STATE OF TENNESSEE

BILL GARRETT, Davidson County
Trans:T20170057756 WILL
Recvd: 07/06/17 14:11 12 pgs
Fees:62.00 Taxes:0.00
20170706-0068067

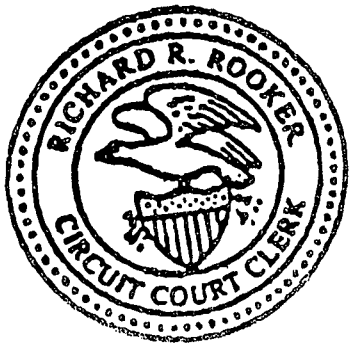
I, RICHARD R. ROOKER, Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the PETITION PROBATE WILL heretofore filed in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 24 day of AUGUST, 2016, in Docket Number 16P1425, IN RE: BURNS, MARGARET ELIZABETH, 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 08 day of MARCH in the year 2017 and in the 240 year of American Independence.

RICHARD R. ROOKER, Clerk,

By: _____
Deputy Clerk

[SEAL]



Copy

IN THE SEVENTH CIRCUIT COURT, PROBATE DIVISION,
FOR THE TWENTIETH JUDICIAL DISTRICT
SITTING IN NASHVILLE, TENNESSEE

FILED
2016 AUG 24 AM 9:33
RICHARD R. ROOKER, CLERK
D.C.

IN THE MATTER OF:

No. 16P1425

Margaret Elizabeth Burns,
Deceased,

PETITION TO PROBATE WILL

Petitioner, Robert Burns, shows unto the Court the following:

1. Petitioner. Robert Burns is the son of Margaret Elizabeth Burns, who died March 10, 2016 at the age of 91. At the time of her death, decedent resided in Davidson County at 143 Jacksonian Drive, Hermitage, Tennessee.

2. Decedent's Heirs. Decedent is survived by seven children, one of whom is the petitioner, Robert Burns. Decedent's husband, Edward J. Burns, predeceased her. There are no other heirs at law or under the terms of Margaret Elizabeth Burns' will.

Name	Age	Relationship	Address
Robert Burns	Adult	Son	1027 Quarry Road Mt. Juliet, TN 37122
Margaret Bourrie	Adult	Daughter	4795 Arden Drive Buford, GA 30578
Edward J. Burns, Jr.	Adult	Son	1459 Homestead Dr. Semmes, AL 36575
Barbara B. Bundren	Adult	Daughter	2036 Bundren Mountain Rd. Tazwell, TN 37879
Nancy B. McKnight	Adult	Daughter	2189 Mountain Pass Road Troutville, VA 24175
James L. Burns	Adult	Son	143 Jacksonian Drive Hermitage, TN 37216
John Burns	Adult	Son	101 Allison Drive

Copy

Clarksville, TN 37042

3. Will. Decedent left a Last Will & Testament dated September 1, 2015. A copy of the will is attached hereto as Exhibit A and the original Last Will & Testament will be submitted to the Court at the hearing on this Petition. The Will was drafted and executed in Tennessee.

4. Execution of Will. The document titled Last Will & Testament contains signatures of two witnesses on page 5.

5. Attesting Witnesses. The attesting witnesses to the decedent's Will are Lane White and Cheryl W. Martin.

6. Executor. In Item One of his Will, decedent appoints Robert Burns as Personal Representative.

8. Bond. Item One of the Will waives bond.

9. Provision of Copies of the Will. All of decedent's residuary beneficiaries and heirs at law have been provided with copies of the Will.

PREMISES CONSIDERED, PETITIONER PRAYS:

1. That the document described above and attached hereto be admitted to probate as the Will of Margaret Burns.
2. That bond be waived.
3. That Letters Testamentary be issued to Petitioner, Robert Burns, as Personal Representative.

Barbara J. Moss #5718
Elder Law of Nashville PLC
4525 Harding Pike, #200

Copy

Nashville, TN 37205
Attorney for Petitioner, Robert Burns

NOTICE OF HEARING

This Petition is expected to be heard before Judge Randall Kennedy on 9/15/16 at 10:00 a.m. in the Historic Metro Courthouse located at One Public Square, Nashville, Tennessee.

