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BILL GARRETT, Davidson County
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SEP 22 2016
RICHARD R. ROOKER, Clerk
By DC

LAST WILL AND TESTAMENT OF DANIEL M. ROBBINS, SR.

I, Daniel M. Robbins, Sr., residing in Nashville, Davidson County, Tennessee, make and declare this document to be my Will. I hereby revoke all former wills and codicils made by me.

BILL GARRETT, Davidson County
Trans:T20160097261 WILL
Recvd: 11/03/16 09:06 7 pgs
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ITEM 1
Family

A. *Spouse*. I am currently unmarried, my wife having predeceased me.

B. *Children*. References in this Will to "child" or "children" shall refer only my following children: Daniel M. Robbins, Jr., Linda Carroll Robbins McCullars, Richard Dale Robbins, and, Mark Wayne Robbins.

C. *Issue*. References to issue in this Will shall refer to both natural-born and adopted descendants. Unless otherwise provided herein, all issue shall take by representation, with the initial division into shares for such purpose to be the first generation below me.

ITEM 2
Tangible Personal Property and Cash Bequests

A. *General Bequest*. Except for the specific bequests made in Section B below, I give and bequeath to my son, Daniel M. Robbins, Jr., if he survives me, all of my furniture, furnishings and household goods and appliances, clothing, wearing apparel, jewelry, personal effects, automobiles, rifles, shotguns, pistols and other firearms and sporting equipment, tools, shop equipment, saws, lathes, and all of my other personal property, both tangible and intangible, (said intangible personal property including, but not

DMR

RICHARD R. ROOKER CIRCUIT COURT CLERK
I certify that this is a true copy of original instrument filed in my office this 22nd day of Sept. 2016
RICHARD R. ROOKER Clerk
Deputy Clerk

limited to, all cash, bank and other depository accounts and the sums on deposit therein, stocks and bonds, whether held in account or certificated form. If my son Daniel M. Robbins, Jr. does not survive me, I give and bequeath all such property to my remaining children who survive me, to be divided among them as they may agree, but if they cannot agree, then my Executor, exercising an absolute discretion, shall divide the property among them in as equal shares as practicable.

B. *Specific Bequests.* I give and bequeath to Linda Carroll Robbins McCullars, Richard Dale Robbins and Mark Wayne Robbins, in equal shares, to share and share alike, all cash, and all sums of money on deposit in any and all banks and other financial institutions and all stocks and bonds that I may own at the time of my death.

ITEM 3
Real Property

I devise and bequeath to my son, Daniel M. Robbins, Jr. in fee simple absolute, all of my right, title and interest in all real property that I may own at the time of my death, including, but not limited to, my present residence located at 3129 Knobview Drive, Nashville, Tennessee 37214 and house and lot located adjacent thereto at 3125 Knobview Drive, Nashville, Tennessee 37214, together with the improvements thereon. In the event Daniel M. Robbins, Jr., should predecease me, I devise and bequeath all real property owned by me at my death in equal shares to Linda Carroll Robbins McCullars, Richard Dale Robbins and Mark Wayne Robbins. The devise of real property under this Item 3 is, and shall be, subject to all mortgages, deeds of trust, unpaid city and county taxes and other indebtednesses owed by me at the time of my death that are secured by liens, deeds of trust and any other encumbrances on any real property I should own at my death.

DMR

ITEM 4
Residuary Estate

All of the rest, residue and remainder of my estate, real, personal (both intangible and tangible) and mixed, of every nature and wheresoever situated, including lapsed legacies and devises, remainders, reversions, expectancies, income collected during the period of administration of my estate and all property of which I have power of testamentary disposition, control or appointment, I give, bequeath and devise to my son Daniel M. Robbins, Jr., if he survives me. In the event my son Daniel M. Robbins, Jr. should predecease me, I give, bequeath and devise all of the rest, residue and remainder of my aforementioned residuary estate to Linda Carroll Robbins McCullars, Richard Dale Robbins and Mark Wayne Robbins, in equal shares, to share and share alike.

ITEM 5
Executor

I appoint my son Daniel M. Robbins, Jr. as the Executor of my estate. In the event Daniel M. Robbins, Jr. should predecease me or otherwise become unwilling or unable to serve as the Executor of my Estate, I then appoint my son Mark Wayne Robbins as my Executor. To the extent permitted by applicable law, no Executor shall be required to furnish bond, or file any inventory or accountings with respect to the performance of the Executor's duties.

ITEM 6
Administrative Provisions

A. *Payment of Debts, Administration Expenses and Taxes.* All of my legally enforceable debts (except debts secured by deed of trust liens, mortgage liens, liens, security interests or other form of encumbrances, which may be paid or retained in the discretion of my Executor), my funeral expenses and the expenses of the administration of

my estate shall be paid by my Executor as soon as practicable after my death. My Executor shall pay out of my residuary estate all estate, inheritance and other death taxes which shall become payable by reason of my death, whether in respect of property passing under this Will or otherwise, as an expense of administration, without apportionment; provided however, that I grant to my Executor the discretion to apportion such taxes to persons receiving assets outside this Will as a result of my death in accordance with Tennessee. Code Annotated Section 30-2-614 when, in my Executor's discretion, it would be inequitable to charge such taxes to the takers of my residuary estate; but if this grant of discretion would impair a marital or charitable deduction, then I direct that my Executor my apportion such taxes.

