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BILL GARRETT, Davidson County
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LAST WILL AND TESTAMENT OF BETTY LEE MONTGOMERY

I, **BETTY LEE MONTGOMERY**, a resident of Nashville, Davidson County, Tennessee, do publish and declare this to be my Last Will and Testament, hereby revoking all prior testamentary instruments.

FILED
2012 JUL 18 AM 11:21
RICHARD R. ROOKER, CLERK

I. PAYMENT OF DEBTS AND TAXES

I direct that all my matured debts, funeral expenses, expenses of my last illness and for the administration of my Estate, and any estate or inheritance taxes that may be imposed by reason of my death, be paid out of my residuary estate by my Executor without proration among the several beneficiaries.

II. APPOINTMENT OF EXECUTOR

(A) I appoint my daughters, Mary Ellen Montgomery-Kee and Nancy Ann Montgomery, to serve as Co-Executrixes hereunder, or the survivor to serve as sole Alternate Executrix hereunder. (Wherever used in this Will, the term "Executor" shall apply equally to "Executrix" or "Co-Executor".)

(B) I direct that no bond or other security shall be required of any of the above-named fiduciaries for the faithful performance of their duties and further waive the need for the filing of any inventory or accounting with the Court, to the extent that same can be lawfully omitted.

Betty Lee Montgomery
BETTY LEE MONTGOMERY

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(C) My Executor, in addition to other powers and authority granted by law or necessary or appropriate for proper administration, shall have the right and power to lease, sell, mortgage, or otherwise encumber any real or personal property that may be included in my estate, without order of court and without notice to anyone.

III. BEQUEST OF PERSONAL PROPERTY

(A) I give, devise, and bequeath all of the personal property owned by me at the time of my death including, but not limited to, all furniture/fixtures, automobiles, cash, monies on deposit, and stocks and bonds (if any), to my six (6) children: Mary Ellen Montgomery-Kee, Nancy Ann Montgomery, Robert Christopher Montgomery, Ann Clark, Carol Lee Edens and John Matthew Montgomery, in equal shares, per stirpes.

(B) If there shall be any disagreement among my beneficiaries regarding the distribution of my Estate, then I direct that my Executor shall, in his discretion, choose the manner and method of distribution (including distributions in cash or in kind) and such manner and method so chosen by my Executor shall be binding upon all beneficiaries.

(C) In the event that I shall prepare a handwritten list directing the distribution of certain items of a purely, personal and/or sentimental nature to be given to designated individuals, and in the further event that said handwritten list shall be found or discovered with my Will, then I direct my Executor to utilize and follow said list in the distribution of any specific bequests as set forth therein.

IV. REAL PROPERTY & RESIDUARY ESTATE

I give, devise, and bequeath all of the rest, residue and remainder of my estate, including any and all real property I may own at the time of my death, in fee, to my six (6)

Betty Lee Montgomery

BETTY LEE MONTGOMERY

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children: Mary Ellen Montgomery-Kee, Nancy Ann Montgomery, Robert Christopher Montgomery, Ann Clark, Carol Lee Edens and John Matthew Montgomery, in equal shares, per stirpes.

V. ORDER OF DEATH PRESUMPTION

If any beneficiary and I die under circumstances in which the order of our deaths cannot be factually determined, it must be presumed that I survived the beneficiary.

VI. MISCELLANEOUS

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable, where appropriate, to all genders.

IN WITNESS WHEREOF, I, **BETTY LEE MONTGOMERY**, have hereunto subscribed my name to this, my Will, contained in four (4) pages, including attached Affidavit of Witnesses, on each of which I have subscribed in my name in the sight and presence of the undersigned attesting witnesses, who at my request and in my sight and presence, and in the sight and presence of each other, have subscribed their names as attesting witnesses in the City of Nashville, County of Davidson, State of Tennessee, this the 21 day of January, 2004, and pursuant to Tennessee Code Annotated Section 32-2-110, I request the attesting witnesses to make the Affidavit which is attached to this Will.

Betty Lee Montgomery

BETTY LEE MONTGOMERY

WITNESSES:

Copy

AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

We, the undersigned attesting witnesses, after first being duly sworn according to law, make oath or affirm as follows:

1. That **BETTY LEE MONTGOMERY** signed the foregoing Last Will and Testament on the date shown on the Will, and at the time of such signing, she informed us that she signed it as her Last Will and Testament.

2. That **BETTY LEE MONTGOMERY** signed this Last Will and Testament when we were both in her sight and presence. Contemporaneously with the signing, she requested us to sign the Will as her attesting witnesses, which we did in her sight and presence and in the sight and presence of each other.

