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14p2087

Last Will and Testament

FILED

OF

JAN 8 2015

PATTY D. GUNN

RICHARD R. ROOKER, Clerk
By _____ Deputy

I, Patty D. Gunn, a resident and domiciled in Goodlettsville, Davidson County, Tennessee, do hereby make, publish and declare the following to be my Last Will and Testament, hereby revoking all Wills and Codicils heretofore made by me.

ITEM I

1.01 APPOINTMENT OF PERSONAL REPRESENTATIVE: I appoint my friend, Lallie T. Richter and my son, Billy Michael Gunn, to be my Personal Representative of this Will.

1.02 DESIGNATION OF ALTERNATIVE PERSONAL REPRESENTATIVE: If either of the named Personal Representatives shall not survive me or shall fail to qualify, or shall die, resign, or cease to act for any reason, then I appoint the survivor of them, to be my Personal Representative of this Will with full powers and authority herein conferred.

1.03 WAIVER OF BOND: I direct that no bond or other security shall be required of any of the above named Personal Representatives in any jurisdiction for the faithful performance of the Personal Representatives duties as such.

1.04 WAIVER OF INVENTORY AND ACCOUNTING: I further direct that my Personal Representative shall not be required to file an inventory or periodic or final accounting in any court, unless required to do so by any beneficiary hereunder or if any beneficiary is legally incompetent or a minor.

ITEM II

2.01 PAYMENT OF UNSECURED DEBTS: I direct that all my just debts, my funeral expenses, and the cost of administration of my estate be paid out of my residual estate by my Personal Representative as soon as practicable after my death. To this end, I authorize my Personal Representative to sell any of my property, real, personal or mixed, and to execute all conveyances necessary to effectuate such sale. I direct my Personal Representative to pay all estate, inheritance, succession, and other death taxes that may be payable by, or chargeable against, my estate, or any of the beneficiaries thereof, out of my residual estate as an expense of administration without apportionment or proration among the several beneficiaries, legatees and devisees. I authorize that any interest paid on any State Inheritance Tax and Federal Estate tax is directed to be a proper administration expense under T.C.A. 67-8-315.

2.02 DISCRETIONARY PAYMENT OF SECURED INDEBTEDNESS: In the event that any property or interest in property passing under this will, by operation of law, or otherwise by

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reason of my death (other than as a part of my residual estate) shall be encumbered by a deed of trust or mortgage or lien, or shall be pledged to secure any obligation (whether the property or interest in the property so encumbered or pledged shall be owned by me jointly or individually), I direct that my Personal Representative shall have the discretion to elect (in the Personal Representative's sole discretion) to pay such indebtedness from my estate or to have the devisee, legatee, joint owner taking by operation of law, or beneficiary receiving such property or interest in such property to take it subject to all security encumbrances existing at the time of my death. I exonerate my Personal Representative from all liability for any such election wherein he elects to pay the secured indebtedness or have the beneficiary take subject thereto and direct that no beneficiary shall have any claim against my Personal Representative or my estate by reason of the exercise of my Personal Representative's judgment in this respect.

2.03 DISCRETIONARY ELECTIONS FOR TAX PURPOSES: I am cognizant that the provisions of the Federal Internal Revenue Code (and other applicable laws) in force at the time of my death and applicable to my estate that may permit my Personal Representative to elect to claim certain administration and other expenses as deductions either in the income tax returns of my estate or in the estate tax return. I authorize my Personal Representative to elect to claim such expenses as deductions on the particular tax return or returns as the Personal Representative, in his sole discretion, shall deem advisable irrespective of whether such expenses may be payable from income or principal, and my Personal Representative is directed not to make adjustments between income or principal or between the property interest passing to the beneficiaries under my will which may be substantially effected as a result of the election under this article. To make in its sole and absolute discretion any other income, estate or gift tax elections, including whether to claim deductions on my estate tax return or on any income tax returns and without making an adjustment from income to principal nor with respect to any devise because of any such decision, and any such determination shall be final and binding upon all persons interested in my estate. I direct that the property interest determined as a result of my Personal Representative's election under this article shall be the interest that such beneficiaries will receive. I exonerate my Personal Representative from all liability from any such election and direct that no beneficiary shall have any claim against my Personal Representative or my estate by reason of the exercise of my Personal Representative's judgment in this respect.