Copy

Certificate of Service

A true and exact copy of the above was forwarded via U.S. Postal Service first class mail to the following at the address below on ~~July~~ Aug. 22, 2016.

Robert Burns
1027 Quarry Road
Mt. Juliet, TN 37122

Margaret Bourrie
4795 Arden Drive
Buford, GA 30578

Edward J. Burns, Jr.
1459 Homestead Dr.
Semmes, AL 36575

Barbara B. Bundren
2036 Bundren Mountain Rd.
Tazwell, TN 37879

Nancy B. McKnight
2189 Mountain Pass Road
Troutville, VA 24175

James L. Burns
143 Jacksonian Drive
Hermitage, TN 37216

John Burns
101 Allison Drive
Clarksville, TN 37042

Barbara J. Moss

Copy

VERIFICATION

I swear or affirm that the statements contained above are true and correct to the best of my knowledge, information and belief.

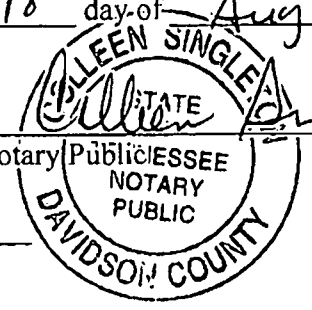
Robert Burns

STATE OF Tenn
COUNTY OF Davidson

Sworn and subscribed before me, this 18th day of Aug, 2016.

Notary Public

My commission expires 3/6/2018



STATE OF TENNESSEE

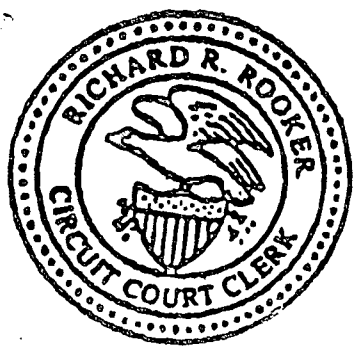
I, RICHARD R. ROOKER, Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the LAST WILL AND TESTAMENT heretofore filed in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 15 day of SEPTEMBER, 2016, in Docket Number 16P1425, IN RE: BURNS, MARGARET ELIZABETH, 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 02 day of MARCH in the year 2017 and in the 240 year of American Independence.

RICHARD R. ROOKER, Clerk,

By: _____
Deputy Clerk

[SEAL]



Copy

LAST WILL & TESTAMENT
OF MARARET BURNS

FILED
SEP 15 2016
RICHARD R. ROOKER, CLERK
BY [illegible] DEPUTY

I, Margaret Burns, a resident of Hermitage, Tennessee, make and declare this document as my Will, revoking all former Wills and Codicils made by me.

IDENTIFICATION OF FAMILY

I am widowed. I have seven children: Margaret Bourrie, Edward J. Burns, Jr., Barbara B. Bundren, Nancy B. McKnight, Robert Burns, James L. Burns and John Burns, all of whom are adults.

ITEM 1
APPOINTMENT OF EXECUTOR

I appoint the following persons to serve as the Executor of my estate, with such persons to act successively, in the order named:

1. Robert Burns, my son
2. Nancy B. McKnight, my daughter

To the extent permitted by applicable law, no Executor shall be required to furnish bond, file any inventory or file any accountings with respect to the performance of the Executor's duties. I do expect, however, that my Executor will prepare and provide an inventory of the assets of my estate to the residuary beneficiaries upon their request and will prepare and provide a reasonable report describing the disposition of the assets of my estate to such residuary beneficiaries as may be necessary in order to obtain their statements acknowledging that the estate has been properly distributed.

I intend that my Executor shall manage and administer my estate fairly, honestly, and in good faith with diligence and reasonable care. However, I relieve my Executor from any liability resulting from an honest mistake of judgment made while serving.

