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By _____ Deputy

Last Will and Testament of Chongsuk Kim Marck

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LAST WILL AND TESTAMENT
OF
CHONGSUK KIM MARCK

Introductory Clause. I, Chongsuk Kim Marck, a resident of and domiciled in the City of Old Hickory, County of Davidson and State of Tennessee, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils at any time heretofore made by me.

I have one living child: Michelle Kim Marck, born August 28, 1979.

ITEM 1.

1.1. **Payment of Debts, Expenses and Taxes.** The following provisions shall govern the payment of debts, expenses and taxes by the Executor of my estate.

1.1.1. **Direction to Pay Debts.** I direct that all my legally enforceable debts, secured and unsecured (except mortgages or deeds of trust, which may be paid or retained in the discretion of the Personal Representative), expenses related to my funeral, and expenses related to the administration of my estate shall be paid by my Executor as soon as practicable after my death.

1.1.2. **Direction to Pay Taxes.** I direct that all estate, inheritance, succession, death or similar taxes (except generation-skipping transfer taxes which shall be charged to the property constituting the transfer in the matter provided by applicable law) assessed against my estate herein disposed of, or any part thereof, or on any bequest or devise contained in this my Last Will (which term wherever used herein shall include any Codicil hereto), or on any insurance upon my life or on any property held jointly by me with another or on any transfer made by me during my lifetime or on any other property or interests in property included in my estate for such tax purposes be paid out of my residuary estate and shall not be charged to or against any recipient, beneficiary, transferee or owner of any such property or interests in property included in my estate for such tax purposes.

1.1.3. **Specific Intent Regarding Life Insurance Payable to Estate.** It is my specific intention and direction that the proceeds of any life insurance policy payable to my Executor or my estate shall be free from the claims of creditors and held and distributed under the dispositive provisions of this Will. My Executor may use (but shall not under any circumstances be required to use) any portion of such proceeds as my Executor deems advisable for the payment of debts, expenses and taxes, but only if my Executor deems such use of the proceeds to be in the best interests of my legatees hereunder.

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ITEM 2.

2.1. **General Bequest of Personal and Household Effects With a Mandatory Memorandum.** I give and bequeath all my personal and household effects of every kind including but not limited to furniture, appliances, furnishings, pictures, silverware, china, glass, books, jewelry, wearing apparel, boats, automobiles, and other vehicles, and all policies of fire, burglary, property damage, and other insurance on or in connection with the use of this property, as follows:

2.1.1. I may leave a written memorandum disposing of certain items of my tangible personal property. Any such item of tangible personal property shall pass according to the terms of such memorandum in existence at the time of my death. If no such written memorandum is found or identified by my Executor within ninety (90) days after my Executor's qualification, it shall be conclusively presumed that there is no such memorandum and any subsequently discovered memorandum shall be ineffective. Any property given and devised to a beneficiary who is not living at the time of my death and for whom no effective alternate provision has been made shall pass according to the provisions of the following paragraph, and not pursuant to any anti-lapse statute. I realize that any such written memorandum may not be legally binding unless it meets the requirements of a Will or Codicil. If a memorandum attached hereto shall not meet such requirements, I nonetheless direct my Executor to consider the contents of any such memorandum in making any discretionary divisions or distributions of such assets.

2.1.2. In default of such memorandum, or to the extent such memorandum does not completely or effectively dispose of such property, and subject to any specific bequest of tangible personal property or personal effects in this Last Will and Testament, I give and bequeath the rest of my personal and household effects of every kind to my daughter, Michelle Kim Marck; provided, however, that if Michelle Kim Marck shall not survive me, her surviving issue, if any, shall take per stirpes the share she would have taken had she survived me. If my beneficiaries do not agree to the division of the property among themselves, my Executor shall make such division among them, the decision of my Executor to be in all respects binding upon such beneficiaries. If any beneficiary hereunder is not *sui juris*, my Executor may distribute such beneficiary's share to any trust created herein for such beneficiary, or, lieu of such trust, to any person with whom such beneficiary is residing or who has the care or control of such beneficiary without further responsibility and the receipt of the person to whom it is distributed shall be a complete discharge of my Executor. My Executor may sell personal and household effects not otherwise disposed of in a manner which, in the sole discretion of my Executor, will maximize the sale proceeds and such proceeds shall be distributed as part of my residuary estate.

