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BILL GARRETT, Davidson County

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20130424-0040808

# LAST WILL AND TESTAMENT

OF

## *DEATRICE McCULLOUGH*

FILED
2011 JUL 28 AM 11:13
CLERK
D.C.

I, Deatrice McCullough, of Nashville, Davidson County, Tennessee, do make, declare and publish this my last will and testament, hereby revoking all former wills and codicils.

### *ITEM I*

I direct that all my lawful debts, including my funeral expenses and the costs of administration of my estate, be paid by my Executor as soon as practicable after my death. I further direct that my Executor pay all the estate inheritance, succession and other death taxes which may become payable by reason of my death, whether in respect of property passing under this will or otherwise, as an expense of administration, without apportionment.

### *ITEM II*

I bequeath to my two children, **Ms. Lisa and Mr. Sam McCullough,** if they shall survive me, all of my worldly possessions, of any kind and nature and even all other tangible and intangible personal property owned by me at the time of my death.

### *ITEM III*

All the rest, residue and remainder of the property that I may own or become possessed of by inheritance or otherwise, at the time of my death I devise and bequeath to my children, Lisa and Sam McCullough, if they shall survive me.

### *ITEM IV*

I authorize my Executor or any alternate personal representative, in the exercise of a reasonable discretion with respect to all property, real and personal, at any time forming a part of my estate, to exercise any and all the powers set forth in Tennessee Code Annotated Section **35-50-110**, to the extent applicable, all of which provisions and powers are incorporated herein by reference as fully as if copied herein verbatim. These powers, as set out in said statute on the date of the execution of this will, are granted even should said statute be amended or repealed at the time of my death.

### *ITEM VI*

I appoint **Sam and Lisa McCullough** to be the Executor of this my last will and testament.

Deatrice McCullough

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# AFFIDAVIT

**STATE OF TENNESSEE** )
**COUNTY OF DAVIDSON** )

The undersigned persons, after first being duly sworn according to law, depose and say:

1. That they are adult **citizens** and residents of the state listed beside their respective signatures on the Will described here in below.

2. That they witnessed the execution of the Will of Deatrice McCullough dated the 16th day of November, 2007, to which this Affidavit is attached, and that this Affidavit is being made at the request of the Testatrix and in accordance with the provisions of Tenn. Code Ann., Section 32-2-110.

3. That their signatures are affixed to said Will, and that they signed or affixed the same at the instance and request of the Testatrix, and in her presence, and in the presence of each other, at the place and on the date recited in said Will.

4. That the Testatrix signed said paper writing as and for her Will in their sight and presence.

5. That at the time they witnessed said Will, the Testatrix was, in their opinion, of sound mind.

**WITNESS**

**WITNESS**

Sworn to and subscribed before me by the two (2) persons whose signatures are affixed hereto on this 16th day of November, 2007.

LEROY CAIN, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

**Notary Public**

**My Commission Expires:** MY COMMISSION EXPIRES July 24, 2010

THIS WILL WAS PREPARED BY:
**LEROY CAIN, JR.**
208 THIRD AVENUE NORTH
SUITE 500
NASHVILLE, TENNESSEE 37201

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**IN WITNESS WHEREOF**, I have hereunto subscribed my name to this my last will and testament, consisting of this and the preceding One ( 1) typewritten page, and for the purpose of identification, I have signed each such page at the bottom thereof, all in the presence of the persons witnessing it, at my request, on this the 16th day of, November 2007 at Nashville, Tennessee.

Deatrice McCullough

**Deatrice McCullough**

Signed, sealed, published and declared by the Testatrix, Deatrice McCullough, to be her last will and testament in the presence of all of us at one and the same time, and we, at her request and in her presence and in the presence of each other, have hereunto subscribed our names as witnesses, and we do hereby attest to the sound and disposing mind of said Testatrix and to the performance of the aforesaid act of execution at the place and on the date here in above set out.

**WITNESSES:**

Name

208 3rd Ave N #500
Nashville, TN 37201

**Addresses**

Name

208 Third Ave, 500
Nashville, TN 37201

**Addresses**

Deatrice McCullough

**DEATRICE MCCULLOUGH**

**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 28 day of JULY , 2011 , in Case Number 11P1090 between MCCULLOUGH, LISA ET.AL Petitioner, and MCCULLOUGH, DEATRICE 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 24 day of APRIL 2013

**RICHARD R. ROOKER,** Clerk,

By _____
Deputy Clerk

SEAL