ITEM III

3.01 POWERS OF PERSONAL REPRESENTATIVE: I authorize my Personal Representatives (including any substitute or successor Personal Representative) in the exercise of a reasonable discretion with respect to all property, real and personal, at any time forming part of my estate, to exercise any or all the powers set forth in Section 3 of Chapter 110 of the Tennessee General Assembly of 1963, T.C.A. § 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.

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3.02 ADDITIONAL DISCRETIONARY POWERS: These powers, as set out in said statute on the date of the execution of this Will, are granted, notwithstanding that said statute may be amended hereafter or repealed at the time of my death.

In addition to and not in limitation of all common law and statutory authority and all powers otherwise granted in this will, the Personal Representative is granted the following specific discretionary powers, duties and obligations:

(a) Investments. To retain as investments all property which is included in my estate at the time of my death.

(b) Diversification. To acquire and retain all kinds of property without regard to principals of diversification.

(c) Borrowing. To borrow money if the Personal Representative deems it advisable in the administration of my estate on the terms my Personal Representative deems advisable.

(d) Leases. To enter into leases extending beyond the period of administration of this lease.

(e) Distribution. To make distribution in cash or in kind or partly in each, even if shares be composed differently.

(f) Responsibility. To exercise all powers with respect to the property included in my estate which any individual would exercise in the management of similar property owned in his own right and not to be responsible for losses, if any, resulting from honest mistakes of judgment.

(g) Business formation. To incorporate, form an LLC or establish any other type of business entity for any of my existing assets.

3.03 PROPERTY INSURANCE POLICIES ON ESTATE ASSETS: Each insurance policy covering an item of property passing under this article passes with the property. The recipient is not to be charged for any unearned premium already paid. If an item of property passing under this article has been destroyed or damaged, the insurance proceeds recovered or recoverable are to be paid in place of the destroyed item and in addition to a damaged item.

3.04 REAL ESTATE SUBJECT TO CONTROL OF PERSONAL REPRESENTATIVE. The real property devised hereunder shall not immediately, upon my death, pass to the beneficiaries named in this Will, but shall be subject to the control of the Personal Representative and to be handled as part of my probate estate. My Personal Representative may manage this real property as personalty.

My Personal Representative shall have the power to retain all real estate, or any interest in real estate ventures, in any form even though such may constitute all or a large portion of my estate; to sell, invest, and reinvest the proceeds thereof in and such real estate or interest in real estate ventures as my Personal Representative shall deem desirable; and generally to sell, exchange or otherwise dispose of such real estate or interest in real estate ventures on such terms and conditions as my Personal Representative shall deem desirable and as may be permitted by law; and to receive all rents and other amounts due from any rental or other real estate held hereunder, including any personal property used in conjunction therewith; to enter and maintain, repair, improve, manage and

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operate all such properties; to effect and maintain insurance thereon; to pay all taxes and assessments thereon; to extend, renew, increase, or pay off any mortgage or mortgages affecting such property; to abandon such property; to adjust boundaries; to grant easements; to partition; to enter into party-wall contracts; to insure or perfect title; to demolish or erect buildings thereon; to make, extend, renew or modify any lease for any term; and to do all other things necessary or proper in the management operation of such property.

3.05 JOINT OWNERSHIP: It is my understanding that any jointly held property, real or personal, that I own will pass to my surviving joint owner and I direct that my will be construed upon that assumption. Further, I understand that "Payable On Death" accounts, Individual Retirement Accounts and other similar accounts will pass to the designated beneficiary and not under the terms of this will. I acknowledge the drafter of this Will has advised me fully on re-titling assets or changing beneficiary designations if I want these items to pass under the terms of this instrument.

