BILL GARRETT, Davidson County
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P8911

FILED
WILLIAMSON COUNTY
CLERK & MASTER
2017 JAN 11 AM 10:34

This Instrument Prepared By:
Mark Hartzog
Hartzog & Silva, PLC
123 Fifth Avenue North
Franklin, Tennessee 37064

INDEXED

LAST WILL AND TESTAMENT
OF
JOHN J. MADDEN

I, **JOHN J. MADDEN**, domiciled in Williamson County, Tennessee, do make, publish and declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils heretofore made by me.

I.

I direct that all my just debts, my funeral expenses, and the cost of administration of my estate be paid as soon as practicable after my death. In the event that any property or interest in property passing under this Will, by operation of law, or otherwise by reason of my death, shall be encumbered by a mortgage or lien, or be pledged to secure any obligation (whether the property or interest in property so encumbered or pledged shall be owned by me jointly or individually), it is my intention that such indebtedness shall not be charged to or paid from my estate, but that the devisee, legatee, joint owner taking by survivorship, or beneficiary receiving such property or interest in property shall take it subject to all encumbrances existing at the time of my death.

II.

I direct that there shall be paid out of my residuary estate, without apportionment, all estate, inheritance, succession and other taxes assessed by reason of my death, imposed by the government of the United States, or any state or territory thereof.

III.

I bequeath the entirety of all household furnishings, family heirlooms, memorabilia, vehicles, personal clothing and personal effects to the following named children of mine who may survive me: my daughter, **MONICA MADDEN CATON** of Atlanta, Georgia; my daughter, **MONICA**

CHANCERY COURT
SEAL
WILLIAMSON CO., TN

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MADDEN HOSTETTLER of Nashville, Tennessee; my son, SEAN MICHAEL MADDEN of Atlanta, Georgia; my daughter, MISCHELLE MADDEN HOPFINGER of Lake Forest, Illinois; and, my daughter, DEIRDRE MADDEN HOOD of Lebanon, Ohio. I direct that my children shall seek to divide said items of personal property on a basis which will permit each to receive items of his/her preference and of substantially comparable values as closely as same can be determined.

IV.

My daughter, MONICE MADDEN HOSTETTLER, and I each own a fifty percent (50%) interest in a tract or parcel of real estate situated at 4104 Hillsboro Road, Nashville, Davidson County, Tennessee, same presently being leased to Green Hills Cleaners. In the event I should own an interest in said real estate at the time of my death, I devise same in fee and in equal shares to the following named children: my daughter, MONICA MADDEN CATON; my son, SEAN MICHAEL MADDEN; my daughter, MISCHELLE MADDEN HOFINGER; and, my daughter, DEIRDRE MADDEN HOOD. In the event a child hereinabove named should predecease me with issue surviving, the share designated for said deceased child shall be transferred to his/her surviving issue *per stirpes*. In the event a child named herein should predecease me without leaving issue surviving, the share designated for said deceased child shall be transferred in fee and in equal shares to my remaining children to whom an interest is devised in this Article who may then be surviving, or if any be deceased with issue surviving, then to his/her surviving issue *per stirpes*.

V.

All the rest, residue and remainder of the property which I may own at the time of my death, real, personal and mixed, tangible and intangible, of whatsoever nature and wheresoever situated, including all property which I may acquire or become entitled to after the execution of this Will, including all life insurance payable to my estate, I bequeath and devise in fee and in equal shares to my children: my daughter, MONICA MADDEN CATON of Atlanta, Georgia; my daughter, MONICE MADDEN HOSTETTLER of Nashville, Tennessee; my son, SEAN MICHAEL MADDEN of Atlanta, Georgia; my daughter, MISCHELLE MADDEN HOPFINGER of Lake Forest, Illinois; and, my daughter, DEIRDRE MADDEN HOOD of Lebanon, Ohio. In the event a child hereinabove named should predecease me with issue surviving, the share designated for said

CHANCERY COURT SEAL WILLIAMSON CO.

J.J.M.

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deceased child shall be transferred to his/her surviving issue *per stirpes*. In the event a child named herein should predecease me without leaving issue surviving, the share designated for said deceased child shall be transferred in fee and in equal shares to my remaining children named herein who may then be surviving, or if any be deceased with issue surviving, then to his/her surviving issue *per stirpes*.

VI.

I appoint my son, **SEAN MICHAEL MADDEN**, to serve as Executor of this my Last Will and Testament, and I direct that no bond be required of him for the faithful performance of his duties in said capacity. Further, I direct that the filing of an Inventory shall be waived. In the event my son should predecease me or should otherwise be unable to serve in said capacity, I appoint my daughter, **MONICE MADDEN HOSTETTLER**, to serve as substitute Executrix, and I direct that no bond be required for the faithful performance of his duties in said capacity. I vest my Executor, and any successor thereto, with full power and authority to sell, transfer, and convey any property, real or personal, which I may own at the time of my death, at such time and price and upon such terms and conditions as he/she may determine and to do every other act and thing necessary or appropriate to the complete administration of this Will.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of this page, two (2) preceding typewritten pages and one (1) following typewritten page, and for the purpose of identification I have initialed each such page, all in the presence of the persons witnessing it at my request on this 8th day of May, 2007.

JOHN J. MADDEN
Testator

STATE OF TENNESSEE 6-19-17
WILLIAMSON COUNTY
I, THE UNDERSIGNED CLERK & MASTER, DO HEREBY CERTIFY THIS TO BE A TRUE COPY OF THE ORIGINAL OF THIS INSTRUMENT FILED IN THIS CAUSE.
ELAINE B. BEELER, Clerk & Master

THE CHANCERY COURT SEAL WILLIAMSON CO.

J.J.M.

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STATE OF TENNESSEE

COUNTY OF WILLIAMSON

Susan Greene and Stacey Vance.
(PRINTED NAME OF WITNESS) (PRINTED NAME OF WITNESS)

being first duly sworn, do jointly and severally make oath as follows: That the foregoing instrument was signed, published and declared by the above named Testator, as and for his Last Will and Testament; and we have hereunto affixed our signatures, as attesting witnesses, at his request, in his sight and presence, and in the sight and presence of each other, and we further depose that at the said place and time the Testator was of sound mind and disposing memory and signed the said Will as his free and voluntary act.

Susan Greene
Signature of Witness

Stacey Vance
Signature of Witness

SWORN TO and subscribed before me on this the 8th day of May, 2007.

DENISE COLE
NOTARY PUBLIC
TENNESSEE
WILLIAMSON COUNTY

Denise Cole
Notary Public

My Commission Expires:
April 4, 2010

THE CHANCERY COURT
SEAL
WILLIAMSON COUNTY

J.J.M.

07 04

IN THE CHANCERY COURT OF THE STATE OF TENNESSEE
21ST JUDICIAL DISTRICT, WILLIAMSON COUNTY

FILED
WILLIAMSON COUNTY
CLERK & MASTER
2017 JAN 11 AM 10:30

IN RE: ESTATE OF :
: NO. P8911
JOHN J. MADDEN, :
DECEASED :

ENTERED

AFFIDAVIT

STATE OF TENNESSEE)

COUNTY OF Williamson)

Stacey Yancy, after being duly sworn according to law, deposes and states:

1. That she is an adult resident of Williamson County, Tennessee.

2. That she was a witness to the Last Will and Testament of John J. Madden, dated May 8, 2007 to which this Affidavit is attached, and that this Affidavit is being made at the request of the person named as the personal representative in said Last Will and Testament and in accordance with Tennessee Code Annotated §32-2-110.

3. That her signature is affixed to said Last Will and Testament of the deceased, that she signed or affixed the same at the instance and at the request of the Testator and in his presence and in the presence of the other attesting witness, Susan Greene, at the place and on the date of said Last Will and Testament.

4. That the Testator signed said paper writings as and for his Last Will and Testament in her sight and presence and in the sight and presence of the other attesting witness.

5. That the other attesting witness, Susan Greene, likewise signed said paper writing at the request and in the presence of the Testator and in the sight and presence of the Affiant.

6. That at the time she witnessed said Last Will and Testament she was of the opinion that the deceased, John J. Madden, was of sound mind.

Further Affiant saith not.

Stacey Yancy

Sworn to and subscribed before me
this 30th day of November, 2016.

Notary Public

My Commission Expires: 3-14-2017

THE CHANCERY COURT SEAL WILLIAMSON CO., TN

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IN THE CHANCERY COURT OF THE STATE OF TENNESSEE
21ST JUDICIAL DISTRICT, WILLIAMSON COUNTY

FILED
WILLIAMSON COUNTY
CLERK & MASTER

IN RE: ESTATE OF : NO. P8911

JOHN J. MADDEN, : 2017 JAN 11 AM 10:30
DECEASED :

ENTERED

AFFIDAVIT

STATE OF TENNESSEE)

COUNTY OF Williamson)

Susan Greene, after being duly sworn according to law, deposes and states:

1. That she is an adult resident of Davidson County, Tennessee.

2. That she was a witness to the Last Will and Testament of John J. Madden, dated May 8, 2007 to which this Affidavit is attached, and that this Affidavit is being made at the request of the person named as the personal representative in said Last Will and Testament and in accordance with Tennessee Code Annotated §32-2-110.

3. That her signature is affixed to said Last Will and Testament of the deceased, that she signed or affixed the same at the instance and at the request of the Testator and in his presence and in the presence of the other attesting witness, Stacey Yancy, at the place and on the date of said Last Will and Testament.

4. That the Testator signed said paper writings as and for his Last Will and Testament in her sight and presence and in the sight and presence of the other attesting witness.

5. That the other attesting witness, Stacey Yancy, likewise signed said paper writing at the request and in the presence of the Testator and in the sight and presence of the Affiant.

6. That at the time she witnessed said Last Will and Testament she was of the opinion that the deceased, John J. Madden, was of sound mind.

Further Affiant saith not.

Susan Greene

Sworn to and subscribed before me
this 29 day of November, 2016.

Notary Public

My Commission Expires: _____

AMANDA MOENG
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF WILLIAMSON
My Commission Expires July 20, 2019

THE CHANCERY COURT SEAL WILLIAMSON CO. TN

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