16p406

LAST WILL AND TESTAMENT OF LAVONNE BARNARD

I, LaVonne Barnard, presently of Nashville, Tennessee, declare that this is my Last Will and Testament.

FILED
MAR 24 2016
RICHARD R. ROOKER, Clerk
By _____ Deputy

PRELIMINARY DECLARATIONS

Prior Wills and Codicils

1. I revoke all prior Wills and Codicils.

Marital Status

2. I am not married.

Current Children

3. I have the following living children:

- James K Barnard, of Nashville Tn.;
- Robert H Barnard, of Springfield Tn;
- Jeri L. Berge, of Fort Walton Beach Fla.; and
- Thomas E Barnard, of Tahlequah Ok..

4. The term 'child' or 'children' as used in this my Will includes the above listed children and any children of mine that are subsequently born or legally adopted.

PERSONAL REPRESENTATIVE

Personal Representative

5. The expression 'my Personal Representative' used throughout this Will includes either the singular or plural number, or the masculine or feminine gender as appropriate wherever the fact or context so requires. The term 'personal representative' in this Will is synonymous with and includes the terms 'executor' and 'executrix'.

BILL GARRETT, Davidson County
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Appointment

6. I appoint Jams K Barnard of Nashville, Tennessee, as the sole Personal Representative of this my Will.

7. No bond or other security of any kind will be required of any Personal Representative appointed in this my Will.

Powers of My Personal Representative

8. I give and appoint to my Personal Representative the following duties and powers with respect to my estate:

a. To pay my legally enforceable debts, funeral expenses and all expenses in connection with the administration of my estate and the trusts created by my Will as soon as convenient after my death. If any of the real property devised in my Will remains subject to a mortgage at the time of my death, then I direct that the devisee taking that mortgaged property will take the property subject to that mortgage and that the devisee will not be entitled to have the mortgage paid out or resolved from the remaining assets of the residue of my estate;

b. To take all legal actions to have the probate of my Will completed as quickly and simply as possible, and as free as possible from any court supervision, under the laws of the State of Tennessee;

c. To retain, exchange, insure, repair, improve, sell or dispose of any and all personal property belonging to my estate as my Personal Representative deems advisable without liability for loss or depreciation;

d. To invest, manage, lease, rent, exchange, mortgage, sell, dispose of or give options without being limited as to term and to insure, repair, improve, or add to or otherwise deal with any and all real property belonging to my estate as my Personal Representative deems advisable without liability for loss or depreciation;

e. To purchase, maintain, convert and liquidate investments or securities, and to vote stock, or exercise any option concerning any investments or securities without liability for loss;

f. To open or close bank accounts;

g. To maintain, continue, dissolve, change or sell any business which is part of my estate, or to purchase any business if deemed necessary or beneficial to my estate by my Personal Representative;

h. To maintain, settle, abandon, sue or defend, or otherwise deal with any lawsuits against my estate;

i. To employ any lawyer, accountant or other professional; and

j. Except as otherwise provided in this my Will, to act as my Trustee by holding in trust the share of any minor beneficiary, and to keep such share invested, pay the income or capital or as much of either or both as my Personal Representative considers advisable for the maintenance, education, advancement or benefit of such minor beneficiary and to pay or transfer the capital of such share or the amount remaining of that share to such beneficiary when he or she reaches the age of 18 years or, prior to such beneficiary reaching the age of 18 years, to pay or transfer such share to any parent or guardian of such beneficiary subject to like conditions and the receipt of any such parent or guardian discharges my Personal Representative.

9. The above authority and powers granted to my Personal Representative are in addition to any powers and elective rights conferred by state or federal law or by other provision of this Will and may be exercised as often as required, and without application to or approval by any court.

DISPOSITION OF ESTATE

Specific Bequests

10. To receive a specific bequest under this Will a beneficiary must survive me for thirty (30) days. Any item that fails to pass to a beneficiary will return to my estate to be included in the residue of my estate. All property given under this Will is subject to any encumbrances or liens attached to the property. My specific bequests are as follows:

a. I leave to Thomas Banard of Tahequah Ok., if he shall survive me, for his own use absolutely, the following: Money mkt. Acct.where he is named beneficiary and cash left in my bank acct. or house.. If Thomas Banard does not survive me then I leave this property

to Tom's four children of Oklahoma;

b. I leave to Jeri Berge of Fort Walton Beach Fla., if she shall survive me, for her own use absolutely, the following: Jewelry and money mkt. she is named beneficiary. If Jeri Berge does not survive me then I leave this property to Kelly Sauter of Address ??;

c. I leave to Robert Barnard of Springfield Tn., if he shall survive me, for his own use absolutely, the following: Gun and $1000.00 cash. If Robert Barnard does not survive me then I leave this property to Carrie Sumrell of Goodlettesville Tn.; and

d. I leave to James Barnard of Nashville Tn., if he shall survive me, for his own use absolutely, the following: Home at 2525 Crossfield Nashville Tn. to live in. If sold to share profits with siblings. If James Barnard does not survive me then I leave this property to Bob ,Tom,& Jeri of _____.

Distribution of Residue

11. To receive any gift or property under this Will a beneficiary must survive me for thirty (30) days. Beneficiaries of my estate residue will receive and share all of my property and assets not specifically bequeathed or otherwise required for the payment of any debts owed, including but not limited to, expenses associated with the probate of my Will, the payment of taxes, funeral expenses or any other expense resulting from the administration of my Will. The entire estate residue is to be divided between my designated beneficiaries with the beneficiaries receiving a share of the entire estate residue. All property given under this Will is subject to any encumbrances or liens attached to the property.

12. I direct my Personal Representative to distribute the residue of my estate as follows ("Share Allocations"):

a. All of the residue of my estate to James Barnard of Nashville Tn, for their own use absolutely.

13. If none of my named beneficiaries survives me or does not leave an heir or issue who survives me, then I give, devise, and bequeath all of the rest, residue, and remainder of my estate, of whatever kind and character, and wherever located, according to the order of intestate succession in the State of Tennessee.

Additional Provisions

17. As of the date this will is signed any previous will written several years ago is now null and void.

No Contest Provision

18. If any beneficiary under this Will contests in any court any of the provisions of this Will, then each and all such persons shall not be entitled to any devises, legacies, bequests, or benefits under this Will or any codicil hereto, and such interest or share in my estate shall be disposed of as if that contesting beneficiary had not survived me.

Severability

19. If any provisions of this Will are deemed unenforceable, the remaining provisions will remain in full force and effect.

IN WITNESS WHEREOF, I have signed my name on this the ~~10th~~ 11th day of February, 2014, at Nashville, Tennessee, declaring and publishing this instrument as my Last Will, in the presence of the undersigned witnesses, who witnessed and subscribed this Last Will at my request, and in my presence.

LaVonne T Barnard

LaVonne T Barnard (Testatrix)

SIGNED AND DECLARED by LaVonne T Barnard on the 10th day of February, 2014 to be her Last Will, in our presence, at Nashville, Tennessee, who at her request, in her presence and in the presence of each other, all being present at the same time, have signed our names as witnesses.

Witness #1 Signature

Cherie Cline

Witness #1 Name (Please Print)

2503 Lebanon Pike

Witness #1 Street Address

Nashville TN

Witness #1 City/State

Witness #2 Signature

Jordan Hobson

Witness #2 Name (Please Print)

2503 Lebanon Pike

Witness #2 Street Address

Nashville TN

Witness #2 City/State

AFFIDAVIT

STATE OF TENNESSEE
COUNTY OF Davidson

I, LaVonne T Barnard, the Testatrix, sign my name to this instrument this 11 day of February, 20 14, and being first duly sworn, declare to the undersigned authority all of the following:

1. I execute this instrument as my Last Will.
2. I sign this Last Will willingly, or willingly direct another to sign for me.
3. I execute this Last Will as my free and voluntary act for the purposes expressed therein.
4. I am 18 years of age or older, of sound mind and under no constraint or undue influence.

Testatrix: LaVonne T Barnard

We, Cherie Cline and Jordan Hobson, the witnesses, being first duly sworn, sign our names to this instrument and declare to the undersigned authority all of the following:

1. The Testatrix executes this instrument as her Last Will.
2. The Testatrix signs it willingly, or willingly directs another to sign for her.
3. Each of us, in the conscious presence of the Testatrix, and in the presence of each other, signs this Last Will as a witness.
4. To the best of our knowledge, the Testatrix is 18 years of age or older, of sound mind and under no constraint or undue influence.

Cherie Cline
Witness #1

Witness #2

Subscribed and sworn to before me by LaVonne T Barnard, the Testatrix, and by Cherie Cline and Jordan Hobson, witnesses, this 11 day of February, 20 14.

(Signed) Cherie Cline

Notary Republic

(Seal)

CHERIE CLINE
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

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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 file heretofore assigned to Seventh Circuit Court (Probate Division) for Davidson County, Tennessee, Case No.16P406.

ESTATE OF LAVONNE BARNARD

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 24th day of March in the year Two Thousand and Sixteen.

RICHARD R. ROOKER, Clerk

By: _____
Deputy Clerk

