BILL GARRETT, Davidson County
Trans:T20160099292 DEEDQC
Recvd: 11/09/16 14:16 21 pgs
Fees:107.00 Taxes:0.00
20161109-0118688

THIS INSTRUMENT PREPARED BY: **Martin Heller Potempa & Sheppard** 2122 21st Avenue South Nashville, Tennessee 37212 (615) 800-7096	This quitclaim deed was prepared based upon information provided by the parties and no independent title examination was prepared in preparation of this deed

PERSONAL REPRESENTATIVE'S QUITCLAIM DEED

Address New Owner:	**Send Tax Bills To:**	**Tax Information:**
Barbara Pewitt 910 Drummond Dr. Nashville, TN 37211	New Owner	Map and Parcel No.: 119-16-0-068.00

FOR AND IN CONSIDERATION of Zero and No/100ths Dollars ($0.00) and other good and valuable consideration, the receipt of all of which is hereby acknowledged, Barbara Pewitt, Personal Representative of the Estate of Randy Pewitt, Davidson County Probate Court Docket No. 14P768 pursuant to Letters Testamentary issued on May 22, 2014 ("Grantor") does hereby quitclaim, transfer and convey unto Barbara Pewitt, her successors and assigns, all of Grantor's right, title and interest in the real property in the County of Davidson, State of Tennessee, more particularly described as follows:

BEING Lot No. 160 on the Plan of Battlewood, Section II, as of record in Book 1835 Pages 95 and 96, Register's Office for Davidson County, Tennessee. Said Lot No. 160 fronts 100 feet on the easterly side of Drummond Drive and runs back between parallel lines 200 feet to the right-of-way of the N.C. & ST. L. Railroad.

BEING the same property conveyed to Randy Pewitt by Warranty Deed from Margaret E. Arnold, an unmarried person, dated June 11, 1993 and recorded June 16, 1993 at Book 8983, Page 98, Register's Office for Davidson County, Tennessee and the same property conveyed to Randy Pewitt, married, from Randy Pewitt by Quitclaim Deed dated June 15, 2006 and Instrument No. 20060621-0074058 in the Register's Office for Davidson County.

This is improved property known as 910 Drummond Dr., Nashville, TN 37211.

The Grantor executes this document in her capacity as Executrix of the Estate of Randy Pewitt. A certified copy of the Grantor's Letters Testamentary, the Court Order Admitting the Last Will and Testament and the Last Will and Testament, itself, are attached hereto as collective **Exhibit 1**. Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed this instrument on this the 29 day of October, 2016.

Barbara Pewitt
Barbara Pewitt, Personal Representative
of the Estate of Randy Pewitt

STATE OF TENNESSEE
COUNTY OF Davidson

Personally appeared before me, the undersigned Notary Public, in and for the said county and state, the within named Barbara Pewitt, the Grantor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office, this 29th day of October 2016.

Cheryl Leffew
Notary Public

My Commission Expires: 3/3/2020

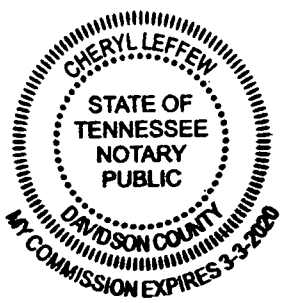


EXHIBIT 1

SEVENTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

LETTERS TESTAMENTARY

14P768

To BARBARA PEWITT :

It appearing to the Court that RANDY HOUSTON PEWITT has died leaving a written will, in which you are appointed Executrix, which has been duly approved by the Court; and you having been qualified according to law, and it having been ordered by said Court that Letters Testamentary issue to you.

These are, therefore, to empower you, the said BARBARA PEWITT, to enter upon the execution of said will, and take into your possession all of the property, and to make, within sixty days from this date, a perfect inventory thereof, and make due collection for all debts, and after paying all the just demands against the Testator, and settling up the business according to law, you will pay over and deliver the property and effects that may remain in your hands, and do all other things that may be required, according to the provisions of the said will and the laws of the land.

