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Last Will and Testament

OF

WILLIAM H. CULWELL

FILED
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RICHARD R. ROOKER, CLERK
By

I, WILLIAM H. CULWELL, a citizen and resident of Davidson County, Tennessee, being of sound mind and disposing memory, do make, publish and declare this to be my Last Will and Testament, hereby revoking any prior Wills or Codicils hereto made by me.

ITEM I

PAYMENT OF DEBTS, TAXES AND COSTS OF ADMINISTRATION

I direct that all of my just debts, funeral expenses, the cost of administration of my estate and any taxes owing by me at the time of my death be paid as soon as practicable after my death from my general estate. I further direct my Executor to pay out of my general estate as an expense of administration, all estate, inheritance, succession, and other taxes which may be assessed against my estate or any of the beneficiaries thereof by reason of my death, without apportionment or proration among the several legatees and devisees.

ITEM II

EXECUTOR

I hereby nominate and appoint my cousin, JIMMY KNIGHT, of Joelton, Cheatham County, Tennessee, as Executor, under this my Last Will and Testament. If the said JIMMY KNIGHT is unable to serve, unwilling to serve or later ceases to serve for any reason, I then appoint my brother-in-law, PAUL T. EDWARDS, presently residing at 3821 Baxter Road, Joelton, Davidson County, Tennessee, as Executor,

under this my Last Will and Testament. I direct that my Executor, whether original, alternate or successor, shall have the full and authority, without the Order of any Court, to sell any or all of my real estate or personal property, not specifically described in Item IV below, at public or private sale, without the joinder of any Beneficiary, in the manner and on the terms and for the price as may be deemed best, at the sole discretion of my Executor and that the net proceeds from such sale or sales shall go into and form a part of my Residuary Estate. I direct that my Executor, whether original, alternate or successor, be permitted to serve without bond in this or any other jurisdiction and that the requirements for inventory and interim accountings be waived.

ITEM III

CHILDREN

Children born to or adopted by me during my lifetime are: ANNE CULWELL KILLINGSWORTH, JOY FAYE CULWELL CUSHINGBERRY, WANDA ELTRICIA CULWELL SPENCER, FRANCESS DELOIS CULWELL WEST and LILLIAN ELAINE CULWELL.

ITEM IV

DEVISE-REAL PROPERTY

I give and devise the following described real properties to the persons named:

(a) To Jonathan Blake Spencer, the house and lot located at 5604 Tennessee Avenue, Nashville, Davidson County, Tennessee.

(b) To Tricia Culwell Spencer and Joy Culwell Cushingberry, my 1/3 interest in property located in Dixie County, Florida.

Copy

(c) To Troy Gilliam, property of record in Book 103, page 357, Register's Officer for Cheatham County, Tennessee.

(d) To Troy Gilliam, property know as Tract No. 1, Being 15.8 acres, more or less, property sold to me by Edgar Knight and wife, Martha Knight.

(e) To Wanda Eltricia Culwell Spencer, Francess Delois Culwell West and Lillian Elaine Culwell, share and share alike; property known as Tract No. 2, being 100 acres, more or less, property sold to be my Edgar Knight and wife, Martha Knight.

(f) to Joy Faye Culwell Cushingberry, property known as the "Home Place", located at 8640 Coopertown Road, Joelton, Davidson County, Tennessee.

ITEM V

RESIDUARY ESTATE

All of the rest, residue and remainder of my estate, whether the same be real, personal or mixed, and wheresoever situated, shall go into and form my residuary estate. I give, devise and bequeath all of my residuary estate, to my children, ANNE CULWELL KILLINGSWORTH, JOY FAYE CULWELL CUSHINGBERRY, WANDA ELTRICIA CULWELL SPENCER, FRANCESS DELOIS CULWELL WEST and LILLIAN ELAINE CULWELL, in substantially equal shares, or to their respective bodily heirs, per stirpes.

IN WITNESS WHEREOF, I hereunto subscribe my name, this the 5th day of July, 1995.

William H Culwell
WILLIAM H. CULWELL

Copy

WILLIAM H. CULWELL, signed the foregoing instrument in our presence, publishing and declaring it to be his Last Will and Testament, and as witnesses whereof, we do now, at his request and in his presence and in the presence of each other, hereto subscribe our names on the date above mentioned, this attestation clause having been read by us and we having noted that the events herein enumerated took place as stated.

WITNESS:

Patsy C. Davidson
PATSY C. DAVIDSON

ADDRESS:

126 Camino Circle
Hendersonville, TN 37075

Diana C. Frey
DIANA C. FREY

4933 Reeder School Road
Greenbrier, TN 37073

Copy

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

AFFIDAVIT

We, PATSY C. DAVIDSON and DIANA C. FREY, being adult citizens and residents of the State of Tennessee, after being duly sworn according to law, depose and state that this date WILLIAM H. CULWELL signed the foregoing instrument in our presence, publishing and declaring it to be his Last Will and Testament, and as witnesses, we, at his request, subscribed our names in his presence and in the presence of each other, and in our opinion the said WILLIAM H. CULWELL was at the time and is at this time of sound mind and disposing memory. This Affidavit is executed in accordance with T.C.A. 32-2-110 at the request of the said WILLIAM H. CULWELL.

This the 5th day of July, 1995.

Patsy C. Davidson
PATSY C. DAVIDSON

Diana C. Frey
DIANA C. FREY

SUBSCRIBED AND SWORN TO BEFORE ME
THIS THE 5TH DAY OF JULY, 1995.

NOTARY PUBLIC

HOMER TYE NOTARY PUBLIC AT LARGE SUMNER COUNTY, TN

My Commission Expires 9/17/97

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 09 day of DECEMBER , 2003 , in Case Number 03P1767 between CUSHENBERRY, JOY FAYE ET.AL Petitioner, and CULWELL, WILLIAM H ET.AL 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 28 day of AUGUST 2012

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

SEAL