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BILL GARRETT, Davidson County
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20130903-0092290

LAST WILL AND TESTAMENT

OF

MARY CATHERINE BAKER

FILED
JUL 19 2013
RICHARD R. ROOKER, Clerk
By Deputy

I, Mary Catherine Baker, of the City of Nashville, County of Davidson, and State of Tennessee, being a citizen of the United States of America, over the age of eighteen years and of sound and deposing mind and memory, realize the nature of my property, the extent of my property, and the necessity of making an orderly disposition of my property. I am unmarried and live at 1017 Aladdin Drive, Nashville, Tennessee. Therefore, I hereby make, ordain, publish and declare this to be my Last Will and Testament, hereby revoking any and all other wills and codicils which I have made prior to this date.

ARTICLE I: I hereby direct that all of my just debts, funeral expenses, and expenses of administration of my estate be paid from the funds of the estate as soon as practicable after my death.

ARTICLE II: I hereby name and appoint my daughter, Carolyn Ann Baker to be the Executrix of this my Last Will and Testament, and request that she not be required to give bond or other security. I hereby authorize and empower my Executrix to sell and convert into cash any and all of my real and personal property without a court order. In the event Carolyn Ann Baker is unable or unwilling to act in this capacity, I then appoint Carney Mitchell Baker III who resides at 5160 Rox Bough Drive, Nashville, Tennessee and request that he not be required to give bond or other security. I hereby waive the requirement of any interim accountings to the court unless otherwise required by law.

ARTICLE III: I hereby give, devise, and bequeath any and all of my property, both real and personal, of whatever kind, nature, and description or location to Carolyn Ann Baker, 1017 Aladdin Drive, Nashville, Tennessee 37217. This named beneficiary shall receive the entirety of my personal possessions and the improved property more accurately described as 1017 Aladdin Drive, Nashville, Tennessee, its contents, appliances, fixtures, and goods, and any and all investment property. If Carolyn Ann Baker predeceases me or we should die simultaneously, I give, devise and bequeath any and all of my property, both real and personal, to Carney Mitchell Baker III.

EXHIBIT
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Booker

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ARTICLE IV: In conclusion, I have signed this Last Will and Testament, which is typewritten on 4 sheets of paper, on this the 15th day of April, 2005, and have also written my name and the date on each margin of the preceding 1 pages hereof.

4-15-05
Date

Mary Catherine Baker
Mary Catherine Baker
Testatrix

ATTESTATION CLAUSE

On the 15th day of April, 2005, Mary Catherine Baker, the Testatrix, states that the foregoing instrument was her Last Will and Testament, and she requested us to act as Witnesses to it and her signature thereon. Mary Catherine Baker signed the Will in our presence, we being present at the same time. We now, at her request, in her presence, and in the presence of each other, hereunto subscribe our names as Witnesses and each of us declares that in his or her opinion this Testatrix is of sound and disposing mind and memory and under no duress, fraud, or undue influence.

WITNESS:

Brenda A Stivers 1821 Old Murfreesboro Pike Nashville, TN 4/15/05
Name Address Date

Maurini Davis 1036 Lone Oak Rd Mt Juliet 4-15-05
Name Address Date

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Mary Catherine Baker, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained. Witness my hand and official seal at Nashville, Tennessee, this 15th day of April, 2005.

11-25-06
My commission expires:

Notary Public

MARK A. ELLMORE JR. STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Copy

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned Notary Public in and for said County and State, MARINE DORRIS and CECELIA D. STEELE, with whom I am personally acquainted and who acknowledged that they executed the within instrument for the purposes therein contained. Witness my hand and official seal at Nashville, Tennessee, this 15th day of April, 2005.

11-26-06
My commission expires:

Notary Public

MARK A. ELLMORE JR. STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

AFFIDAVIT OF WITNESSES

The undersigned Affiants after first being duly sworn acknowledge and state as follows:

1) On the 15th day of April, 2005, Mary Catherine Baker signed an instrument before us which she declared was her Last Will and Testament.

2) Mary Catherine Baker requested us to act as Witnesses to her Last Will and Testament and her signature thereon.

3) Mary Catherine Baker signed the Last Will and Testament in our presence and we, being present at the same time and at her request, signed and subscribed our names in the presence of Mary Catherine Baker and in the presence of each other as Witnesses.

4) It is our opinion on this date as Witnesses that this Testatrix is of sound and disposing mind and memory and under no duress, fraud, or undue influence.

FURTHER THE AFFIANTS SAITH NOT.

Witness our hands and signatures this 15th day of April, 2005.

