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FILED
JUN 20 2012
RICHARD R. ROOKER, Clerk
By _____ Deputy

LAST WILL OF

ARTHUR WILLIAM HEATH

I, ARTHUR WILLIAM HEATH, of Davidson County, Tennessee, declare this to be my last will and revoke all other wills and codicils I may have made.

PART I. EXECUTOR

Section 101. Appointment of Executor. I appoint my step-daughter, SHANNON WRIGHT, as Executor of this will. In the event my step-daughter shall not act for any reason, or shall fail to qualify, die, resign, or cease to act for any reason, I appoint my step-daughter in law, Sharon Kinney, as Executor in place of my daughter. I direct that no bond or other security shall be required of any of my Executors for the faithful performance of their duties as such, and that they shall not be required to file any inventory of my estate.

Section 102. Powers of Executor. I authorize my Executor (including any substitute or successor personal representative), in the exercise of a reasonable discretion with respect to all property at any time forming part of my estate, to exercise all of the powers set forth in Section 35-50-110 of the Tennessee Code Annotated, all of which provisions and powers are incorporated herein by reference, as applicable.

PART II. DEBTS, EXPENSES, AND TAXES

Section 201. Debts and Expenses. I direct that all of my just debts except debts secured by mortgages or other security, which may be paid off or retained in the discretion of my Executor, my funeral expenses, and the costs of the administration of my estate, be paid out of my general estate as soon as practicable after my death.

Section 202. Taxes. I direct that all estate, inheritance, succession, or other death taxes which may be payable by, or chargeable, against my estate, or any of the beneficiaries thereof, be paid out of my general estate as an expense of administration, without apportionment or proration among the beneficiaries.

Section 203. Tax Deductions. I authorize my Executor, in her sole and absolute discretion, to use administration expenses as deductions for estate tax purposes, and to use the date of death values or optional values for estate tax purposes, regardless of the effect thereof on any of the beneficiaries by reason of any action taken by my Executor pursuant thereto.

BILL GARRETT, Davidson County
Trans:T20120054841 WILL
Recvd: 07/26/12 09:40 7 pgs
Fees:37.00 Taxes:0.00
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Section 204. Funeral and Burial. It is my wish that my funeral, memorial service, and cremation shall be arranged as my next of kin shall direct. Any expenses which may be incurred in connection with the purchase or maintenance of a cemetery plot or the erection of a suitable monument thereon shall be paid out of my general estate as part of my funeral expenses.

PART III. FAMILY AND BENEFICIARIES

Section 301. Spouse Named. My spouse is SANDRA DAIGNEAU-HEATH. and I may refer to her as my spouse in this will.

Section 302. At the time of the execution of this will, I have three children, who are adults, namely: Ronnie Heath, Jackie Heath, and Shelley Heath

Section 303 Adoption. For the purposes of this will and the disposition of my estate hereunder, adopted children will be considered and treated in all respects as children born of marriage.

Section 304. Bequests to Minors. If any beneficiary under this will has not attained his or her majority at the time of my death, any bequest to such minor shall be given in trust to the parent or guardian of such minor, to hold in trust until the minor attains majority.

PART IV. REAL PROPERTY

Section 401. My spouse and I own a home located at 4285 Rachel Donelson Pass, Hermitage, TN. If I should survive her and I am still the owner of the house or any substitute residence at my death, I leave a one half interest in the residence to be divided equally between my three children and one half interest to be divided equally between my wife's two children.

PART IV. PERSONAL AND HOUSEHOLD EFFECTS

Section 401. Spouse surviving. I give and bequeath to my spouse, SANDRA DAIGNEAU-HEATH,. all of my household and personal effects, including all home furniture, library, works of art, chinaware, glassware, tableware, and silverware; all tools and equipment located about our homeplace; all my personal belonging such as jewelry, clothing, and hobby equipment; all books and records located in my office; and whatever motor vehicles, boats, or camper I may own at the time of my death, along with all policies of insurance on such property.