ITEM 3.

Outright Gift of All Property to Daughter, Contingent Gift to Issue of Daughter, Contingent Gift to Named Beneficiary. I give, devise and bequeath all the rest, residue and remainder of my property of every kind and description (including lapsed legacies and devises) wherever situate and whether acquired before or after the execution of this Will,

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absolutely in fee simple to my daughter, Michelle Kim Marck, if she shall survive me. If my daughter shall not survive me, her surviving issue shall take per stirpes the share she would have taken had she survived me, or in default of such issue to the following beneficiaries in the shares indicated:

One-third (1/3) to ChongHun Kim;
One third (1/3) to Chongun Kim; and
One third (1/3) to ChongHu Kim.

ITEM 4.

4.1. **Naming the Executor, Executor Succession, Executor's Fees and Other Matters.** The provisions for naming the Executor, Executor succession, Executor's fees and other matters are set forth below:

4.1.1. **Naming an Individual Executor.** I hereby nominate, constitute and appoint as Executor of this my Last Will and Testament Michelle Kim Marck and direct that she shall serve without bond.

4.1.2. **Naming Individuals as Successor or Substitute Co-Executors.** If my individual Executor should fail to qualify as Executor hereunder, or for any reason should cease to act in such capacity, the successor or substitute Co-Executors who shall also serve without bond shall be Chongun Kim and Chonhun Kim. If any individual Co-Executor named herein should fail to qualify as Executor hereunder, or for any reason should cease to act in such capacity, the remaining individual Co-Executor named herein shall continue to serve without a successor or substitute.

4.1.3. **Fee Schedule for Individual Executor**. For its services as Executor, my individual Executor shall receive reasonable compensation for the services rendered and reimbursement for reasonable expenses.

4.2. **Executor Voting Rights.** If there is more than one Executor serving, then the vote of the Executors for any action hereunder must be by majority action of the Executors. Provided, however, that if only two Executors shall be serving as Co-Executors, then the Executors shall act with unanimity on all actions, unless the Co-Executors shall have otherwise agreed in writing.

4.3. **Delegation Among Executors.** When there is more than one individual or entity serving as Co-Executors, then any Executor may delegate to any other Co-Executor the power to exercise any or all of the powers granted to the Executors in this Last Will and Testament, including those powers, which are discretionary, to the extent allowed by law. Any delegating Executor may revoke any such delegation with written notice to the other serving Co-Executors. The delegation of any such power, as well as the revocation of any such delegation, shall be evidenced by an instrument in writing signed by the delegating Co-Executor. As long as any such delegation is in effect, any of the delegated powers may be exercised by the Executor receiving such delegation with the same force and effect as if

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the delegating Executor had personally joined in the exercise of such power. Provided, however, that if such Executor, or Co-Executor, shall also be a current beneficiary and such delegation shall be deemed to create in that Executor a right that shall be deemed to be a general power of appointment, then such individual Executor shall not be vested with such right to delegate such power.

ITEM 5.

Definition of Executor. Whenever the word "Executor" or any modifying or substituted pronoun therefor is used in this my Will, such words and respective pronouns shall include both the singular and the plural, the masculine, feminine and neuter gender thereof, and shall apply equally to the Executor named herein and to any successor or substitute Executor acting hereunder, and such successor or substitute Executor shall possess all the rights, powers and duties, authority and responsibility conferred upon the Executor originally named herein.

ITEM 6.