ITEM IV

4.01 DEVISE OF RESIDENCE: At the time I was divorced from my ex-husband, Billy Clayton Gunn, my residence at 314 Draper Circle was titled into our joint names as tenants with the right of survivorship. In the event Billy Clayton Gunn survives me, the house shall pass to him. The contents thereof shall not be included in this devise except for the chest of drawers and dresser which belong to him. In the event he does not survive me, I devise the house to my son, Billy Michael Gunn, if living, and if not living, I direct it be sold by my Personal Representative and the proceeds shall pass to my residual estate hereinafter disposed.

I have knowingly and intentionally made no other provisions in this Will for Billy Clayton Gunn, who was my husband until our marriage was dissolved by a decree of divorce entered by the First Circuit Court of Davidson County, Tennessee, Case No. 91833 and I hereby generally and specifically disinherit Billy Clayton Gunn and each heir-at-law, any and all persons whomsoever claiming to be, or who may lawfully be determined to be my heirs-at-law, except for those persons who are specifically provided for in this, my Will.

4.02 SPECIFIC BEQUESTS: I hereby make the following specific bequests:

(A) I bequeath my sapphire and diamond ring to Julia Johnson, if living, and if not living, this bequest shall pass to Dede Sullivan.

(B) I bequeath my living room furniture to Julia Johnson, if living, and if not living, this bequest shall pass to my son, Billy Michael Gunn.

(C) I bequeath all remaining furniture to my son, Billy Michael Gunn, if living, and if not, this bequest shall pass to his issue, per stirpes.

(D) I bequeath my Haviland china, Gorham crystal and Chantilly silverware to Dede Sullivan, if living, and if not living, this bequest shall pass to Hannah Sullivan.

(E) Any furnishings I own that are located in Lallie T. Richter's home in Florida shall pass to Lallie T. Richter, if living, and if not, this bequest shall pass to his daughter, Julia Johnson.

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(F) The automobile I own at the time of this Will is jointly held with Lallie T. Richter. In the event he does not survive me, this automobile shall pass to my son, Billy Michael Gunn.

(G) I have designated Lallie T. Richter as the beneficiary of one or more life insurance policies. In the event there is a question as to the beneficiary of the policies and they become payable to my estate, I direct the proceeds be paid to Lallie T. Richter, if living, and if not, they shall pass to my residual estate hereinafter disposed.

(H) I release, forgive and discharge my son, Billy Michael Gunn, of any and all debts and interest thereon that he may owe me at the time of my death. I direct that all evidences of debt or of security therefor shall be delivered to him and that my Personal Representative shall execute and deliver to him all necessary documents to show that all his indebtedness to me has been cancelled.

4.03 RESIDUAL BEQUEST IN FEE: All the rest, residue and remainder of the property which I may own at the time of my death, real, personal and mixed, tangible and intangible, of whatsoever nature and wheresoever situated, including all property which I may acquire or become entitled to after the execution of this Will, including all lapsed legacies and devises and all life insurance payable to my estate, but excluding any property over and concerning which I have any power of appointment, I bequeath and devise, share and share alike, in fee as follows:

A. One-third (1/3) of my residual estate to Lallie T. Richter, but if such residual beneficiary shall predecease me, such beneficiary's share shall pass to my son, Billy Michael Gunn.

B. Two-thirds (2/3) of my residual estate to my son, Billy Michael Gunn, but if such residual beneficiary shall predecease me, such beneficiary's share shall pass to Lallie T. Richter.

