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12P1687

Last Will and Testament

FILED
NOV 15 2012
RICHARD R. ROOKER, Clerk
By [illegible] Deputy

OF

ELIZABETH T. GILLIAM

I, **Elizabeth T. Gilliam**, a resident of and being domiciled in Joelton, Davidson County, Tennessee, being of sound mind and disposing memory, do hereby make, declare and publish this to be my Last Will and Testament, and I do hereby revoke all wills and codicils made by me at any time heretofore. I am presently an unmarried widow and I have no children.

ARTICLE I

1. Appointment of Executor. I nominate and appoint my great-great nephew, **Jared M. Vester**, to serve as Executor of this Will and of my Estate. If my great-great nephew shall not survive me, or if he shall fail to qualify as my Executor hereunder for any reason or having qualified, shall die or resign, then in such event I nominate and appoint my friend, **Norman D. Rollins**, as Alternate or Successor Executor, as the case may be, of this Will and of my Estate. Any reference herein to Executrix or Alternate or Successor Executor shall be deemed to include the other and be a reference to whomever of the above shall be serving in such capacity.

2. I direct that no bond shall be required of my Executor for the faithful performance of duties in such capacity. However, if a bond is required, it is requested and directed that no sureties be required thereon.

BILL GARRETT, Davidson County
Trans:T20130081670 WILL
Recvd: 09/20/13 10:47 6 pgs
Fees:32.00 Taxes:0.00
20130920-0099244

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ARTICLE II

1. Payment of Debts. I direct my Executor to pay all of my just debts, (except debts secured by mortgages or other security instruments, which may be paid off or retained in the discretion of my Executor), funeral expenses, expenses of administration, and any and all inheritance, income, and estate taxes imposed by any taxing authority, as soon as practicable after my death, out of my residuary estate.

2. Powers of Executor. I hereby authorize and empower my Executor to exercise all of the powers set forth in paragraphs 1 through 32, inclusive, of Section 35-50-110 of the Tennessee Code Annotated, to the extent applicable, all of which provisions are incorporated herein by reference.

3. Waiver of Inventory/Accounting. I expressly excuse my Executor from filing any inventory, interim accountings, and final accounting which might otherwise be required pursuant to applicable law, unless such reports are specifically requested by any beneficiary.

ARTICLE III

1. Memorandum. I may leave a certain memorandum, entirely in my own handwriting and signed and dated by me, giving and bequeathing certain items of furniture, household goods, jewelry, and personal effects to specific named individuals and/or institutions. I direct that such property shall be distributed in accordance with the memorandum. However, if for any reason said memorandum is not found and properly identified as such by my Executor within Thirty (30) days after the date of my death, then it shall be presumed such memorandum did not exist and all of the said property, and any other property not specifically bequeathed shall become part of my residuary estate,

hereinafter disposed of.

2. Disposition of Tangible Personal Property. All the furniture, furnishings, household goods, silverware, china and ornaments, located in my residence, all of my clothing, jewelry, personal effects, automobiles, and all other tangible personal property not otherwise specifically bequeathed owned by me at the time of my death, shall become a part of my residuary estate, hereinafter disposed of.

ARTICLE IV

1. Distribution of Residue. All the rest, residue and remainder of the property that I may own at the time of my death, real, personal and mixed, tangible and intangible, of whatsoever nature and wheresoever located, I hereby give, devise and bequeath, outright and in fee to my great-great nephew, **Jared M. Vester**, per stirpes.

ARTICLE V

1. Disinheritance. *I have left nothing* to **Joy Ruth Cotton**, not out of lack of love or affection, but because she has sufficient assets of her own to care for herself.

ARTICLE VI

1. Miscellaneous. Should any person whom I have nominated to serve as Executor of this Will, and should the law of the state in which I died a resident thereof not permit that person to serve as the sole fiduciary in one or more of these capacities, then I direct that such nominated person shall have the right to name an individual, a resident of said jurisdiction, or a bank or trust company, qualified to act in a fiduciary capacity in said jurisdiction, to serve with her as Co-Executor of this Will. To the extent permitted by law, I direct that no bond shall be required of any co-fiduciaries named pursuant to this

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Article.

2. Unless otherwise clearly indicated, words in the singular or plural shall include the plural and singular respectively, where they would so apply. Words in the masculine or neuter gender shall include the feminine, masculine or neuter gender where applicable.

IN WITNESS WHEREOF, I have hereunto subscribed my name to this, my Last Will and Testament, consisting of this and three (3) preceding typewritten pages, and for the purposes of identification, I have initialed each such page, all in the presence of the persons witnessing it at my request on this the 15 day of December, 2008.

Elizabeth T. Gilliam
ELIZABETH T. GILLIAM, Testatrix

ATTESTATION

The said **Elizabeth T. Gilliam**, being of sound mind and disposing memory, signed the foregoing instrument in our presence, as and for her Last Will and Testament, and signified and declared to us that same was her Last Will and Testament; and we, the undersigned, at her request, and in her presence and sight and in the presence and sight of each other, have subscribed our names hereto as attesting witnesses the day and date above written.

WITNESS:

Name

1211 16th Avenue, South
Address

Nashville TN 37212
City, State, Zip Code

WITNESS:

Nancy Bowen
Name

1211 16th Ave South
Address

Nashville, TN 37212
City, State, Zip Code

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AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

[signature] and Nancy Bowen, being severally duly sworn, depose and say that:

We are acquainted with **Elizabeth T. Gilliam**, who executed this annexed Last Will and Testament, consisting of this page and four (4) preceding pages, dated the 15th day of December, 2008, on that date at Nashville, Tennessee, by subscribing her name at the end thereof in the presence and sight of each of us.

At the time of subscribing said Will, **Elizabeth T. Gilliam** declared the instrument so subscribed by her to be her Last Will and Testament, and we thereupon signed our names as witnesses at the end of said instrument at her request and in her presence and sight, and in the presence and sight of each other.

At the time of executing said Last Will and Testament, **Elizabeth T. Gilliam** was over the age of eighteen (18) years and in our opinion was of sound mind, memory, and understanding and not under any restraint or in any respect incompetent to make a Last Will and Testament.

This affidavit is made at the request of **Elizabeth T. Gilliam**.

The annexed Last Will and Testament was examined by the undersigned witnesses at the time this affidavit was made.

WITNESS:
[signature]
Name

WITNESS:
Nancy Bowen
Name

SWORN TO AND SUBSCRIBED before me, this 15th day of December, 2008.

DAWN E. WRIGHT
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON

Dawn E. Wright
Notary Public
My commission expires: 5-8-2012

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 15 day of NOVEMBER , 2012 , in Case Number 12P1687 between VESTER, JARED M. Petitioner, and GILLIAM, ELIZABETH T. 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 20 day of SEPTEMBER 2013

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL

