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RICHARD R. ROOKER, Clerk
By _____ Deputy

# LAST WILL AND TESTAMENT OF

Jackie E Fuston

**BE IT KNOWN THIS DAY THAT,**

I, Jackie E Fuston, of Davidson County, Tennessee, being of legal age and of sound and disposing mind and memory, and not acting under duress, menace, fraud, or undue influence of any person, do make, declare and publish this to be my Will and hereby revoke any Will or Codicil I may have made.

## ARTICLE ONE
## Marriage and Children

I was married to Willola J Fuston, now deceased, and have the following adult children from a said marriage:

Name: Jason E Fuston Date of Birth: 04/24/1976

## ARTICLE TWO
## Debts and Expenses

I direct my Personal Representative to pay all costs and expenses of my last illness and funeral expenses. I further direct my Personal Representative to pay all of my just debts that may be probated, registered and allowed against my estate. However, this provision shall not extend the statute of limitations for the payment of debts, or enlarge upon my legal obligation or any statutory duty of my Personal Representative to pay debts.

## ARTICLE THREE
## Specific Bequests of Real and/or Personal Property

I will, give and bequeath unto the persons named below, if he or she survives me, the Property described below:

| Name | Address | Relationship |
|---|---|---|
| [11]Jason E Fuston | [12]110 Granite Court<br>[13]White House, Tn<br>[14]37188 | [15]Son |

Property: [16]Entire estate including all assets liquid or non.

In the event I name a person in this Article and said person predeceases me, the bequest to such person shall lapse and the property shall pass under the other provisions of this Will. In the event that I do not possess or own any property listed above on the date of my death, the bequest of that property shall lapse.

## ARTICLE FOUR
## Homestead or Primary Residence

Signed by Testator/Testatrix: Jackie E Fuston

I Will, devise and bequeath all my interest in my homestead or primary residence, if I own a homestead or primary residence on the date of my death that passes through this Will, to my child(ren), Jason E Fuston, If I have and name more than one child, they are to receive the property, equally, per stirpes.

## ARTICLE FIVE
## All Remaining Property – Residuary Clause

I will, devise, bequeath and give all the rest and remainder of my property and estate of every kind and character, including, but not limited to, real and personal property in which I may have an interest at the date of my death and which is not otherwise effectively disposed of, to My Child(ren), Jason E Fuston, If I have and name more than one child, they are to receive the property, equally, per stirpes.

## ARTICLE SIX
## Appointment of Personal Representative, Executor or Executrix

I hereby appoint Jason E Fuston, as Personal Representative of my estate and this Will. In the event my Personal Representative shall predecease me, or, for any reason, shall fail to qualify or cease to act as my Personal Representative, then I hereby appoint Kimberly N Fuston to serve as successor Personal Representative of my estate and Will.

The term "Personal Representative", as used in this Will, shall be deemed to mean and include "Personal Representative", "Executor" or "Executrix".

## ARTICLE SEVEN
## Waiver of Bond, Inventory, Accounting, Reporting and Approval

My Personal Representative and successor Personal Representative shall serve without any bond, and I hereby waive the necessity of preparing or filing any inventory, accounting, appraisal, reporting, approvals or final appraisement of my estate.

## ARTICLE EIGHT
## Powers of Personal Representative, Executor and Executrix

I direct that my Personal Representative shall have broad discretion in the administration of my Estate, without the necessity of Court approval. I grant unto my Personal Representative, all powers that are allowed to be exercised by Personal Representatives by the laws of the State of Tennessee and to the extent not prohibited by the laws of Tennessee, the following additional powers:

1. To exercise all of the powers, rights and discretions granted by virtue of any "Uniform Trustees' Powers Law," and/or "Probate Code" adopted by the State of Tennessee.

2. To compromise claims and to abandon property which, in my Executor's opinion is of little or no value.

3. To purchase or otherwise acquire and to retain any and all stocks, bonds, notes or other securities, or shares or interests in investment trusts and common trust funds, or in any

other property, real, personal or mixed, as my Personal Representative may deem advisable, whether or not such investments or property be of the character permissible by fiduciaries, without being liable to any person for such retention or investment.