6.1. **Powers for Executor.** I grant to my Executor any and all of the powers that an Executor may exercise under the applicable laws of the State of Tennessee, including, but not limited to the powers enumerated in Tennessee Code Annotated (the "Tennessee Code") Section 35-50-110 which are incorporated by reference as well as the powers granted in the Uniform Trust Code as adopted in Tennessee and any other powers granted in Title 35 of the Tennessee Code, even if my estate is administered in a state other than Tennessee or any Executor hereunder is a citizen or resident of a state other than Tennessee, to the extent that such state laws are not inconsistent with any express powers granted the Executor hereunder.

6.2. **Examples of Fiduciary Powers.** By way of illustration and not of limitation and in addition to the foregoing statutory powers granted to Executors generally, my Executor is specifically authorized and empowered with respect to any property, real or personal, at any time held under any provision of this my Will: to allot, allocate between principal and income, assign, borrow, buy, care for, collect, compromise claims, contract with respect to, continue any business of mine, convey, convert, deal with, dispose of, enter into, exchange, hold, improve, incorporate any business of mine, invest, lease, manage, mortgage, grant and exercise options with respect to, take possession of, pledge, receive, release, repair, sell, sue for, to make distributions or divisions in cash or in kind or partly in each without regard to the income tax basis of such asset, and in general, to exercise all the powers in the management of my Estate which any individual could exercise in the management of similar property owned in his or her own right, upon such terms and conditions as to my Executor may seem best, and to execute and deliver any and all instruments and to do all acts which my Executor may deem proper or necessary to carry out the purposes of this my Will, without being limited in any way by the specific grants of power made, and without the necessity of a court order. I grant to my Executor the power and authority to appoint a resident executor to serve concurrently when applicable law so requires.

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ITEM 7.

7.1. **Tax-Related Administrative Provisions.** The following provisions shall govern tax-related aspects of the devises, bequests and estate administration under this Last Will and Testament.

7.1.1. **Discretion Granted to Executor in Reference to Tax Matters.** My Executor as the fiduciary of my estate shall have the discretion, but shall not be required when allocating receipts of my estate between income and principal, to make adjustments in the rights of any beneficiaries, or among the principal and income accounts to compensate for the consequences of any tax decision or election, or of any investment or administrative decision, that my Executor believes has had the effect, directly or indirectly, of preferring one beneficiary or group of beneficiaries over others; provided, however, my Executor shall not exercise its discretion in a manner which would cause the loss or reduction of the marital deduction as may be herein provided. In determining the state or federal estate and income tax liabilities of my estate, my Executor shall have discretion to select the valuation date and to determine whether any or all of the allowable administration expenses in my estate shall be used as state or federal estate tax deductions or as state or federal income tax deductions.

ITEM 8.

8.1. **Miscellaneous Administrative Provisions.** The following miscellaneous provisions shall apply to the administration of my estate and the interpretation of this Last Will and Testament.

8.1.1. **Waiver of Bond, Inventory and Accounting Requirements.** To the extent permitted by law, no Fiduciary serving hereunder, primary, successor or otherwise, shall be required to furnish a bond or file any inventory or accountings with the Court in the performance of the Fiduciary's duties.

8.1.2. **Captions.** The captions and headings of this Will are for convenience only and shall not define or otherwise limit the provisions contained herein.

8.1.3. **State Law to Govern.** This Last Will and Testament shall be construed, regulated and governed by and in accordance with the laws of the State of Tennessee.

ITEM 9.

Provision for Executor to Act as Trustee for Beneficiary Under Age Twenty-One. If any share or property hereunder becomes distributable to a beneficiary who has not attained the age of Twenty-one (21) years or if any real property shall be devised to a person who has not attained the age of Twenty-one (21) years at the date of my death, then such share or property shall immediately vest in the beneficiary, but notwithstanding the

