file any inventory of my estate. I further waive the requirement of filing any and all accounting of my estate, including any final accounting.

IN WITNESS WHEREOF, I have hereunto set my hand to this Last Will and Testament at Goodlettsville, Tennessee, on this the 27 day of April, 2000.

Myrtle Frances Allen
MYRTLE FRANCES ALLEN

Myrtle Frances Allen
MYRTLE FRANCES ALLEN

Copy

Signed, sealed, published and declared by the testatrix, MYRTLE FRANCES ALLEN, to be her Last Will and Testament in the presence of us, the undersigned, who, at her request and in her sight and presence and in the presence of each other, have subscribed our names as witnesses and do hereby attest to the sound and disposing mind of said testatrix, MYRTLE FRANCES ALLEN, and to the performance of the aforesaid act of execution at the place and on the date herein set out.

WITNESS

WITNESS

Myrtle Frances Allen
MYRTLE FRANCES ALLEN

Copy

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Jennifer Smith and Donna G. Smith being duly sworn, make oath that they are the witnesses to the Last Will and Testament of MYRTLE FRANCES ALLEN, said Will being dated on the 27 day of April, 2000, that at the time of the signing of said Will, they and the Testatrix were more than eighteen (18) years of age, that said Will was signed by her in their presence, and that they, at the request of the Testatrix, and in her sight and presence and in the sight and presence of each other, subscribed their names as witnesses to said Will, and, in their opinion, the Testatrix, MYRTLE FRANCES ALLEN, was at the time of sound mind and disposing memory, and that said Will was entered into without undue influence or coercion.

Jennifer Smith
WITNESS

Donna G. Smith
WITNESS

Sworn to and subscribed before me

this the 27 day of April, 2000.

NOTARY PUBLIC

My Commission Expires: 5-26-2002

Myrtle Frances Allen
MYRTLE FRANCES ALLEN

Copy

129960

Myrtle Frances Allen
403 Keeton Ave.
Old Hickory ,Tennessee
37138
Davidson County
Home Phone 615-847-7449

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2012 JUN 27 PM 3:29

RICHARD R. ROOKER, CLERK

D.C.

January 13, 2008

I, Myrtle Frances Allen would like to add this amendment to my will. I want to remove my grandchildren Katherine Dawn Kelso and John Lawrence Allen from this document.They are not to receive anything that is to be left to the remaining people in this will.

Myrtle Frances Allen

Myrtle Frances Allen

Clella Price

Signature Witnessed by ~~Myrtle Frances Allen~~

MY COMMISSION EXPIRES: March 31, 2009

Notarized and Witnessed on June M. Gammon

Date 1-15-08 Time 4:15

JUNE M. GAMMON
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY

Copy

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

FILED
2012 JUN 21 AM 8:35
RICHARD R. ROOKER, CLERK
D.C.

IN RE:

ESTATE OF MYRTLE FRANCES ALLEN) No. 12P960

AFFIDAVIT

STATE OF TENNESSEE

COUNTY OF DAVIDSON

I, CLELLA PRINCE, being duly sworn, make oath that I was one of the witnesses to the Codicil to the Last Will and Testament of MYRTLE FRANCES ALLEN, said Codicil being dated on the 15th day of January, 2008, that at the time of the signing of said Codicil, I and the Testatrix were more than eighteen (18) years of age, that said Codicil was signed by her in the presence of both witnesses, and that we, at the request of the Testatrix, and in her sight and presence and in the sight and presence of each other, subscribed our names as witnesses to said Codicil and, in my opinion, the Testatrix, MYRTLE FRANCES ALLEN, was at the time of sound mind and disposing memory, and that said Codicil was entered into without undue influence or coercion.

Clella J. Prince
CLELLA PRINCE

Sworn to and subscribed before me
this the 15 day of June, 2012.

GRAYSON SMITH CANNON
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

NOTARY PUBLIC

My Commission Expires: 3-3-2014

Copy

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

IN RE:)
) No. 12P960
ESTATE OF MYRTLE FRANCES ALLEN)

AFFIDAVIT

STATE OF TENNESSEE

COUNTY OF DAVIDSON

I, JUNE M. GAMMON, being duly sworn, make oath that I was one of the witnesses to the Codicil to the Last Will and Testament of MYRTLE FRANCES ALLEN, said Codicil being dated on the 15th day of January, 2008, that at the time of the signing of said Codicil, I and the Testatrix were more than eighteen (18) years of age, that said Codicil was signed by her in the presence of both witnesses, and that we, at the request of the Testatrix, and in her sight and presence and in the sight and presence of each other, subscribed our names as witnesses to said Codicil and, in my opinion, the Testatrix, MYRTLE FRANCES ALLEN, was at the time of sound mind and disposing memory, and that said Codicil was entered into without undue influence or coercion.

June M. Gammon
JUNE M. GAMMON

Sworn to and subscribed before me

this the 15 day of June, 2012.

GRAYSON SMITH CANNON
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

NOTARY PUBLIC

My Commission Expires: 3.3.2014

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 27 day of JUNE , 2012 , in Case Number 12P960 between ALLEN, LESLIE W. ET.AL Petitioner, and ALLEN, MYRTLE FRANCES 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 05 day of JULY 2012

RICHARD R. ROOKER, Clerk,

By _____

Deputy Clerk

SEAL

RICHARD R. ROOKER
CIRCUIT COURT CLERK