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16P1156

FILED

JUL 27 2016

RICHARD ROOKER, Clerk

By _____ Deputy

LAST WILL AND TESTAMENT
of
Doris Nathulia Lydia Spencer

DOB: November 5, 1919

I, Doris N. Lydia Spencer, second daughter of Luvotia Williams Lydia and Marvin Lydia (both deceased), domiciled and residing at 155 Ellington Place, Madison, Tennessee, do hereby declare, make and publish this to be my Last Will and Testament and hereby revoke any and all wills and codicils at any time heretofore made by me.

ARTICLE I: I direct that all estate, inheritance, secession, and other taxes and duties occasioned by my death, whether incurred with respect to property passing by this Will or otherwise, shall be paid by my Executor, out of the principle of my residuary estate with no right of reimbursement from any recipient of any such property.

ARTICLE II: I hereby confirm my intention that the beneficial interest in all property, real or personal, tangible or intangible (including joint checking or savings accounts), which is registered or held, at the time of my death shall pass by right of survivorship or operation of law and outside of the terms of this Will to such other person, if that person is alive. To the extent that my intention may be defeated by any rule of law, I give, devise, and bequeath all such jointly held property to such other person or persons who shall survive me.

ARTICLE III: I nominate and appoint Cynthia Elois Hodge, my oldest daughter, as Executor of my Last Will and Testament. Should my Executor be unable or unwilling to serve, or fail to qualify within a reasonable time after receiving notice of the nomination, I hereby appoint Melinda Anderson, my second daughter, to serve as my Executor. Any person or corporation so appointed, shall have all the powers herein conferred upon my Executor. I direct that neither my Executor nor any successor be required to give bond or sureties on a bond or undertaking in any jurisdiction. I further request that any

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BILL GARRETT, Davidson County
Trans:T20160069033 WILL
Recvd: 08/09/16 15:23 10 pgs
Fees:52.00 Taxes:0.00
20160809-0082957

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Executor be appointed temporary Executor upon application therefore.

ARTICLE IV: My Executor shall not be liable for any loss, including insufficient rate of return or appreciation of principal, destruction or other injury of or to the assets in my Executor's possession, unless such loss is occasioned by willful fraud, default, or misconduct.

ARTICLE V: My Executor shall have full discretionary power, without order or approval of any court, to take action desirable for the administration of my estate, including the power to sell, at public or private sale, any real or personal property belonging to my estate at whatever prices and upon whatever terms deemed advisable, to retain, invest or reinvest in any property without responsibility for diversification and without being restricted by any rule of law or court limiting investments, to hold any securities in the name of a nominee, to comprise any claims to the same extent I could, if living, and to distribute in kind or in money, or partly in each, even if shares be composed differently.

ARTICLE VI: I direct that my body be buried and that the expenses be paid out of my estate in such amount as my Executor may deem proper and without regard to any limitation in the applicable law as to the amount of such expenses and without necessity of prior court approval.

ARTICLE VII: To the individuals listed below, I give and bequeath the following items of personal and real property if owned by me at the time of my death, and the legacies hereinafter set forth:

a) To Cynthia Elois Hodge, my daughter, I bequeath my condominium, hereafter referred to as my home, in fee simple absolute. I further stipulate that my sister, Connie White be allowed to remain in the home as long as she shall desire and is able to, provided she pays reasonable rent and other costs agreed upon by my Executor. I also bequeath to Cynthia Elois Hodge my car, a 2000 silver, 4-door Saturn, bed, futon, art work, television, coffee table and china.

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b) To Melinda Anderson, my second daughter, I bequeath the sum total of one-half (1/2) the amount I have paid as mortgage payments for my condominium at the time of my death. I also bequeath my linens; all my china given to me by my sister Connie White; and other items that she may so desire that are not herewith bequeathed to others.

c) To Delwyn Ray, my grandson, I bequeath my patio furniture set

d) To Zetan Akiba Anderson, my grandson, I bequeath my clothes washer and dryer

ARTICLE 7.1: If any of the above beneficiaries named above shall fail to survive me all such gifts to them shall be bequeath to their children or their children's children, either natural or adopted.

ARTICLE 7.2: All the rest and remainder of my property and estate, of whatsoever character, whensoever acquired and wheresoever situated, and to which I or my estate may be in any manner entitled at the time of my death, including any property or estate as to which I may have any power of disposition or appointment (all said property and estate being hereinafter referred to as my "residuary estate"), I give my residuary estate to be divided equally between Cynthia E. Hodge of Rockville, Maryland and Melinda Anderson of Columbia, South Carolina.

ARTICLE 7.3: ANTI-LAPSE CLAUSE: If each and every beneficiary of my estate should fail to survive me by 60 days I desire that my estate be distributed between my grandsons,

Delwyn Ray of Atlanta, Georgia and Zetan Akiba Anderson of Columbia, South Carolina.

ARTICLE VIII: If any beneficiary named in this Will, or other person whether or not named in this Will, shall contest the validity of this Will or any provision thereof, such person shall forfeit all interest in my estate hereunder.

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ARTICLE IX: I hereby declare that I have thought of and considered each and every person who would inherit from me had I died interstate and who is not mentioned in this Will, and I hereby declare that I do not desire to devise or bequeath to such person or persons any sum whatsoever and I hereby disinherit such person or persons.

ARTICLE X: This document, my Last Will and Testament, shall at all times be governed by and construed in accordance with the laws of Tennessee. If any part, provision or term of this document is found to be invalid by a court of competent jurisdiction, such finding shall not impair the operation or affect the remaining parts, terms or provisions of this document, and the latter are to continue to be given full force and effect.

I, the undersigned Testator, do hereby declare that I sign and execute this instrument as my last will, that I sign it willingly in the presence of each said witness, and I execute it as my free and voluntary act for the purposes herein expressed.

IN WITNESS WHEREOF, I have set my hand to this my Last Will and Testament this 14th day of June, 2003.

TESTATOR: Doris N. Lydia Spencer

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LAST WILL AND TESTAMENT OF
Doris N. Spencer

We, the undersigned witnesses, each do hereby declare in the presence of the aforesaid Testator, Doris N. L. Spencer, that she signed and executed this instrument as her last will in the presence of each of us, that she signed it willingly, that each of us hereby signs this will as witness in the presence of the Testator, and that to the best of our knowledge, the Testator is eighteen (18) years of age or over, of sound mind and under no constraint or undue influence.

Witness

728 Troy Dr.
Address
H'Ville, TN. 37207

Date: 6-14-03

Witness

808 Setliff Pl.
Address
Nashville TN 37206

Date: 6/14/03

Witness

Address

Date:

Initialed D.S.

Copy

NOTARIZATION

STATE OF TENNESSEE

Davidson County

Before me, the undersigned, a Notary Public of the State of Tennessee, personally appeared Doris N. L. Spencer, and the witnesses, Linda Heath and [signature], personally known to me or proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to this instrument, Last Will and Testament of Doris N. Spencer, and acknowledge that they execute it.

I declare under penalty of perjury that the persons whose names are subscribed to this amendment appear to be of sound mind and under no duress, fraud, or undue influence.

Subscribed, sworn to and acknowledged before me by the said Doris N. L. Spencer and witnesses this 14 day of June, 2003.

Geraldine D. Heath

Notary Public

My Commission Expires:

My Commission Expires

JAN 31 2004

Initialed D. S.

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Affidavit of witnesses to prove will
Geraldine Heath

State of Tennessee

County of Davidson

BEFORE ME, the undersigned Notary Public, personally appeared Geraldine Heath, who currently resides at 728 Troy Drive, Nashville, Tennessee, 37207, in the county of Davidson, and makes this her statement and affidavit upon oath and affirmation of belief and personal knowledge that the following matters, facts, and things set forth are true and correct to the best of her knowledge:

1. I, Geraldine Heath, living in Nashville, Tennessee having been a duly licensed notary public on June 14, 2003, did witness Doris N. Spencer sign and initial each page of her Last Will and Testament, and did attach my signature and seal to her Last Will and Testament on June 14, 2003, herewith attached:
   LAST WILL AND TESTAMENT OF Doris N. Spencer
   NOTARIZATION
   STATE OF TENNESSEE

2. I, Geraldine Heath, living in Nashville, Tennessee having been a duly licensed notary public on June 14, 2003, did witness the signatures of Curtis Heath and Theresa Bledsoe to the Last Will and Testament of Doris N. Spencer.

I declare under penalty of perjury under the laws of the State of Tennessee that the foregoing is true and correct.

Geraldine D. Heath Date: June 30, 2016

Signature

NOTARY PUBLIC

On this the 30th day of June, 2016, the foregoing instrument was sworn to and subscribed before me by Geraldine Heath, known or proven to me to be the person whose name as subscribed to the within instrument.

WITNESS my hand and seal.

Print Name: Omari Jackson

(Affix seal)

Signature

OMARI JACKSON
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

My commission expires: 08-20-2019

Copy

Affidavit of witnesses to prove will

I, Curtis Heath, along with Theresa Bledsoe was a witness to the signing of the Will of Doris N. Spencer, the Testator. She signed and executed this instrument as her last will in the presence of each of us, that she signed it willingly, that each of us signed the will as a witness in the presence of the Testator, that to the best of our knowledge, the Testator was eighteen (18) years of age or older, of sound mind and under no constraint or undue influence.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me Terrell Broady the above named, Curtis Heath, who on his/her oath, swore or affirmed to the truth of the aforesaid matters.

Witness my hand and official seal on this 1st day of July, 2016.

Terrell A Broady
Notary Public

TERRELL A BROADY
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

My Commission Expires: 11/6/2017

Copy

Affidavit of witnesses to prove will

I, [redacted] along with Curtis Heath was a witness to the signing of the Will of Doris N. Spencer, the Testator. She signed and executed this instrument as her last will in the presence of each of us, that she signed it willingly, that each of us signed the will as a witness in the presence of the Testator, that to the best of our knowledge, the Testator was eighteen (18) years of age or older, of sound mind and under no constraint or undue influence.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Jeanie E. Davis
~~Curtis Heath~~

Personally appeared before me, ~~Theresa Bledsoe~~ the above named, Theresa Bledsoe, who on his/her oath, swore or affirmed to the truth of the aforesaid matters.

Witness my hand and official seal on this 6th day of July, 2016.

Jeanie E. Davis
Notary Public

My Commission Expires: 3/3/2020

JEANIE E DAVIS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

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 27 day of JULY, 2016, in Docket Number 16P1156, IN RE: SPENCER, DORIS NATHULIA LYDIA, 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 09 day of AUGUST in the year 2016 and in the 240 year of American Independence.

RICHARD R. ROOKER, Clerk,

By: _____
Deputy Clerk

[SEAL]