4.04 FORFEITURE ON CONTEST. If any beneficiary hereunder (or the beneficiary's guardian or Personal Representative) shall contest the probate or validity of this Will or any provision thereof, or shall institute or join in (except as a party defendant) any proceeding to contest the validity of this Will or to prevent any provision thereof from being carried out in accordance with its terms (regardless of whether of such proceedings are instituted in good faith and with probable cause), and all benefits provided for such beneficiary are revoked and such benefits shall pass to the residual beneficiaries of this Will (other than such beneficiary) in the proportion that the share of each such residual beneficiary bears to the aggregate of the effective shares of the residuary. The mere filing of a contest shall cause this forfeiture to take place automatically to the terms set forth herein. If all the residual beneficiaries join in such contest or proceedings, then such benefits shall pass to those persons (other than the persons joined in such contest) who are living at my death who would have been distributees had I died intestate as a resident of the State of Tennessee and had the person or persons contesting my Will died immediately before me. Each benefit conferred herein is made on the condition precedent that the beneficiary shall accept and agree to all of the provisions of this Will and the provisions of this article are an essential part of each and every benefit.

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ITEM V

5.01 CAPTIONS AND GRAMMATICAL CONSTRUCTION: The captions and headings of the paragraphs of this Will are for convenience only and are not to be used to interpret or define the provisions hereof. 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.

5.02 DEFINITION OF CHILDREN AND ISSUE: Unless otherwise clearly indicated, the word "child" or "children" shall mean my lawful child or children, and the word "issue" shall mean lawful blood descendants of all degrees of the individual designated.

In determining who is a descendant of mine or of any other person:

(A) Legal adoption before the adopted person reached the age of twenty-one years, but not thereafter, shall be equivalent to blood relationship; and

(B) A person born out of lawful wedlock and those claiming through that person shall be considered to be descendants of (i) the natural mother and her ancestors, and (ii) if the natural father acknowledges paternity, the natural father and his ancestors, in each case unless a decree of adoption terminates such natural parent's parental rights.

(C) Any child in gestation, later born alive, shall for purposes of this Will be construed as a child in being.

5.03 STATUTORY REFERENCES TO IRC OF 1986: Unless otherwise stated, all statutory reference in this Will are to sections of the Internal Revenue Code of 1986, as amended, and include any corresponding provisions of the federal tax law which may, from time to time, be in effect.

5.04 DEFINITION OF DEVISE AND DEVISEE: The term "devise", when used in this Will as a verb, means to dispose of real or personal property, and includes the terms give and bequeath. The term "devise" when used in this Will as a noun, means a disposition of real or personal property. The term "devisee" in this Will means any person designated to receive a devise. In case of a devise to a Trust or Trustee described in this Will, the Trust or Trustee is the devisee, and the beneficiaries are not the devisees.

5.05 DEFINITION OF PERSONAL REPRESENTATIVE: All references in this Will to my "Personal Representative" shall have the same meaning as that given to the word "executor" or "executrix".

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IN WITNESS WHEREOF, I have signed this instrument as my Last Will and Testament consisting of seven (7) pages and five (5) articles, and for the purpose of identification, I have initialed each preceding page, all in the presence of the individuals witnessing at my request this the 17th day of August 2010, at Pulaski, Tennessee.

Patty D. Gunn
Patty D. Gunn

STATE OF TENNESSEE
COUNTY OF GILES

We, the undersigned witnesses to the Last Will and Testament of Patty D. Gunn, (the "Testatrix") being first duly sworn, do make oath jointly and severally as follows:

1. The Last Will and Testament of the Testatrix, dated the 17th day of August 2010, was signed, declared and published by the Testatrix as and for her Last Will and Testament in the sight and presence of all of the attesting witnesses.

2. All of the attesting witnesses affixed signatures as attesting witnesses at the Testatrix's request and in the Testatrix's sight and presence and in the sight and presence of each other.

3. At the said time and place the Testatrix was of sound mind and disposing memory and signed the said Will as her free and voluntary act.

Michelle Matthews

Kimberly F. Harwell

Personally appeared before me, _____, a Notary Public of said County and State, the Testatrix and two witnesses Michelle Matthews and Kimberly F. Harwell, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 17th day of August 2010.

_____
Notary Public

My commission expires _____.

