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RICHARD R. ROOKER, Clerk
By _____ Deputy

LAST WILL AND TESTAMENT

OF

OLIVER DAVID GAY

BILL GARRETT, Davidson County
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Dated: April 5, 2009

Prepared by:

118th Airlift Wing
Maj Tracey A. Kinslow
240 Knapp Blvd.
Nashville, TN 37217
(615) 399-5525

LAST WILL AND TESTAMENT

OF

OLIVER DAVID GAY

I, **Oliver David Gay**, a resident of the State of Tennessee, make, publish and declare this to be my Last Will and Testament, revoking all wills and codicils at any time heretofore made by me. I am retired from the military service of the United States.

FIRST: I direct that the expenses of my last illness and funeral, the expenses of the administration of my estate, and all estate, inheritance and similar taxes payable with respect to property included in my estate, whether or not passing under this will, and any interest or penalties thereon, shall be paid out of my residuary estate, without apportionment and with no right of reimbursement from any recipient of any such property (including reimbursement under Section 2207B of the Internal Revenue Code).

SECOND: It is my desire that, upon my death, my body be buried with military honors and with a masonic graveside service. I have not contracted for or paid for any funeral arrangements.

THIRD: I give all real estate owned by me at the time of my death, and all rights that I have under any related insurance policies, to my wife Marie Ruth Fulmer Gay, if she survives me.

FOURTH: I give all tangible personal property owned by me at the time of my death, including without limitation personal effects, clothing, jewelry, furniture, furnishings, household goods, automobiles and other vehicles, and all rights that I have under any related insurance policies, to my wife Marie Ruth Fulmer Gay, if she survives me, or if she does not survive me, to those of my children Natalie Michele Busen and Robert Curtis Ball who survive me, in substantially equal shares, to be divided between them as they shall agree, or if they cannot agree, as my Executor shall determine.

FIFTH: I give all the rest, residue and remainder of my property and estate, both real and personal, of whatever kind and wherever located, that I own or to which I shall be in any manner entitled at the time of my death (collectively referred to as my "residuary estate"), as follows:

(a) If my wife Marie Ruth Fulmer Gay survives me, to my wife outright.

(b) If my wife does not survive me, then to those of my children who survive me and to the issue who survive me of those of my children who shall not survive me, per stirpes.

(c) If my wife does not survive me and there shall be no issue of mine then living, my residuary estate shall be paid and distributed to American Lung Association.

SIXTH: If any property of my estate vests in absolute ownership in a minor or incompetent, my Executor, at any time and without court authorization, may: distribute the whole or any part of such property to the beneficiary; or use the whole or any part for the health, education, maintenance and support of the beneficiary; or distribute the whole or any part to a guardian, committee or other legal representative of the beneficiary, or to a custodian for the beneficiary under any gifts to minors or transfers to minors act, or to the person or persons with whom the beneficiary resides. Evidence of any such distribution or the receipt therefor executed by the person to whom the distribution is made shall be a full discharge of my Executor from any liability with respect thereto, even though my Executor may be such person. If such beneficiary is a minor, my Executor may defer the distribution of the whole or any part of such property until the beneficiary attains the age of eighteen (18) years, and may hold the same as a separate fund for the beneficiary with all of the powers described in Article EIGHTH hereof. If the beneficiary dies before attaining said age, any balance shall be paid and distributed to the estate of the beneficiary.

SEVENTH: I appoint my wife Marie Ruth Fulmer Gay to be my Executor. If my wife does not survive me, or shall fail to qualify for any reason as my Executor, or having qualified shall die, resign or cease to act for any reason as my Executor, I appoint my daughter, Natalie Michele Busen as my Executor. If my daughter does not survive me, or shall fail to qualify for any reason as my Executor, or having qualified shall die, resign or cease to act for any reason as my Executor, I appoint my step-son, Robert Curtis Ball as my Executor. I direct that no Executor shall be required to file or furnish any bond, surety or other security in any jurisdiction.

EIGHTH: I grant to my Executor all powers conferred on executors under Tennessee Code Annotated Section 35-50-110, as amended, or any successor thereto, and all powers conferred upon executors wherever my Executor may act. I also grant to my Executor power to retain, sell at public or private sale, exchange, grant options on, invest and reinvest, and otherwise deal with any kind of property, real or personal, for cash or on credit; to borrow money and encumber or pledge any property to secure loans; to pay any legacy or distribute, divide or partition property in cash or in kind, or partly in kind, and to allocate different kinds of property, disproportionate amounts of property and undivided interests in property among any parts, funds or shares; to determine the fair valuation of property, with or without regard to tax basis; to exercise all powers of an absolute owner of property; to compromise and release claims with or without consideration; and to employ attorneys, accountants and other persons for services or advice. The term "Executor" wherever used herein shall mean the executors, executor, executrix or administrator in office from time to time.

NINTH: I direct that for purposes of this will a beneficiary shall be deemed to predecease me unless such beneficiary survives me by more than thirty days. The terms "child" and "children" as used in this will include not only the child and children of the person designated, but also the legally adopted child and children of such person. The term "issue" includes not only the children and other issue of the person designated, but also the legally adopted children and issue of such person. The terms "child," "children" and "issue" of the Testator shall include any stepchild of the Testator.

TENTH: I have served in the Armed Forces of the United States. I therefore request that my Executor make appropriate inquiries to ascertain whether there are any benefits to which I, my dependents or my heirs may be entitled by virtue of any military affiliation. I specifically request that my Executor consult with a retired affairs officer at the nearest military installation, the Department of Veterans Affairs, and the Social Security Administration.

IN WITNESS WHEREOF, I, Oliver David Gay, sign my name and publish and declare this instrument as my last will and testament this 5 day of April, 2009.

Oliver David Gay

The foregoing instrument was signed, published and declared by Oliver David Gay, the above-named Testator, to be his last will and testament in our presence, all being present at the same time, and we, at his request and in his presence and in the presence of each other, have subscribed our names as witnesses on the date above written.

Tracey A. Kinslow

having an address at

TENNESSEE AIR NATIONAL GUARD
118th LEGAL OFFICE
240 KNAPP BLVD
NASHVILLE, TN 37217

Heather A. Hale

having an address at

TENNESSEE AIR NATIONAL GUARD
~~118th LEGAL OFFICE~~
240 KNAPP BLVD
~~NASHVILLE, TN 37217~~

AFFIDAVIT

STATE OF TENNESSEE, COUNTY OF DAVIDSON

We, the undersigned, being first duly sworn, do hereby declare to the undersigned authority that the Testator, Oliver David Gay, signed and executed said instrument as his last will and testament in the presence and hearing of the witnesses, and that he stated that said instrument was his last will and testament, and that he had signed willingly, and that he executed it as his free and voluntary act and deed for the purposes therein expressed, and that each of the witnesses at the request of the Testator, in the presence and hearing of the Testator and each other, signed the will as witness, and that to the best of his or her knowledge the Testator was at the time at least eighteen years of age or emancipated, of sound mind and under no constraint, duress, fraud or undue influence.

Oliver David Gay
Testator

print: Tracey A. Kinslow
Witness

print: Heather A. Hale
Witness

Subscribed, sworn to and acknowledged before me by the said Oliver David Gay, Testator, and subscribed and sworn to before me by the above-named witnesses, this 5th day of April, 2009.

CHRISTOPHER L. BARNES
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

Notary Public
My commission expires on

My Commission Expires January 23, 2010

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 assigned to Seventh Circuit Court (Probate Division) for Davidson County, Tennessee, Case No. 15P2096.

ESTATE OF OLIVER DAVID GAY

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 7th day of January in the year Two Thousand and Sixteen.

RICHARD R. ROOKER, Clerk

By: _____
Deputy Clerk