B. *Life Insurance*. The proceeds of any life insurance payable to my Executor, as the Executor of my estate; or, my estate are to be free from the claims of creditors, and are to be held and distributed as provided by the terms of this Will. My Executor may use (but shall not be required to use) any portion of such proceeds as my Executor deems advisable for the payment of debts, expenses and taxes, but only if my Executor deems such use of the proceeds to be in the best interest of my legatees and beneficiaries hereunder.

C. *Powers of Executor*. The Executor, in the exercise of a reasonable discretion with respect to all property, real and personal, at any time forming a part of my probate estate, may exercise any and all of the power that an Executor may excise under the applicable laws of the State of Tennessee, including, but not limited to, the powers enumerated in Tennessee Code Annotated Section 35-50-110 which are incorporated by reference herein as well as the powers granted in the Uniform Trust Code as adopted in Tennessee and any other powers granted in Title 35 of the Tennessee Code, even if such statute is amended or repealed hereafter and even if my estate is administered in a state other than Tennessee. I grant to my Executor the authority to appoint a resident Co-Executor if applicable law requires.

DMR

D. *Protective Clause*. No interest of any beneficiary in the corpus of the income of my estate shall be subject to assignment, alienation, pledge, attachment or claims of creditors of such beneficiary and may not be otherwise voluntarily or involuntarily alienated or encumbered by such beneficiary.

E. *Gender, Number*. Words of any gender, including pronouns, shall be deemed to include the other gender, as appropriate, and the referenced to the singular shall include the plural, and vice versa, unless the context indicates such a reading would be inappropriate.

F. *Choice of Law*. This Will shall be governed by and construed in accordance with the laws of the State of Tennessee.

G. *References to Fiduciaries*. For convenience, the fiduciaries named in this Will (including any alternates or successors) are sometimes referred to in the singular person and masculine gender, regardless of the number of gender of those actually named herein.

H. *Real Property*. Any real property I own at my death is to be administered as a part of my probate estate subject to the control of the Executor for the purposes of administration, as authorized by Tennessee Code Annotated Section 31-2-103. So long as the Executor serves, the Executor shall have the same power over the title to real property as an absolute owner would have, including, but not limited to, the power to sell, mortgage, lease or otherwise convey any interest in any real estate without the signature, consent or approval of any heir, legatee, beneficiary, court or other person; provided, that in exercising such power the Executor shall be acting in a fiduciary, not an individual, capacity

I. *Captions*. The captions and heading of this Will are for convenience only and shall not define or limit the provisions contained herein.

IN WINTESS WHEREOF, I sign this Will, consisting of this and the preceding five (5) printed pages, and for the purpose of identification, I have initialed each page, all in the present of the persons witnessing it, at my request, on this the 26th day of November, 2008, at Nashville, Tennessee.

Daniel Max Robbins Sr.
DANIEL M. ROBBINS, SR.

Signed and declared by Daniel M. Robbins, Sr., to be such person's Will in the presence of all of us at one and the same time, and we, at such person's request and in such person's sight and presence and in the presence of each other, have subscribed our names as witnesses, and we do herby attest to the sound and disposing mind of Daniel M. Robbins, Sr. and to the performance of the aforesaid act of execution at the place and on the date hereinabove set out.

WITNESSES:

James Dodson
James Dodson

2907 McGavock Pike Nashville, Tn. 37214
Address

Carol Dodson
Carol Dodson

2907 McGavock Pike, Nashville, TN 37214
Address

DMR.

AFFIDAVIT

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The undersigned persons, after first being duly sworn according to law, depose and say:

1. They are adult citizens and residents of Tennessee.

2. They witnessed the execution of the Will of Daniel M. Robbins, Sr., dated the 26th day of November, 2008, to which this Affidavit is attached, and that this Affidavit is being made at the request of such person and in accordance with the provisions of Tennessee Code Annotated Section 32-2-110.

3. Their signatures are affixed to the Will; they signed the Will at the request of Daniel M. Robbins, Sr., and in the presence of Daniel M. Robbins, Sr., and in the presence of each other witness, at the place and on the date recited in said Will.

4. Daniel M. Robbins, Sr. signed said paper writing as and for a Will in their sight and presence.

5. At the time they witnessed the Will, Daniel M. Robbins, Sr. was, in their opinion, of sound mind.

James Dodson
James Dodson

Carol Dodson
Carol Dodson

Sworn to and subscribed before me by the two (2) persons whose signatures are affixed hereto on this 26th day of November, 2008.

NOTARY PUBLIC

STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission Expires: 5-09

prepared by
James W. Hofstetter Jr.
5005 Brentwood Ct.
Nashville, Tn. 37220