Witness, Richard R. Rooker, Clerk of the Probate Court, at office, this May 22, 2014 .

Richard R. Rooker, Clerk

D.C.

STATE OF TENNESSEE
DAVIDSON COUNTY

I, Richard R. Rooker, Clerk of the Probate Court of said County, do hereby certify that the foregoing is a true and perfect copy of LETTERS TESTAMENTARY, issued to BARBARA PEWITT, Executrix of the estate of RANDY HOUSTON PEWITT deceased, and I do further certify that BARBARA PEWITT is still acting Executrix of the estate of RANDY HOUSTON PEWITT, and acts as such are entitled to full faith and credit, as appears from the records in my office at Nashville, Tennessee.

Witness my hand and official seal, at this office, this the 19th day of October, 2016.

Richard R. Rooker, Clerk

D.C.

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 22 day of MAY, 2014, in Docket Number 14P768, IN RE: PEWITT, RANDY HOUSTON 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 19 day of OCTOBER in the year 2016 and in the 240 year of American Independence.

RICHARD R. ROOKER, Clerk,

By: _____

Deputy Clerk

[SEAL]

14P768

FILED

MAY 22 2014

RICHARD R. ROOKER, Clerk

By [illegible] Deputy

LAST WILL AND TESTAMENT

OF

RANDY H. PEWITT

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LAST WILL AND TESTAMENT

OF

RANDY H. PEWITT

FILED
MAY 22 2014
RICHARD R. ROOKER, Clerk
By _____ Deputy

I, RANDY H. PEWITT, of Davidson County, Tennessee, being of sound and disposing mind and memory, do hereby make, publish and declare the following to be my Last Will and Testament, and I hereby cancel and revoke any and all of my prior wills and codicils.

I. DISPOSITION OF ESTATE.

A. **Payment of Final Expenses**. I direct my Personal Representative to pay out of my estate, as soon as is practicable, all of my legally enforceable debts, the expenses of my last illness and funeral, and the cost of a suitable marker for my grave.

B. **Payment of Taxes**.

(1) Except as otherwise specifically provided below, upon my death, my Personal Representative shall pay (a) any and all taxes owing by me at my death, including, but not limited to, federal or state income, or property taxes (including interest and penalties, if any), and (b) all taxes lawfully imposed by reason of my death (including interest and penalties, if any) predicated upon my death as the taxable event.

(2) All actions taken by my Personal Representative in the exercise of the discretion and powers granted in this paragraph shall be conclusive and binding upon all parties in interest.

C. **Tangible Personal Property**.

(1) If, at the time of my death, I shall have prepared a written statement or list disposing of specific items of tangible personal property, whether written before or after the execution of this Last Will and Testament, I direct that such list govern the division or distribution of such items of tangible personal property.

(2) All other articles of tangible personal property which I may own at the time of my death, including, but not limited to, automobiles, books, pictures, silverware, china, crystal, household furniture and furnishings, all other articles of household use, clothing, jewelry and all other articles of personal use or adornment, not including, however, any stamps, currency, coins, gems, gold or silver bullion, or other tangible personal property held primarily for investment, or used or held for sale in a business, I give and bequeath to my spouse, BARBARA PEWITT, if my spouse survives me by at least thirty (30) days, but if my spouse does not so survive me, to my children living at the time of my death, in such shares of substantially equal value as my children shall agree. If no such agreement can be reached by my children

within ninety (90) days after my death, then my tangible personal property shall be distributed in such substantially equal shares as my Personal Representative, in the sole and absolute discretion of my Personal Representative, shall determine. If my spouse does not survive me by thirty (30) days and all of my children predecease me, I give such other tangible personal property to my descendants, but if all of my descendants predecease me, such tangible personal property shall be distributed as part of the Residuary Bequest pursuant to Paragraph H, below.

