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BILL GARRETT, Davidson County
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D.C.

LAST WILL AND TESTAMENT

OF

CAROLYN FAY BEVINGTON GARDNER

I, **CAROLYN FAY BEVINGTON GARDNER**, of the City of Nashville, County of Davidson, State of Tennessee, do make, publish and declare this to be my Last Will and Testament. I hereby revoke all Wills and codicils previously made by me.

ARTICLE I: EXECUTOR OR EXECUTRIX

A. I appoint my husband **DAVID JOSEPH GARDNER**, as Executor of my Last Will and Testament. If for any reason he predeceases me or fails to qualify for any cause whatsoever, or fails to act, then I appoint my daughter **GALEN ALENE MADARAS**, as successor Executrix. My successor Executrix shall have all the rights, duties, powers, discretions, privileges, and immunities of the Executor originally named.

B. I direct that my Executor and his successor shall not be required to give any bond for the faithful performance of duties in any jurisdiction and shall not be required to make any reports, inventories or accountings to any court not mandatory by law.

C. In order to completely administer my estate, I vest my Executor with full power and authority to sell, lease, mortgage, transfer, and convey or otherwise dispose of any property, real or personal, which I own at the time of my death, at such times and places and upon such terms and

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conditions as my Executor may decide. I further authorize my Executor to exercise any and all powers of such a fiduciary enumerated in the Tennessee Code as amended to the date of my death, to the extent applicable, all of which provisions and powers are incorporated herein by reference as fully as if included herein verbatim.

D. Whenever in this Will payment is to be made to a minor, or property is to be delivered to such minor, I authorize my Executor to pay or deliver the same, in her discretion, to the trustee designated, or if there is no trustee designated, to persons having the care, custody, or control of such minors; the receipt of such payee shall be full acquittance of my Executor.

ARTICLE II: DISPOSITION OF PROPERTY

A. SPECIFIC BEQUESTS:

1. After all taxes and expenses have been paid as directed by other provisions of this Will, then I direct that my Executor or Executrix shall take possession of my personal property and distribute it as he or she sees as fit and proper, and shall use the list which shall be kept with this Original Will as suggested distribution of these items.

2. I direct that title to my real property shall be vested in my daughter **GALEN ALENE MADARAS**, subject to a life estate, and I direct that a life estate in that property shall be vested in my husband **DAVID JOSEPH GARDNER**. I direct that both shall equally share in the taxes, insurance, maintenance, and the payment of any liens or loans on said property.

3. I direct that my husband **DAVID JOSEPH GARDNER** shall receive the two lots in Benton County, Tennessee: Marina Ridge Road, Lots 43 & 44, Subdivision Sugar Tree 1; further, he shall receive the copper lamp, my 1999 Nissan Altima, and the painting by R. C. Nuse that is a winter scene.

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4. I direct that my daughter **GALEN ALENE MADARAS** shall receive the antique china cabinet with all that it contains, my jewelry, and the painting by R. C. Nuse that is of my grandmother in a flower garden.

5. My sister **JOY MADDUX** shall receive my Stangl pottery - wrens and titmouse, and my grandmother Maddux's soup tureen.

6. My brother **DON MADDUX** shall receive the book of State Centennial history, Story of Ohio, Ross County, our family history of Maddux.

B. RESIDUARY ESTATE: I bequeath and devise all of the remaining property which I may own at my time of my death, real, personal and mixed, tangible and intangible, of whatsoever nature in wheresoever situated, including all property which I may acquire or may become entitled to after the execution of this Will, including all lapsed legacies, and devices and all life insurance payable to my estate, which property is not disposed of elsewhere in this instrument, as follows:

I bequeath my residuary estate to be distributed to my husband **DAVID JOSEPH GARDNER** and my daughter **GALEN ALENE MADARAS**.

C. I direct that any expenses incurred in safeguarding or delivering such property be paid from my estate as an administrative expense.

ARTICLE III: TAXES AND EXPENSES

A. I direct my Executor and his successor to pay all my legally enforceable debts, my funeral expenses, and the expenses of administering my estate as soon as practicable after my death.