3. That **BETTY LEE MONTGOMERY** is more than eighteen (18) years of age, and we are both more than eighteen (18) years of age.

4. In our judgement, **BETTY LEE MONTGOMERY** is legally competent to make this Last Will and Testament.

WITNESS

WITNESS

DAVID KENNEDY JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Sworn to or affirmed and subscribed before me this the 21st day of January 2004.

My Commission Expires SEPT. 22, 2007

NOTARY PUBLIC

My Commission Expires: _____

Betty Lee Montgomery
BETTY LEE MONTGOMERY

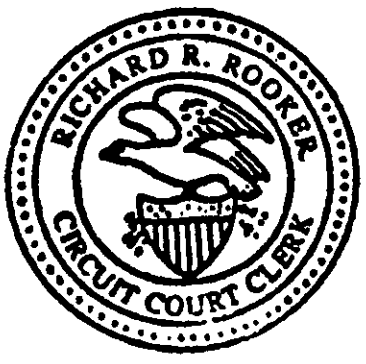
STATE OF TENNESSEE

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 18 day of JULY , 2012 , in Case Number 12P1105 between MONTGOMERY-KEE, MARY ELLEN ET.AL Petitioner, and MONTGOMERY, BETTY LEE 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

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FILED
2012 JUL 18 AM 11:20
RICHARD R. ROOKER, CLERK
D.C.

IN THE SEVENTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

PROBATE DIVISION

IN RE: ESTATE OF
Betty Lee Montgomery,
Deceased,

Betty Lee Montgomery
Petitioner.

No. 12P-1105

ORDER FOR PROBATE ONLY

This cause came on to be heard on the 18th day of July, 2012, before SPECIAL MASTER, ROBERT BRADSHAW, upon Petition for Probate Only of the Last Will and Testament of **Betty Lee Montgomery**, whereupon **Mary Ellen Montgomery-Kee & Nancy Ann Montgomery**, the Petitioner, produced a paper writing purporting to be the Last Will and Testament of the said **Betty Lee Montgomery**, who died on the 1st day of June, 2012, and subscribed to by Paula East and Judy Quarles as attesting to witnesses thereto and moved the Court that the same be admitted to Probate and recorded as the Last Will and Testament of the said **Betty Lee Montgomery**, deceased.

It appearing to the Court from the testimony through the affidavit of the subscribing witnesses Paula East & Judy Quarles that the said **Betty Lee Montgomery** did sign the purported Last Will and Testament in the presence of the attesting witnesses and each witness signed in the presence of the Testator and in the presence and sight of each other on the day and date it bears as and for her Last Will and Testament and at the time **Betty Lee Montgomery** was of sound mind and disposing memory and was more that eighteen (18) years of age.

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It further appearing to the Court that the said **Betty Lee Montgomery** died on the 1st day of June, 2012, in Davidson County, Tennessee and the same was her usual place of residence.

It further appearing that Robert Christopher Montgomery relinquish his interest in his share of this inheritance.

IT IS, THEREFORE, ORDERED that the instrument presented to the Court is the true and correct Last Will and Testament of Betty Lee Montgomery, Deceased, and the same is hereby directed to file and record the same for the purposes of passing a muniment of title to the property of the deceased, and not for administration.

IT IS FURTHER ORDERED that **Mary Ellen Montgomery-Kee, Nancy Ann Montgomery, Ann Clark, Carol Lee Edens, John Matthew Montgomery** received the Property located at 2509 Western Hills Dr, Nashville, TN 37214 owned by **Betty Lee Montgomery** described as follows;

Land in Davidson County, Tennessee being lot No. 32 on the Plan of Section 1, Southerland Heights

Land in Davidson County, Tn being lot No 32 on the Plan of Section 1, Southerland Heights as of record in Book 2663, Pg 18, RODC, Tennessee, to which reference is made for a more complete description.

Being the same property conveyed to John W. Montgomery and wife, Betty Lee Montgomery at Book 9482, Page 471 RODC. John W. Montgomery having pre-deceased Betty L. Montgomery.

Entered this 18th day of July, 2012.

JUDGE Probate Master

Approved for Entry:

J. Blake Freeman 10959
Attorney for Petitioner
323 Emery Dr.
Nashville, Tn. 37214 391-3480

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 FINAL ORDER heretofore entered in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 18 day of JULY , 2012 , in Case Number 12P1105 between MONTGOMERY-KEE, MARY ELLEN ET.AL Petitioner, and MONTGOMERY, BETTY LEE 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 26 day of JULY 2012

RICHARD R. ROOKER, Clerk,

SEAL

By _____
Deputy Clerk