(3) In the event that any tangible personal property is to be held by my Personal Representative under this Last Will and Testament, which is to be held for the benefit of any minor beneficiary, such property shall be held by the Personal Representative for the benefit of such beneficiary. Such property may be placed in safekeeping by the Personal Representative and delivered by the Personal Representative to such beneficiary when he or she attains majority. The Personal Representative, after consultation with the legal guardian of such beneficiary, may sell all or any part of such property, and add the proceeds of any such sale to the beneficiary's estate or share being held for such beneficiary under this Last Will and Testament. Furthermore, in the sole and absolute discretion of the Personal Representative, the Personal Representative may deliver all or any part of such property to such minor beneficiary for use by such beneficiary, without any liability on the part of such beneficiary or on the part of the Personal Representative for any waste, loss, damage or destruction to such property.

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D. **Pewitt Inheritance Bequest.** I am the beneficiary of an inheritance of certain real property from the estate of my deceased mother, ~~ARVEL~~ PEWITT, which I may or may not have received at the time of my death. I hereby direct that all such inherited real property, or the proceeds from the sale of such real property from my mother's estate, whether received by me prior to my death or received by my estate after my death, shall be divided and distributed as follows:

(1) One-third (1/3) of such real property or the sale proceeds from such property shall be distributed to my spouse, BARBARA PEWITT, outright and free of trust, if she survives me. If BARBARA PEWITT does not survive me, this bequest shall lapse and be null and void with such property passing pursuant to Paragraph (2) below.

(2) Two-thirds (2/3) of such real property or the sale proceeds from such property shall be distributed to my descendants, per stirpes, outright and free of trust, subject to the provisions of Paragraph G. If none of my descendants survive me this bequest to my descendants shall lapse and be null and void with such property passing pursuant to Paragraph (1), above.

(3) If I am not survived by neither (i) my spouse, BARBARA PEWITT, nor (ii) any of my descendants, then this bequest shall lapse and be null and void with such rest, residue and remainder of my estate to pass pursuant to Paragraph H, Contingent Bequest, below.

E. **Marital Bequest.** If my spouse, BARBARA PEWITT, survives me, my Personal Representative shall distribute to BARBARA PEWITT all the rest, residue and remainder of my estate, outright and free of trust. If BARBARA PEWITT does not survive me then his bequest shall

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lapse and be null and void with such rest, residue, and remainder of my estate to pass pursuant to Paragraph F, Residuary Bequest, below.

F. **Residuary Bequest**. If BARBARA PEWITT does not survive me, my Personal Representative shall divide the rest, residue and remainder of my estate among my descendants, per stirpes, outright and free of trust, subject to the provisions of Paragraph G. If I am not survived by either my spouse, BARBARA PEWITT, or any of my descendants, then this bequest shall lapse and be null and void with such rest, residue and remainder of my estate to pass pursuant to Paragraph H, Contingent Bequest, below.

G. **Trust for Beneficiaries under Age 21**. For any of my descendants who is to receive a distribution of property from my estate who has not yet attained the age of twenty-one (21), such property shall be held in trust by my Personal Representative for such descendant's benefit. Upon the descendant attaining the age of twenty-one (21), such trust shall terminate and the trust property and any accumulated income shall be distributed to the descendant.

H. **Contingent Bequest**. If (i) I am not survived my spouse, BARBARA PEWITT, and (ii) I am not survived by any living descendants, then the rest, residue and remainder of my estate shall be distributed as follows:

(1) One-half to the individuals who would be entitled to my property under the laws of descent and distribution of the State of Tennessee, in force on the date this Last Will and Testament is signed, had I died intestate possessed of such property on the date the distribution is to be made, with the shares of taking determined by such laws; and

(2) One-half to the individuals who would be entitled to the property of my spouse, BARBARA PEWITT, under the laws of descent and distribution of the State of Tennessee, in force on the date this Last Will and Testament is signed, had my spouse died intestate possessed of such property on the date the distribution is to be made, with the shares of taking determined by such laws.