4. To settle, adjust, dissolve, windup or continue any partnership or other entity in which I may own a partnership or equity interest at the time of my death, subject, however, to the terms of any partnership or other agreement to which I am a party at the time of my death. I authorize my Personal Representative to continue in any partnership or other entity for such periods and upon such terms as they shall determine. My Personal Representative shall not be disqualified by reason of being a partner, equity owner or title holder in such firm from participating on behalf of my estate in any dealings herein authorized to be carried on between my Personal Representative and the partners or equity owners of any such partnership or other entity.

5. To lease, sale, or offer on a lease purchase, any real or personal property for such time and upon such terms and conditions in such manner as may be deemed advisable by my Personal Representative, all without court approval.

6. To sell, exchange, assign, transfer and convey any security or property, real or personal, held in my estate, or in any trust, at public or private sale, at such time and price and upon such terms and conditions (including credit) as my Personal Representative may deem advisable and for the best interest of my estate, or any trust. I hereby waive any requirement of issuing summons, giving notice of any hearing, conducting or holding any such hearing, filing bond or other security, or in any way obtaining court authority or approval for any such sale, exchange, assignment, transfer or conveyance of any real or personal property.

7. To pay all necessary expenses of administering the estate and any trust including taxes, trustees' fees, fees for the services of accountants, agents and attorneys, and to reimburse said parties for expenses incurred on behalf of the estate or any trust hereunder.

8. Unless otherwise specifically provided, to make distributions (including the satisfaction of any pecuniary bequest) in cash or in specific property, real or personal, or in an undivided interest therein, or partly in cash and partly in other property, and to do so with or without regard to the income tax basis of specific property allocated to any beneficiary and without making pro rata distributions of specific assets.

9. To determine what is principal and what is income with respect to all receipts and disbursements; to establish and maintain reserves for depreciation, depletion, obsolescence, taxes, insurance premiums, and any other purpose deemed necessary and proper by them and to partite and to distribute property of the estate or trust in kind or in undivided interests, and to determine the value of such property.

10. To participate in any plan of reorganization, consolidation, dissolution, redemption, or similar proceedings involving assets comprising my estate or any trust created hereunder, and to deposit or withdraw securities under any such proceedings.

11. To perform such acts, to participate in such proceedings and to exercise such other rights and privileges in respect to any property, as if she or he were the absolute owner thereof, and in connection therewith to enter into and execute any and all agreements binding my estate and any trust created hereunder.

Signed by Testator/Testatrix: Vashti E. Thurston

12. To compromise, settle or adjust any claim or demand by or against my estate, or any trust, to litigate any such claims, including, without limitation, any claims relating to estate or income taxes, and to agree to rescind or modify any contract or agreement.

13. To borrow money from such source or sources and upon such terms and conditions as my Personal Representative shall determine, and to give such security therefor as my Personal Representative may determine.

All authorities and powers hereinabove granted unto my Personal Representative shall be exercised from time to time in her or his sole and absolute discretion and without prior authority or approval of any Court, and I intend that such powers be construed in the broadest possible extent.

## ARTICLE NINE
## Construction Intentions

It is my intent that this Will be interpreted according to the following provisions:

The masculine gender shall be deemed to include the feminine as well as the neuter, and vice versa, as to each of them; the singular shall be deemed to include the plural, and vice versa.

The term "testator" as used herein is deemed to include me as Testator or Testatrix.

This Will is not a result of a contract between myself and any beneficiary, fiduciary or third party and I may revoke this Will at any time.

If any part of this Will shall be declared invalid, illegal, or inoperative for any reason, it is my expressed intent that the remaining parts shall be effective and fully operative and it is my intent that any Court so interpreting same construct this Will and any provision in favor of survival.

## ARTICLE TEN
## Misc. Provisions

I direct that this Will and the construction thereof shall be governed by the Laws of the State of Tennessee.