Witness Address

Witness Address

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned Notary Public in and for said County and State, MARINE DORRIS and CECELIA D. STEELE with whom I am personally acquainted and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 15th day of April, 2005.

11-25-06
My commission expires:

Notary Public

MARK A. ELLMORE JR. STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Copy

NOTICE: The following information is included as a reference to my named Personal Representative and may be subject to periodic update. This information is not listed as part and parcel of the body of my Last Will and Testament due to its probable future modification. Any modifications to the information given on this single page may be considered fully enforceable only if accompanied by my full signature.

Signed: Mary Catherine Baker 4-15-05
Mary Catherine Baker Date

A full copy of my Last Will and Testament, unmodified, shall be available at the Office of Mark A. Ellmore, Attorney at Law in Nashville, Tennessee.

Mary Catherine Baker [redacted] TNDL
NAME **SOCIAL SECURITY**

Interment: _____

Current Financial Assets:
Checking Account/Money Market:
Savings Account:
Life Insurance:
Retirement Accounts:

Organ Donation: _____

Special Instructions: _____

Changes to instructions or information given on this page:

_____ Signed: _____ Date: _____

_____ Signed: _____ Date: _____

_____ Signed: _____ Date: _____

_____ Signed: _____ Date: _____

_____ Signed: _____ Date: _____

Copy

DURABLE POWER OF ATTORNEY FOR HEALTHCARE MATTERS

ARTICLE I: DECLARATIONS:

I, Mary Catherine Baker, currently living at 1017 Aladdin Drive, Nashville, Tennessee, appoint my daughter, Carolyn Ann Baker, 1017 Aladdin Drive, Nashville, Tennessee as my Attorney-in-fact with full power to carry out those acts specified in Article II in accordance with any limitations imposed herein. Should Carolyn Ann Baker be unable or unwilling to serve, I then appoint Carney Mitchell Baker III, 5160 Rox Bough Drive, Nashville, Tennessee as my Attorney in Fact. This power of attorney shall not be affected by my subsequent disability or incapacity.

ARTICLE II: POWERS GRANTED:

The following powers are granted to my attorney-in-fact to be used for my benefit and on my behalf in accordance with the direction specified herein:

A.) As to decisions related to my health care, I hereby grant the following powers to my attorney-in-fact with the limitations specified in the following:

1.) To authorize or withhold authorization for medical, psychiatric, and surgical procedures.

2.) To authorize my admission to a medical, psychiatric, nursing, residential or similar facility and to enter agreements for my health care.

3.) To arrange for my discharge, transfer from, or change in the type of care provided from any health care institution.

4.) To arrange and pay for consultation, diagnosis, or assessment as may be required for my proper health care and treatment.

The term "*decisions related to my healthcare*" shall be defined as but shall not be limited to the following: the consent, refusal to consent, withdrawing of consent with respect to any service, treatment or procedure which shall be accomplished to diagnose or treat my physical or mental condition, as instructed in the foregoing paragraph, my attorney in fact, Mattie Lou Davis, shall have full authority and discretion regarding any and all decisions related to my healthcare on my behalf as if I had made the same decisions myself.

Notwithstanding any of the foregoing provisions of this document, Mary Catherine Baker shall have the right to make any and all medical, psychiatric and any other healthcare decisions for herself provided she is able to give informed consent with respect to the particular healthcare decision. In other words, Mary Catherine Baker, has the ultimate authority provided she has legal capacity to make those decisions and is otherwise under no court order whereby a third person has legal authority to make those healthcare decisions on her behalf. Thus, no treatment or medication may be given to Mary Catherine Baker over her objection or any other healthcare decision related thereto.

ARTICLE III: **Nomination of Guardian:** If after execution of this durable power of attorney, incompetence proceedings are initiated either for my estate or my person, I hereby nominate as my guardian for consideration by the court: Carolyn Ann Baker. Should Carolyn Ann Baker be unable or unwilling to serve I then appoint Carney Mitchell Baker III to be Guardian.

ARTICLE IV: **Revocation of Prior Instruments:** This Durable Power of Attorney for healthcare matters shall be construed and interpreted to conform and comply in all respects with the provisions of T.C.A., Sec. 34-6-201 et. seq. All terms used in this instrument shall be defined according to the terms used in the statute, unless otherwise specifically defined herein. This instrument revokes any and all prior powers of attorney for healthcare, whether durable or otherwise, executed by me.

IN WITNESS WHEREOF, I have signed my name to this Durable Power of Attorney this 15th day of April, 2005.