II. FIDUCIARIES.

A. Appointment of Personal Representative.

(1) I hereby appoint my spouse, BARBARA PEWITT, as the Personal Representative of my estate.

(2) The term "Personal Representative", as used in this Last Will and Testament, shall be deemed to include the terms "executor" or "administrator" if those terms are used in the statutes of any state that has jurisdiction over all or any portion of my estate. The term shall include Co-Personal Representatives when two or more Personal Representatives have been nominated and are acting as such. Every title, estate, right and discretion vested in or conferred upon the Personal Representative of my estate shall likewise become and be vested in, and may be exercised by, a successor Personal Representative. I request that my Personal

Representative be allowed to qualify thereas without providing a bond. Additionally, I specifically waive and excuse my Personal Representative from the filing of my estate's inventory, pursuant to Tennessee Code Annotated Section 30-2-301, and the filing of any accounting of my estate, pursuant to Tennessee Code Annotated Section 30-2-601(a)(1), with any court. I furthermore extend such waiver and excuse to any state in which my Last Will and Testament is probated if the state allows for such waiver and excuse.

B. **Independent Administration**. To the full extent permitted by law, I hereby authorize my Personal Representative to administer my estate without adjudication, order or supervision of the Probate Court or other court having jurisdiction over my estate. In the event of such independent administration, my Personal Representative shall have, in addition to the powers specifically granted my Personal Representative in this Last Will and Testament, the rights and powers permitted independent personal representatives by the laws of my state of domicile effective with respect to such administration.

C. **General Powers of Personal Representative**. In addition to all the powers granted to my Personal Representative under applicable state law (including, but not limited to, all of the powers described in Sections 35-50-109 and 35-50-110 of the Tennessee Code Annotated, as amended or restated from time to time, to the extent applicable and except as otherwise amended or modified herein), I grant to my Personal Representative the following rights and powers with respect to my estate, all to be exercisable by my Personal Representative without order of the Probate Court or other court having jurisdiction over my estate:

(1) To sell, dispose of, manage and operate all and any property, real or personal, constituting my estate which is not specifically devised or bequeathed in this Last Will and Testament;

(2) To incur such expenses in the administration of my estate as my Personal Representative may deem necessary and proper;

(3) To adjust any claims which may be due to or by me or due to or by my estate, upon such terms as my Personal Representative may deem proper; and

(4) To invest any funds coming into my Personal Representative's hands in such securities or other property as my Personal Representative may select, whether or not of the class or kind usually permissible for estates.

(5) I further direct that my Personal Representative shall have, without limitation or exception, and whether or not specifically enumerated in this Article, the same powers of management, investment and control of the assets of my estate as are granted to the Trustee under this Last Will and Testament with respect to the assets of any trust estate.

D. **Joint Tax Returns**. My Personal Representative, without duty to give or obtain consideration, may join with my spouse, or the Personal Representative of my spouse's estate, in the filing of any federal income tax return for any year for which I have not filed such return prior to my death. Any income or gift taxes, refunds, credits, deficiencies, interest or penalties in

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connection with such returns shall be allocated between my estate and my spouse, or my spouse's estate or any of them, in such manner as my Personal Representative, in my Personal Representative's sole discretion, shall deem equitable and proper; and any such allocation shall be conclusive and binding upon all parties in interest.

E. **Ancillary Administration**. If ancillary administration of my estate, outside my state of domicile, shall be deemed necessary or advisable by my Personal Representative, my Personal Representative shall have the right to act as ancillary administrator, or to appoint an attorney-at-law licensed to practice in the state in which such ancillary administration is to take place or a bank or trust company, having net assets under management of not less than One Hundred Million Dollars ($100,000,000) at the time of such appointment, authorized to do business in such state, as the ancillary administrator of my estate, with such bond, if any, as my Personal Representative, in the sole discretion of my Personal Representative, shall determine.