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Section 402. Spouse Not Surviving. In the event my spouse does not survive me, then all my personal and household effects as mentioned above, shall be divided as nearly equally as possible and distributed to my step-children by my Executor. In the event that I shall leave a letter of instructions to my Executor, then my Executor shall have the right to distribute these effects mentioned in that letter of instructions among my step- children as my Executor may direct in her sole discretion, and if she deems it desirable, may follow my instructions which represent my preferences on those items. In the event that I leave such a letter of instructions, but do not mention some of my personal and household effects, then my Executor shall have the right to distribute the remainder of these items among my step-children as nearly equally as possible. If my step-children can divide these items by agreement, then I request my Executor to honor those agreements.

PART V. GENERAL DISPOSITION

Section 501. Residuary Clause. All the rest, residue, and remainder of my estate, real, personal, and mixed, tangible and intangible, of every nature and wherever situated, I give, devise, and bequeath to my spouse, Sandra Daigneau-Heath, if she should survive me.

Section 502. Contingent Residuary Clause. In the event my spouse shall not survive me, or if my spouse and I die at the same time or in a common disaster, or my spouse dies within 120 hours of my death, then all the rest, residue, and remainder of my estate, real, personal, and mixed, tangible and intangible, or every nature and wherever situated, I give, devise, and bequeath to my two stepchildren, Shannon Wright and Stephen Kinney, absolutely in fee simple.

PART VI. MISCELLANEOUS

Section 701. Separability Clause. Should any part, clause, provision, or condition of this will be void or inoperative, then I direct that such invalidity shall not affect any other clause, provision, and/or condition hereof, but that remainder of the will shall be effective although such void clause, provision, and/or condition were not contained herein.

Section 702. Distribution in Kind. In any case in which my executor be required, under this will, to divide any portion of my estate into parts or shares to distribute the same, I authorize my Executor, in her sole discretion, to make such division or distribution in kind or partly in kind, and for the purpose of such allotment the judgment of my Executor concerning the property and the relative value thereof for the purposes of distribution of the assets so allotted shall be binding and conclusive on all persons interested in my estate.

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Section 703. Common Disaster. In the event that my spouse and I are killed in a common disaster, or under such circumstances that it would be impossible, in the judgment of the Executor, whose decision shall be conclusive, to determine which of us died first, it shall be presumed that I died first. Likewise, if my spouse dies within 120 hours after my death, it will be presumed that I died first.

Section 704. Gender. The use of one gender in this will shall be deemed to include the other and to include plurals whenever the context would so require.

THIS WILL consists of five (5) pages, each of which I have signed, covering Parts I through Part VII inclusive. I now sign this as my will on this 22 day of November, 2004, and, pursuant to Tennessee Code Annotated Section 32-2-110, I request the attesting witnesses to make the affidavit attached to this will.

Arthur William Heath

STATE OF TENNESSEE
COUNTY OF DAVIDSON

We, the undersigned, make oath or affirm that:

(1), Arthur William Heath. the testator, signed the foregoing will on the date shown on the will, and, at the time of such signing, informed us that it was signed as his will.

(2)Arthur William Heath signed this will when we were both in his sight and presence. Contemporaneously with the signing, he requested us to sign this will as his attesting witnesses, which we did in his sight and presence and in the sight and presence of each other.

(3) Arthur William Heath is more than eighteen (18) years of age, and we are both more than eighteen (18) years of age.

(4) In our judgment, Arthur William Heath is legally competent to make a will.

WITNESSES:
Martha L Boyd
2215 Abbott Martin Rd. #C-9
Address
Nashville, TN 37215

J. M. Boyd Jr.
5039 Hillsboro Pike, No. 152
Address
Nashville, TN 37215

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Sworn to and subscribed before me this 22nd day of November, 2004

My commission expires: July 19, 2008

Mary O. Boyd
Notary Public

My Commission Exp. July 19, 2008

MARY O. BOYD
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TN

Page 5 of my last will of 5 pages

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Children of Arthur Heath

Ronnie Heath
440 East 152 3rd Floor
Cleveland, OH 44110

Jackie Heath
810 Firethorn Drive
Union, NJ 07083

Shelley Heath
810 Firethorn Drive
Union, NJ -7083

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 20 day of JUNE , 2012 , in Case Number 12P895 between WRIGHT, SHANNON Petitioner, and HEATH, ARTHUR WILLIAM 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 24 day of JULY 2012

RICHARD R. ROOKER, Clerk,

SEAL

By _____
Deputy Clerk