4-15-05
Date

Mary Catherine Baker
Mary Catherine Baker

Copy

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this the 15th day of April, 2005, before me, the undersigned, personally appeared Mary Catherine Baker, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained. In witness whereof, I have hereunto set my hand and official seal.

11-25-06
My commission expires:

Notary Public

MARK A. ELLMORE JR. STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

DECLARATION OF WITNESSES

I declare under penalty of perjury under the laws of Tennessee that the person who signed this document is personally known to me to be the principal; that the principal signed this Durable Power of Attorney in my presence; that the principal appears to be of sound mind and under no duress, fraud or undue influence; that I am not the person appointed as attorney in fact by this document; that I am not a health care provider, an employee of a health care provider, the operator of a health care institution nor an employee of an operator of a health care institution; that I am not related to the principal by blood, marriage, or adoption; that, to the best of my knowledge, I do not, at the present time, have a claim against any portion of the estate of the principal upon the principal's death; and that, to the best of my knowledge, I am not entitled to any part of the estate of the principal upon the death of the principal under a Will or Codicil thereto now existing, or by operation of law.

Witness our signatures this 15th day of April, 2005.

Cecelia R. Steele 1321 Old Murfreesboro Rd Nashville, TN
Witness Address

Maurice Dorris 1036 Lee Ave Apt 2 Goodlettsville TN
Witness Address

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this the 15th day of April, 2005, before me, the undersigned, personally appeared Maurice Dorris and Cecelia D. Steele known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained. In witness whereof, I have hereunto set my hand and official seal.

11-25-06
My commission expires:

Notary Public

MARK A. ELLMORE JR. STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Copy

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this the 15th day of April, 2005, before me, the undersigned, personally appeared Mary Catherine Baker known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained. In witness whereof, I have hereunto set my hand and official seal.

11-25-06
My Commission Expires:

NOTARY PUBLIC

MARK A. ELLMORE JR. STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

DECLARATION OF WITNESSES

I declare under penalty of perjury under the laws of Tennessee that the person who signed this document is personally known to me to be the principal; that the principal signed this Durable Power of Attorney in my presence; that the principal appears to be of sound mind and under no duress, fraud or undue influence; that I am not the person appointed as attorney in fact by this document; I declare under penalty of perjury under the laws of Tennessee that the person who signed this document is personally known to me to be the principal; that the principal signed this Durable Power of Attorney in my presence; that the principal appears to be of sound mind and under no duress, fraud or undue influence; I am not the person appointed as attorney in fact by this document.; that I am not a health care provider, an employee of a health care provider, the operator of a health care institution nor an employee of an operator of a health care institution; that I am not related to the principal by blood, marriage, or adoption; that, to the best of my knowledge, I do not, at the present time, have a claim against any portion of the estate of the principal upon the principal's death; and that, to the best of my knowledge, I am not entitled to any part of the estate of the principal upon the death of the principal under a Will or Codicil thereto now existing, or by operation of law.

Witness our signatures this 15th day of April, 2005.

Cecelia A Steele 1821 Old Murfreesboro Pike, Nashville, TN
Witness Address

Maurine Davis 1036 Lone Oak Rd Mt Juliet TN
Witness Address

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this the 15th day of April, 2005, before me, the undersigned, personally appeared Maurine Davis and Cecelia D. Steele known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained. In witness whereof, I have hereunto set my hand and official seal.

11-25-06
My commission expires:

NOTARY PUBLIC

MARK A. ELLMORE JR. STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

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DURABLE POWER OF ATTORNEY
FOR FINANCIAL MATTERS

ARTICLE I: DECLARATIONS:

I, Mary Catherine Baker, currently living at 1017 Aladdin Drive, Nashville, TN , name and appoint my daughter, Carolyn Ann Baker, 1017 Aladdin Drive, Nashville, TN 37217 as my Attorney-in-Fact with full power to carry out those acts specified in Article II in accordance with any limitations imposed herein. This power of attorney shall not be affected by my subsequent disability or incapacity. Only one signature is necessary for any required authorization on my behalf. Should Carolyn Ann Baker be unwilling or unable to serve in this capacity, I appoint Carney Mitchell Baker III, 5160 Rox Bough Drive, Nashville, TN to serve as my Attorney-in-Fact.

ARTICLE II: POWERS GRANTED:

The following powers are granted to my attorneys-in-fact to be used for my benefit and on my behalf in accordance with the direction specified herein:

A.) As to any assets, real or personal, standing in my name, held for my benefit, I confer the following powers upon my attorney in fact:

1.) As to any personal and/or commercial, checking, savings, savings & loan, money market, treasury bills, mutual fund accounts, safe deposit boxes, in my name or opened for my benefit: to open, withdraw, deposit into, close, and to negotiate, endorse, or transfer any instrument affecting those accounts.