A. **Trustee Powers**. Except as otherwise specifically provided in this Trust Agreement, the Trustee of each trust estate shall have full power and authority to do any and all things necessary or proper to manage, control, invest and reinvest the assets constituting the trust estate, consistent with the provisions of this Trust Agreement and of applicable law, in the same manner as if the Trustee were the fee simple owner of the trust estate. The Trustee of any such trust estate shall have the power to enter into any covenants or agreements binding the trust estate, regardless of whether said covenants or agreements extend beyond the termination of such trust estate. Notwithstanding the above, the Trustee shall be relieved of all affirmative duties and obligations imposed upon Trustees by applicable state law including but not limited to any duties, obligations and notice requirements imposed by any Uniform Trust Code which otherwise applies to this Trust. However, the preceding sentence shall only apply to those duties and obligations of the Trustee that may be waived or amended by this Trust Agreement pursuant to applicable state law.

(1) **Fiduciary Nature of Powers**. Notwithstanding any other provision of this or any other Article of this Trust Agreement, all discretions, powers and authority shall be exercised by the Trustee in a fiduciary capacity, prudently and exclusively in the interest of the beneficiaries.

(2) **Enumerated Powers**. The Trustee shall have all powers granted to trustees under applicable state law including, but not limited to, all of the powers described in Sections 35-15-815 and 35-15-816 of the Tennessee Code Annotated, as amended or restated from time to time.

F. **Bond Not Required**. No fiduciary acting under this Last Will and Testament shall be required to give bond for the faithful performance of his, her or its duties; except as may otherwise be requested by my Personal Representative in connection with any ancillary administration.

G. **Fiduciary's Authority Presumed**. No person dealing with any fiduciary acting under this Last Will and Testament shall be obligated to see to the application of any money,

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securities or other property paid or delivered to such fiduciary, nor to inquire into the authority of such fiduciary to enter into and consummate any transaction or take any other action.

H. **Fiduciary's Liability for Own Actions**. No fiduciary acting under this Last Will and Testament shall be liable for any mistake in judgment in the making or retaining of investments, or any other discretionary decision made, so long as any such decision is made in good faith.

I. **Fiduciary's Liability for Actions of Predecessor**. No fiduciary acting under this Last Will and Testament shall have any liability for the acts or omissions to act of any predecessor fiduciary, nor any obligation to audit the accounts of any predecessor fiduciary. No fiduciary shall be entitled to any acceptance fee or other additional compensation for auditing or investigating the accounts of such predecessor fiduciary.

J. **Fiduciary Indemnified**. Any individual acting as a fiduciary under this Last Will and Testament shall be indemnified and reimbursed from my estate for any loss, damage, liability or expense incurred or sustained by such fiduciary, in an individual or fiduciary capacity, by reason of any act or failure to act of such fiduciary for or on behalf of and in furtherance of my estate. However, the protection provided by this paragraph shall not apply to any loss, damage, liability or expense incurred or sustained by reason of gross negligence or willful malfeasance of the fiduciary.

K. **Accountings**. If requested by any income beneficiary, but in any event not more often than annually, the Trustee shall render to each income beneficiary (which shall be given to the parent or legal or natural guardian, or other person having custody, of each income beneficiary under a legal disability) of each trust estate created under this Last Will and Testament, annual statements of the transactions of such trust estate, which requirement may be satisfied by delivering to each such income beneficiary or his or her guardian a copy of the federal income tax return for the trust for such period. Except as provided in this paragraph, and to the maximum extent permitted by law, I hereby relieve the Trustee from any obligation, whether pursuant to state statute or otherwise, to render accountings for any trust created under this Last Will and Testament.

L. **Compensation**. Each individual fiduciary shall be entitled to receive reasonable compensation for his or her services as a fiduciary acting under this Last Will and Testament, and shall be reimbursed for the reasonable and necessary expenses incurred in the performance of his or her duties as such. Any corporate fiduciary shall be entitled to reimbursement for expenses and to receive compensation for its services as a fiduciary under this Last Will and Testament in accordance with its published schedule of fees in effect at the time such expenses are incurred or such services are rendered, or a lower amount as otherwise negotiated.