**(I have placed my initials next to the provisions below that I desire to adopt. Unmarked provisions are not adopted by me and are not a part of this Will)**

_____ If any person named herein is indebted to me at the time of my death and such indebtedness be evidenced by a valid Promissory Note payable to me, then such person's portion of my estate shall be diminished by the amount of such debt.
Signed if Selected: _____

_✓_ Any and all debts of my estate shall first be paid from my residuary estate. Any debts on any real property left herein shall be assumed by the person to receive such real property and not paid by my Personal Representative.
Signed if Selected: Jackie E. Fuston

Signed by Testator/Testatrix: Jackie E Fuston

✓ I desire to be buried in the Spring Hill cemetery in Davidson County, Tennessee.
Signed if Selected: Jackie E Fuston

_____ I direct that my remains be cremated and that the ashes be disposed of according to the wishes of my Executor.

I, Jackie E Fuston, having signed this Will in the presence of Darrel Boyd and Darrel W. Boyd who attested it at my request on this the 17th day of November, 2011 at 3441 Dickerson Rd., Nashville, TN 37207 (address), declare this to be my Last Will and Testament.

Jackie E Fuston

Jackie E. Fuston

Testator/Testatrix

The above and foregoing Will of Jackie E Fuston (name of testator/testatrix) was declared by Jackie E Fuston (name of testator/testatrix) in our view and presence to be his/her Will and was signed and subscribed by the said Jackie E Fuston (name of testator/testatrix) in our view and presence and at his/her request and in the view and presence of Jackie E Fuston (name of testator/testatrix) and in the view and presence of each other, we, the undersigned, witnessed and attested the due execution of the Will of Jackie E Fuston (name of testator/testatrix) on this the 17th day of November, 2011.

| | | | |
|---|---|---|---|
| Witness Signature | Darrel Boyd | Witness Signature | Darrel W Boyd |
| Print Name: | Darrel Boyd | Print Name: | Darrel W Boyd |
| Address: | 1564 New Bethel Rd | Address: | 1564 New Bethel Rd |
| City, State, Zip: | Lafayette TN 37083 | City, State, Zip: | Lafayette TN 37083 |
| Phone: | 615 666 7816 | Phone: | 615-666-7816 |

Signed by Testator/Testatrix: Jackie E. Fuston

STATE OF TENNESSEE
COUNTY OF Davidson

PERSONALLY appeared before me, the undersigned authority in and for the county and state aforesaid, Darrel Boyd and Darrel W. Boyd, who, being by me first duly sworn, makes oath to the following:

1. The undersigned were subscribing witnesses to that certain instrument of writing dated November 17, 2011, which is the true and original Last Will and Testament of Jackie E. ~~Fouston~~ Fuston gc, the "Maker".

2. That the Maker signed, published and declared said instrument as his or her Last Will and Testament on the 17th day of November, 2011, the date of said instrument, in the presence of us as two (2) subscribing witnesses.

3. The Maker was then and there of sound and disposing mind, memory and understanding and was over eighteen (18) years of age.

4. The undersigned as competent adults, subscribed and attested said instrument as a witness to the signature, publication and declaration thereof by the Maker, at the special instance and request of the Maker, in his or her presence and in the presence of each of us as witnesses.

Witness

DARREL BOYD
Print Name

Witness

Darrel W Boyd
Print Name

SWORN TO AND SUBSCRIBED before me, this the 17th day of November, 2011.

Jodie Kay Compton
NOTARY PUBLIC

MY COMMISSION EXPIRES:

10.21.13

JODIE KAY COMPTON
STATE OF TENNESSEE NOTARY PUBLIC
SUMNER COUNTY
My Commission Expires October 21, 2013

TC-32-1-(102-104) Certification

# 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 LAST WILL AND TESTAMENT heretofore assigned to Seventh Circuit Court (Probate Division) for Davidson County, Tennessee, Case No. 15P1570.

ESTATE OF JACKIE E. FUSTON

**IN TESTIMONY WHEREOF,** I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 1st day of October in the year Two Thousand and Fifteen.

**RICHARD R. ROOKER**, Clerk

**By:** _____
Deputy Clerk