provisions herein, my Executor acting as Trustee shall retain possession of the share or property in trust for the beneficiary until the beneficiary attains the age of Twenty-one (21), using so much of the net income and principal of the share or property as my Executor deems necessary to provide for the medical care, education, support and maintenance in reasonable comfort of the beneficiary, taking into consideration to the extent my Executor deems advisable any other income or resources of the beneficiary or his or her parents known to my Executor. Any income not so paid or applied shall be accumulated and added to principal. The beneficiary's share or property shall be paid over, distributed and conveyed to the beneficiary upon attaining age Twenty-one (21), or if he or she shall sooner die, to his or her executors or administrators. Whenever my Executor determines it appropriate to pay any money for the benefit of a beneficiary for whom a trust is created hereunder, then the amounts shall be paid out by my Executor in such of the following ways as my Executor deems best: (1) directly to the beneficiary; (2) to the legally appointed guardian of the beneficiary; (3) to some relative or friend for the care, support and education of the beneficiary; (4) by my Executor using such amounts directly for the beneficiary's care, support and education; (5) to a custodian for the beneficiary under the Uniform Gifts or Transfers to Minors Act. My Executor as trustee shall have with respect to each share or property so retained all the powers and discretions conferred upon it as Executor.

ITEM 10.

Simultaneous Death Provision Presuming Beneficiary Predeceases Testatrix and Beneficiary Survivorship Requirement. If any beneficiary and I should die under such circumstances as would make it doubtful whether the beneficiary or I died first, or if a beneficiary hereunder shall fail to survive me by Sixty (60) days, then it shall be conclusively presumed for the purposes of this Will that the beneficiary predeceased me and the share of such beneficiary shall be distributed under the remaining provisions of this Last Will and Testament.

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Testimonium Clause. IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of eight (8) printed pages total, not including the title page, but including the Self-Proving Affidavit immediately following this page, and, for the purpose of identification, I have initialed each such page, all in the presence of the persons witnessing same at my request on this 30 Day of August, 2008.

Chongsuk Kim Marck

Chongsuk Kim Marck

Attestation Clause. The foregoing Will was this 30 Day of August, 2008, signed, sealed, published and declared by the Testatrix as and for her Last Will and Testament in our presence, and 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 on the above date.

Madison Knight
Witness

MADISON KNIGHT
Print Name

4636 Lebanon Pike
Address Line 1

Hermitage, TN 37076
Address Line 2

Janie Bealor
Witness

Janie Bealor
Print Name

4636 Lebanon Pike
Address Line 1

Hermitage, TN 37076
Address Line 2

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PROOF OF WILL

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Self-Proving Affidavit

We, Chongsuk Kim Marck, and Madison Knight and Janie Bealor, the Testatrix and the witnesses, respectively, whose names are signed to the attached or foregoing instrument, being first duly sworn, do hereby declare to the undersigned authority that the Testatrix signed and executed the instrument as her Last Will and that she had signed willingly (or willingly directed another to sign for her), and that she executed it as her free and voluntary act for the purposes therein expressed, and that each of the witnesses, in the presence and hearing of the Testatrix, and in the presence of each other, signed the Will as witness and to the best of our knowledge the Testatrix was at that time eighteen years of age or older, of sound mind, and under no constraint or undue influence.

Chongsuk Kim Marck

Chongsuk Kim Marck

Madison Knight

Witness

Janie Bealor

Witness

Subscribed, sworn to, and acknowledged before me by Chongsuk Kim Marck, the Testatrix and Madison Knight and Janie Bealor, witnesses, this 30 Day of August, 2008.

VICKI L. PRIMM
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

Vicki L. Primm

Notary Public for Tennessee

My Commission Expires: July 25, 2009

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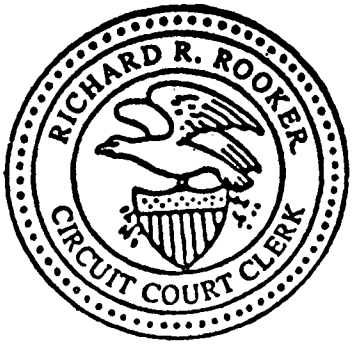
STATE OF TENNESSEE

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 10 day of SEPTEMBER, 2015, in Docket Number 15P1480, IN RE: MARCK, CHONGSUK KIM, 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 21 day of SEPTEMBER in the year 2015 and in the 239 year of American Independence.

RICHARD R. ROOKER, Clerk,

[SEAL]



By: _____
Deputy Clerk