I do not anticipate that any Executor will have duties that will be extensive. Accordingly, I do not authorize payment of a fee to the Executor.

ITEM 2
PAYMENT OF DEBTS, EXPENSES AND TAXES;
TREATMENT OF LIFE INSURANCE AND REAL PROPERTY

A. Payment of Debts and Administration Expenses. My Executor in the Executor's sole discretion may pay my legal debts, including any cremation, funeral or memorial expenses, unpaid charitable pledges (whether or not they are enforceable obligations of my estate), and costs of administration of my estate, and I hereby authorize my Executor, in case of any claim made against my estate, to settle and discharge the same

Initials: MEB

Copy

in the absolute discretion of my Executor. In the event that my residuary estate is insufficient to pay such debts and expenses, I direct that the amount thereof in excess of my residuary estate shall be paid from other assets in the order provided by law.

B. **Payment of Taxes.** I direct that my Executor pay as an expense of administration, without apportionment against the share of the beneficiary, all transfer, estate, inheritance, succession and other death taxes, together with any penalty or interest thereon, payable by reason of my death, whether in respect of property passing under this Will or otherwise.

C. **Treatment of Life Insurance.** Life insurance proceeds which may be or become payable to my estate may, to the extent determined to be appropriate in the sole and absolute discretion of my Executor, be used by my Executor for the payment of debts, taxes, and the administration of my estate. The balance remaining after payment of costs of administration of my estate shall become part of my residuary estate.

D. **Treatment of Real Property.** I leave my real property located at 143 Jacksonian Drive, Hermitage, Tennessee 37216 to my son James L. Burns, should he survive me. If my son James L. Burns predeceases me, I direct that all real property which I may own at the time of my death be administered as a part of my probate estate subject to the control of the Executor for purposes of administration, as authorized by Tennessee Code Annotated § 31-2-103. It is my intention that the Executor have possession and control of my real property during the period of administration, including but not limited to the power to sell, encumber, lease or otherwise convey all or portions of such real property or interests therein without the consent, signature, or joinder of any beneficiary of my estate or the approval of any court. In exercising such power the Executor shall be acting in a fiduciary, not an individual, capacity. Any commissions or other expenses arising out of the sale of any such property by my Executor shall be deemed to be a proper expense of administering my estate. Any sale of real property by my Executor shall be presumed to be reasonable.

ITEM 3
TANGIBLE PERSONAL PROPERTY AND BEQUESTS

A. **Specific Bequests of Other Tangible Personal Property.** After I sign this Will, I may leave a letter or other written document either in my own handwriting or signed by me or both addressing the distribution of certain items of my tangible personal property. If I prepare this document, I will keep it with my Will. If my Executor finds this document, it is my desire that the wishes expressed in such document be carried out. If my Executor has not found such a document within 45 days of my death, it shall be presumed that no such document exists.

Initials: MEB

Copy

All bequests under any such document described above are contingent upon my owning the item or items bequeathed at my death and upon the recipient surviving me, unless I expressly provide otherwise in the written document kept with my Will.

C. **General Bequest of Other Tangible Personal Property.** I bequeath to my seven children, if they survives me, all of my clothing, personal effects, and all of my other tangible personal property used by me in a personal way, except for the personal property specifically bequeathed to another in any document described in paragraph A, above, in this Item.

If my children are unable to agree, or if they shall fail to agree upon the division of my personal property within six (6) months from the date of my death, then my property shall be divided between them by my Executor, in the Executor's sole and absolute discretion, in as nearly equal portions as may be practicable, having due regard for their personal preferences. The reasonable cost of packing and shipping personal property shall be charged to my estate as an expense of administration. Any articles not so selected may be sold either publicly or privately, or otherwise disposed of, as my Executor may elect, in the Executor's sole discretion, and any proceeds shall be added to my residuary estate.

ITEM 4
RESIDUARY ESTATE

I devise and bequeath all the rest of the property, real and personal, that I own or have an interest in at my death to my children in equal shares, outright and free of trust. If any child does not survive me, I devise and bequeath that child's share to their descendants, per stirpes. If any child predeceases me without living descendants I direct that their portion be added back to the residuary estate to be divided between my living children and their descendants.