2.) As to any promissory note receivable, secured, or any accounts receivable: to collect on, compromise, endorse, borrow against, hypothecate, release and reconvey that note and any related deed of trust.

3.) As to any shares of stock, bonds, or any documents or instruments defined as securities under law: to open accounts with stock brokers (on cash or margin), buy, sell, endorse, transfer, hypothecate and borrow against.

4.) As to any real property: to collect rents, disburse funds, keep in repair, hire professional property managers, lease to tenants, negotiate and renegotiate leases, borrow against, renew any loan, sign any documents required for any such transactions, and to sell any of the real property, including but not limited to my residence located at 1017 Aladdin Drive, Nashville, TN .

5.) To hire and pay from my funds for counsel and services of professional advisors, physicians, dentists, accountants, attorneys, and investment counselors.

6.) As to my income taxes and other taxes: to sign my name, hire preparers and advisors and pay for their services from my funds, and to do whatever is necessary to protect my assets from assessments as though I did those acts myself.

7.) To apply for government and insurance benefits, to prosecute and to defend legal actions, to arrange for transportation and travel.

8.) To manage tangible personal property, including but not limited to, moving, storing, selling, donating, or otherwise disposing of said property.

ARTICLE III: **Nomination of Guardian:** If after execution of this durable power of attorney, incompetence proceedings are initiated either for my estate or my person, I hereby nominate as my guardian for consideration by the court: Carolyn Ann Baker. Should she be unwilling or unable to serve, I nominate Carney Mitchell Baker III.

IN WITNESS WHEREOF, I have signed my name to this Durable Power of Attorney this 15th day of April, 2005.

4-15-05
Date

Mary Catherine Baker
Mary Catherine Baker

Copy

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

In Re:	)	
ESTATE OF:	)	
MARY CATHERINE BAKER	)	**NO.:**
	)	
DECEASED.	)	

AFFIDAVIT

STATE OF TENNESSEE)
)
COUNTY OF WILSON)

I, Maurine Dorris, after being duly sworn according to law deposes and states:

1. I am an adult, a resident of Mt. Juliet, Wilson County, Tennessee - residing at: 1036 Lone Oak Road, Mt. Juliet, Tennessee 37122.

2. I was a witness to the Last Will and Testament of Mary Catherine Baker, dated April 15, 2005; to which this Affidavit is attached and that this Affidavit is being made at the request of the party named as the Executrix of the Last Will and Testament in accordance with T.C.A. §32-2-110.

3. That my signature is affixed to the Last Will and Testament of the Deceased, Mary Catherine Baker, and I signed or affixed the same at the insistence and request of the Testator and in her presence and in the presence of other attesting witness, Cecelia D. Steele, at the place and date the said Last Will and Testament.

4. That the Testator signed the said paper writing, as and for her Last Will and Testament, in my sight and presence and in the sight and presence of other attesting witness, Cecelia D. Steele, whose whereabouts are unknown at this time.



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5. That the other attesting witness, Cecelia D. Steele, likewise signed the said paper writing, at the request and in the presence of the Testator and in the sight and presence of the Affiant.

6. That at the time I witnessed said Last Will and Testament, I was of the opinion that the Testator, Mary Catherine Baker, was of sound mind.

Further, Affiant Saith Not.

Maurine Dorris
MAURINE DORRIS

On this the 17th day of June, 2013, before me, the undersigned, personally appeared, Maurine Dorris, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledge that she executed the same for the purposes therein contained. In witness whereof, I have hereunto set my hand and official seal.

PATRICIA THORNTON
STATE OF TENNESSEE NOTARY PUBLIC
WILSON COUNTY

Patricia Thornton
NOTARY PUBLIC
My Commission Expires: December 15, 2015

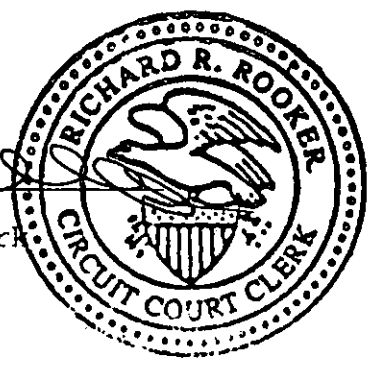
STATE OF TENNESSEE

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 19 day of JULY , 2013 , in Case Number 13P1046 between BAKER, CAROLYN ANN Petitioner, and BAKER, MARY CATHERINE 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 03 day of SEPTEMBER 2013

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk



SEAL