III. DEFINITIONS AND GENERAL PROVISIONS.

A. **Survivorship**. If my spouse and I die under such circumstances that the order of our deaths cannot be established by proof, my spouse shall be considered to have survived me.

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Any other beneficiary who dies within ninety (90) days after my death shall be considered to have died prior to my death.

B. **Trust Estate**. The term "trust estate" wherever used in this Last Will and Testament means all assets, however and whenever acquired (including income and accumulated income), which may be held in a trust at any given time.

C. **Children**. The terms "child" and "children" as used in this Last Will and Testament shall include lawfully adopted children as well as natural children; provided that any adoption which becomes final after the adopted person has attained age eighteen (18) shall not be considered a lawful adoption for purposes of this Last Will and Testament. A posthumous child shall be considered as living at the death of his or her parent. Any child born to an unwed mother shall be deemed to be the legitimate child of such mother, but shall not be the child of the father unless (1) the father has executed a written declaration acknowledging the child as his own or (2) a court of competent jurisdiction has entered an order or judgment declaring that a father/child relationship exists. On the date this Last Will and Testament is executed, I have the following children, SHAUNA DOOLEY and JOHNNIE PEWITT. My spouse has one child, DANIEL MATTHEWS, from a prior marriage who shall not be considered a child of mine or a beneficiary of my estate.

D. **Descendants**. The term "descendants" as used in this Last Will and Testament means the children of the person designated and the descendants of such children, excluding any descendant whose adoption become final after age eighteen (18) and such person's descendants. Except for distributions which may be made unequally, whenever a distribution is to be made to the descendants of any person (or whenever any trust estate is to be divided for the benefit of the descendants of any person), the property to be distributed (or trust estate to be divided) shall be divided into as many equal shares as there are living children of the person and deceased children of the person who have descendants who are then living. Each living child shall take one share and the share of each deceased child shall be divided among his or her then living descendants in the same manner.

E. **Spouse**. The term "spouse" or "spouses" of a person or persons (including myself) as used in this Last Will and Testament shall be deemed to exclude a spouse of a person who is divorced or legally separated from such person.

F. **Income Beneficiaries**. The term "income beneficiaries" as used in this Last Will and Testament shall mean such one or more beneficiaries of a trust to whom income distributions from such trust are required to be made, in the case of mandatory income distributions, or to whom income distributions from such trust are allowed to be made, in the case of other income distributions. Except for distributions that may be made unequally, any distribution of income or principal that is to be made to the income beneficiaries of any trust shall be made to such income beneficiaries in proportion to their respective interests in the income of such trust. For purposes of any notice to be given to, or power exercisable by, the income beneficiaries under this Last Will and Testament, and for purposes of any distribution to be made pursuant to an early termination of the trust, a beneficiary's interest in the income of such trust shall be determined as though income distributions were required to be made equally among the income beneficiaries,

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except that with respect to income beneficiaries in more than one generation, such interests shall be per stirpes.

G. **Internal Revenue Code**. The term "Internal Revenue Code" as used in this Last Will and Testament means the Internal Revenue Code of 1986 or corresponding provisions of any subsequent federal tax laws.

H. **Fiduciary**. The term "fiduciary" as used in this Last Will and Testament means any Personal Representative or Trustee, as the case may be, acting under this Last Will and Testament.

I. **Other Terms**. For the purposes of this Last Will and Testament, the use of either the singular or the plural shall be presumed to include the other. The use of titles and headings in this Last Will and Testament are for organizational purposes only and no such title or heading shall have any legal effect.

J. **Governing Law**. This Last Will and Testament and the administration of my estate shall be governed by the laws of the State of Tennessee. The administration of all trusts created in this Last Will and Testament shall be governed by the laws of the state of the trust situs. The trust situs shall be the State of Tennessee unless changed by the Trustee pursuant to this Last Will and Testament.