ITEM 5
FAILURE OF BENEFICIARIES

If all of my named or described beneficiaries should predecease me, then the property shall be distributed among those persons who would have been entitled thereto under the laws of descent and distribution of the State of Tennessee if I had died intestate.

ITEM 6
MINORS

In the event that any person taking a share of my estate is under age 21, such person's share shall be distributed by my Executor to an adult selected by my Executor (including my Executor) to hold as custodian for such person under the Tennessee Uniform

Initials: MEB

Copy

Transfers to Minors Act, Tenn. Code Ann. § 35-7-201 et seq., to administer for such person until such person is age 21.

ITEM 7
DEFINITIONS AND MISCELLANEOUS PROVISIONS

A. **Powers of Executor.** In addition to any powers and other related administrative provisions granted or contained elsewhere in this Will, if any, my Executor, in the exercise of a reasonable discretion with respect to all property, real and personal, at any time forming a part of my estate, may exercise any and all of the powers set forth in Tenn. Code Ann. § 35-50-110, to the extent applicable, all of which provisions are incorporated herein by reference. These powers are granted even if this statute is amended or repealed before my death and even if my estate is administered in a state other than Tennessee. I grant to my Executor the power and authority to appoint a resident Co-Executor to serve with my Executor if applicable law so requires.

B. **Distribution to Descendants.** References to descendants shall include biological and adopted descendants and shall only refer to then-living descendants. Distribution to the descendants of any deceased person under this Will shall be per stirpes unless otherwise stated in this document.

C. **Definition of "Minor" and "Minority."** The terms "minor" and "minority" as used in this document refer to persons under age 21.

D. **Distributions to Disabled Beneficiaries.** If any property shall be payable outright to a person who is under any mental or physical disability (an "disabled beneficiary"), my fiduciaries shall have the power, exercisable in their absolute discretion and without court approval, either to defer payment of such property or to pay such property, in whole or in part, to an to any adult with whom an incapacitated beneficiary may reside. The recipient of such property, on behalf of a disabled beneficiary, shall not be required to furnish bond or file any accountings with respect to such property, unless my fiduciaries should direct otherwise. The receipt of such property by the recipient shall discharge my fiduciaries from any further responsibility or liability with respect to such property. If my fiduciaries shall elect to defer payment of any such property, I authorize my fiduciaries to hold such property as trustees for the benefit of the disabled beneficiary, with all the powers given to my fiduciaries by law, and to pay or apply so much, all, or none of my property for the benefit of a disabled beneficiary as my fiduciaries shall deem advisable. In the event that a disabled beneficiary attains competency, whether mental or physical, the balance of such property then remaining shall be distributed to him or her. If the disabled beneficiary should die before attaining competency, the balance of such property remaining at his or her death shall be distributed to his or her estate.

E. **Construction.** Throughout this Will, references to the singular shall be deemed to include the plural, and the plural the singular as the context may require. The

Copy

captions and headings of this Will are for convenience only and shall not be resorted to for interpretation of this Will. If any portion of this Will is held to be void or unenforceable, the remainder shall nevertheless be carried into effect.

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

IN WITNESS WHEREOF, I sign this Will in the presence of persons witnessing it, at my request, on this the 1st day of September, 2015.

Margaret E Burns
Margaret Burns

Witness Attestation

Signed and declared by Margaret Burns 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 presence and in the presence of each other, have subscribed our names as witnesses, and we do hereby attest to the sound and disposing mind of Margaret Burns and to the performance of the aforesaid act of execution on the date hereinabove set out.

WITNESSES:

Signature

Cheryl W. Martin
Print or type name

4525 Harding Pike, Suite 200, Nashville, TN 37205
Address

Dane White
Signature

LANE WHITE
Print or type name

4525 Harding Pike, Suite 200, Nashville, TN 37205
Address

Initials: MEB