B. I direct that all estate, inheritance or other taxes lawfully assessed because of my death, together with interest and any penalty thereon, be paid out of my residuary estate, without

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apportionment, without regard to whether the property passes under this Will or otherwise, and without contribution by any recipient of such property.

C. I direct that upon my death, if any of the property which passes under this Will is encumbered by a mortgage or lien or is pledged to secure any obligation, such encumbrance shall not be considered a debt of my estate and any person receiving property by virtue of this Will shall take such property subject to all encumbrances.

ARTICLE IV: TERMS

Any person who fails to survive me by 120 hours shall be deemed to have predeceased me for purposes of succession to property under this Will.

Throughout this Will it is my intention that the masculine pronouns or forms of other words are to include the masculine and feminine gender as appropriate.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this, my Last Will, consisting of this and three preceding typewritten pages, and, for the purpose of identification, I have initialed each such page, all in the presence of the persons witnessing it at my request on this 5th day of Jan., 2012, in Nashville, Tennessee. I request these attesting witnesses to make the Affidavit attached to this Will pursuant to Tennessee Code § 32-2-110.

Carolyn Fay Bevington Gardner

CAROLYN FAY BEVINGTON GARDNER

LAWRENCE D. [illegible]
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires

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ATTEST TO EXECUTION OF WILL:

Mary Ann M. Smith
WITNESS

2400 Crestmoor Road
ADDRESS
Nashville, TN 37215

LAWRENCE D. WILSON
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires

Ellen Yardley
WITNESS

2400 Crestmoor Rd
ADDRESS
Nashville, TN 37215

LAWRENCE D. WILSON
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires

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AFFIDAVIT

STATE OF TENNESSEE)
) SS:
COUNTY OF DAVIDSON)

We, the undersigned, having been duly sworn, depose and say:

1. On the 5 day of Jan., 2012, CAROLYN FAY BEVINGTON GARDNER presented to us a paper writing dated on the aforementioned date, purporting to be her Last Will and Testament.

2. She signed and subscribed her name as Testatrix thereto in our sight and presence.

3. She published and declared said instrument to be her Last Will and Testament and requested that we subscribe our names thereto and attest her execution of the same.

4. We, the undersigned, at her request and in her sight and presence and in the sight and presence of each other, signed and subscribed our names thereto as such attesting and subscribing witnesses.

5. CAROLYN FAY BEVINGTON GARDNER was more than eighteen (18) years of age and appeared to be of sound mind and disposing memory at the time she executed said instrument as her Last Will and Testament.

6. We, the undersigned, were each more than eighteen (18) years of age when we signed as such attesting and subscribing witnesses.

7. This Affidavit is attached to said Last Will and Testament and executed pursuant to Tennessee Code § 32-2-110 and at the request of CAROLYN FAY BEVINGTON GARDNER.

Margaret M. Valentin

Ellen Turley

Sworn to and subscribed before me,
this 5 day of Jan., 2012.

LAWRENCE TENN. WILSON COUNTY

NOTARY PUBLIC
My Commission Expires: 9/13/12

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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 20 day of SEPTEMBER, 2012, in Docket Number 12P1451, IN RE: BEVINGTON-GARDNER, CAROLYN FAY ET.AL, 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 04 day of NOVEMBER in the year 2014 and in the 238 year of American Independence.

RICHARD R. ROOKER, Clerk,

By: _____

Deputy Clerk

(SEAL)

Sonya Volz, Register
Benton County Tennessee

Rec #:	73943	
Rec'd:	35.00	Instrument #: 83986
State:	0.00	
Clerk:	0.00	Recorded
Other:	2.00	11/5/2014 at 8:10 AM
Total:	37.00	in
		Record Book 256 Pgs 306-312

SEND TAX STATEMENT TO
David Joseph Gardner
2506 Stinsen Rd.
Nashville TN 37214

Map 131P Grp A Parcels 18 & 19

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