K. **Disclaimer**. In addition to any disclaimer rights conferred by law, any beneficiary or trustee, at any time within nine (9) months after the date of my death, is hereby given the right to disclaim in whole or in part any interest, benefit, right, privilege or power granted to such beneficiary or trustee under this Last Will and Testament. Any such disclaimer shall be made by duly acknowledged written instrument executed by such beneficiary or trustee, or his or her legal representative, and delivered to the Trustee under this Last Will and Testament, and to my Personal Representative, if any, and filed in the court having jurisdiction over my estate, if any. In the event of any such disclaimer (including a disclaimer under state law), the disclaimed interest, benefit, right, privilege or power shall pass as though such beneficiary or trustee had predeceased me.

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Specifically, in the case of a beneficiary who disclaims a beneficial interest in trust, as to any interest so disclaimed the trust will be administered and future distributions made as though such beneficiary had predeceased me, even though this may cause an acceleration of one or more remainder interests. However, any such disclaimer by a beneficiary shall not affect any other interest, benefit, right, privilege or power of such beneficiary under this Last Will and Testament which has not been disclaimed (including the right, if any, of my spouse to receive income from property passing to any trust estate by reason of such disclaimer).

L. **Administration of Real Property in Probate Estate**. I direct that all real property that I may own at the time of my death be administered as part of my probate estate subject to the control of my Personal Representative, as authorized by Tennessee Code Annotated § 31-2-103. It is my intention that my Personal Representative have possession and control of my real property during the period of administration, including the power to sell, lease, encumber and otherwise convey all or any portions of such real property or interests therein without the joinder of any beneficiary of my estate or the approval of any court. The commissions or other expenses arising out of the sale of any such property by my Personal Representative shall be deemed to be a proper expense of administering my estate.

M. **No-Contest Provision**. If any descendant or mine or otherwise a beneficiary of the my Last Will and Testament ("Contestant") institutes or causes to be instituted or prosecuted any legal action, law suit or proceeding of any kind or character (i) to contest or set aside my Last Will and Testament, (ii) to challenge or nullify in whole or in part any provision of my Last Will and Testament, or (iii) to cooperate or aid in any such action, suit or proceeding on any ground whatsoever and the resolution of such action, law suit or proceeding turns out to be adverse to Contestant, that in such events, as to any such Contestant and his or her descendants, I: (a) hereby revoke any and all dispositions in my Last Will and Testament to or for the benefit of any such Contestant and his or her descendants; and (b) such unsuccessful Contestant and his or her descendants shall be treated as having predeceased me and my spouse.

IN WITNESS WHEREOF, I have hereunto set my hand, and hereby publish and declare this document to be my Last Will and Testament, in the presence of the witnesses named below, this 27 day of Nov 2013.

Randy Pewitt

RANDY H. PEWITT

On this 27th day of November 2013, **RANDY H. PEWITT** did sign, publish and declare the foregoing instrument as and for said person's Last Will and Testament in the presence of the undersigned who, at said person's request, in said person's presence and in the presence of each other, do hereby subscribe our names as attesting witnesses, and we do hereby state that, to the best of our knowledge, at the time of the execution of this Last Will and Testament, **RANDY H. PEWITT** was at least eighteen (18) years of age and of sound and disposing mind and memory.

Witness

Residing at: 2372 Luster Rd.
Goodlettsville, Tn. 37072

Witness

Residing at: 905 Drummond Drive
Nash, TN 37211

STATE OF TENNESSEE)
) ss.
COUNTY OF Davidson)

I, the undersigned, an officer authorized to administer oaths, certify that **RANDY H. PEWITT**, the Testator, and the witnesses, whose names are signed to the foregoing instrument, having appeared together before me and having been first duly sworn, each then declared to me that the Testator signed and executed the instrument as said person's Last Will and Testament, and that said person had willingly signed and executed it as said person's free and voluntary act for the purposes therein expressed; and that each of the witnesses, in the presence and hearing of the Testator, signed the Last Will and Testament as witness and that to the best of their knowledge the Testator was at the time eighteen or more years of age, of sound mind, and under no constraint or undue influence.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed my official seal this 27 day of November 2013.