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IN THE PROBATE COURT

OF

DAVIDSON COUNTY, TENNESSEE

IN RE:)
ESTATE OF PATTY D. GUNN)
_____)

INTERROGATORIES

1. On August 17, 2010, I was a witness to the Will of Patty D. Gunn (herein "Testatrix"). (A copy of which is attached hereto as Exhibit "A" and incorporated herein).

2. That I saw the Testatrix sign the Will and that the same was executed in the sight and presence of the other attesting witness.

3. That the Testatrix signed the same as and for Testatrix's Last Will and Testament in our sight and in the sight and presence of each of us, who at Testatrix's request, in Testatrix's sight and presence, and in the sight and presence of each other, subscribed our names as witnesses, the Testatrix signing the same in our sight and presence and we signing in the Testatrix's sight and presence and in the sight and presence of each other, at Pulaski, TN, on said day and date first above written.

4. That at the time of the execution of said Will, the Testatrix was of sound mind and disposing memory, was eighteen (18) years of age or older, was under no duress, compulsion or constraint and was fully cognizant of the nature of her act.

5. Further affiant saith not.

Michelle Matthews

Michelle Matthews

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STATE OF TENNESSEE

COUNTY OF GILES

Personally appeared before me, Robert C. Henry, a Notary Public of said County and State, Michelle Matthews, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes ~~therein~~ contained.

Witness my hand, at office, this 17th day of December 2014.

ROBERT C. HENRY
STATE OF TENNESSEE NOTARY PUBLIC
GILES COUNTY

Notary Public

My Commission Expires: 01-20-16.

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IN THE PROBATE COURT

OF

DAVIDSON COUNTY, TENNESSEE

IN RE:)
ESTATE OF PATTY D. GUNN)
_____)

INTERROGATORIES

1. On August 17, 2010, I was a witness to the Will of Patty D. Gunn (herein "Testatrix"). (A copy of which is attached hereto as Exhibit "A" and incorporated herein).

2. That I saw the Testatrix sign the Will and that the same was executed in the sight and presence of the other attesting witness.

3. That the Testatrix signed the same as and for Testatrix's Last Will and Testament in our sight and in the sight and presence of each of us, who at Testatrix's request, in Testatrix's sight and presence, and in the sight and presence of each other, subscribed our names as witnesses, the Testatrix signing the same in our sight and presence and we signing in the Testatrix's sight and presence and in the sight and presence of each other, at Pulaski, TN, on said day and date first above written.

4. That at the time of the execution of said Will, the Testatrix was of sound mind and disposing memory, was eighteen (18) years of age or older, was under no duress, compulsion or constraint and was fully cognizant of the nature of her act.

5. Further affiant saith not.

Kimberly F. Harwell

Kimberly F. Harwell

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STATE OF TENNESSEE

COUNTY OF GILES

Personally appeared before me, Robert C. Henry, a Notary Public of said County and State, Kimberly F. Harwell, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 17th day of December 2014.

Notary Public

ROBERT C. HENRY STATE OF TENNESSEE NOTARY PUBLIC GILES COUNTY

My Commission Expires: 01-20-16.

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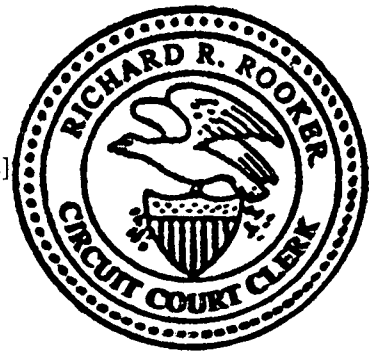
STATE OF TENNESSEE

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 filed in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 08 day of JANUARY, 2015, in Docket Number 14P2087, IN RE: GUNN, PATTY D., as same remains of record in the Minutes 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 MAY in the year 2015 and in the 238 year of American Independence.

RICHARD R. ROOKER, Clerk,

[SEAL]



By: _____
Deputy Clerk