(SEAL) CHERYL LEFFEW STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

Notary Public

MY COMMISSION EXPIRES:
May 3, 2016

AFFIDAVIT BY WITNESSES TO WILL

Each of the aforesaid witnesses, being James T. Anderson and _____, subscribed to the foregoing Last Will and Testament of **RANDY H. PEWITT**, executed on this 27th day of November 2013 having been requested by the Testator to make and sign this Affidavit, and having first been duly sworn before the Notary Public whose name appears below, hereby state that the Testator was over eighteen (18) years of age, was of sound mind, declared the foregoing instrument to be his Last Will and Testament, published and executed it by signing it in the presence of all of us who were all present at the same time and we, in his presence, at his request, and in the presence of each other, subscribed our names as witnesses on the said 27th day of November 2013.

James T. Anderson
Witness

_____
Witness

Sworn to and subscribed to before me,
this 27 day of November 2013.

Cheryl Leffew
NOTARY PUBLIC

CHERYL LEFFEW
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY

MY COMMISSION EXPIRES:
May 3, 2016

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 PETITION ORDER heretofore filed in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 22 day of MAY, 2014, in Docket Number 14P768, IN RE: PEWITT, RANDY HOUSTON 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 19 day of OCTOBER in the year 2016 and in the 240 year of American Independence.

RICHARD R. ROOKER, Clerk,

By: _____

Deputy Clerk

(SEAL)

Copy

FILED
MAY 22 2014

IN THE CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE (PROBATE DIVISION)

IN THE ESTATE OF:	)	
	)	
RANDY HOUSTON PEWITT,	)	No. 14P768
	)	
Deceased.	)	

ORDER TO OPEN ESTATE AND FOR LETTERS TESTAMENTARY

This cause came to be heard on the 22nd day of May 2014, in front of the Honorable Randy Kennedy, upon Petitioner's, Barbara Pewitt's ("Petitioner"), Petition to Open Probate and for Letters Testamentary. Based upon the sworn Petition, statements made by counsel, and the entire record as a whole, this Court finds that the Petition is well-taken and, therefore, granted.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Petitioner shall be appointed as Executrix of the Estate of Randy Houston Pewitt, deceased.

It is further **ORDERED** that Letters Testamentary be issued to Petitioner as Executrix of the Estate, that she be permitted to qualify as such without bond, and is granted the ability to give instructions and sign document of behalf of the Estate.

It is further **ORDERED** that the requirements for the Executrix to file an inventory with the Court and all accountings are waived with the exception of the final accounting which may be waived by the beneficiaries at the time of the closing of the Estate in lieu of an accounting.

It is further **ORDERED** that notice to creditors and the Department of Revenue shall be given by the Clerk of the Court through publication or as otherwise required by

Copy

law.

IT IS SO ORDERED.

ENTERED this 22 day of May, 2014.

Honorable Randy Kennedy

PREPARD FOR ENTRY:

David E. Heller, BPR #017402
Brenton H. Lankford, BPR #030223
Martin Heller Potempa & Sheppard, PLLC
2122 21st Avenue South
Nashville, Tennessee 37212
Phone: (615) 800-7096

Certificate of Service

I hereby certify that a true and exact copy of the foregoing has been forwarded, via U.S. Postal Service, postage prepaid, to the following persons this 21st day of May, 2014:

Barbara Pewitt
910 Drummond Drive
Nashville, Tennessee 37211

Shauna Dooley
668 Landcaster Drive
Springhill, Tennessee 37174

Johnie Pewitt
910 Drummond Drive
Nashville, Tennessee 37211

D Heller by per BHL
David Heller