Bill Garrett Davidson County
Batch# 24998 WILL
11/13/2017 11:46:07 AM 7 pgs
Fees: $37.00 Taxes: $0.00
20171113-0116239

17P379

LAST WILL AND TESTAMENT OF BILLY EDWARD MATTHEWS

FILED
MAY 12 2017
RICHARD R. BOOKER, Clerk
By: D.C.

I, BILLY EDWARD MATTHEWS, a resident of Davidson County, Tennessee, being of sound and disposing mind, memory and understanding, do hereby make, publish and declare this to be my Last Will and Testament and do hereby revoke all other Wills, Codicils and testamentary instruments heretofore made by me.

FIRST

I direct that all my lawful debts (except debts secured by mortgages or other security instruments, which may be paid or retained in the discretion of my fiduciaries, and if paid shall be without right of contribution from my estate), my funeral expenses, the expenses of administration of my estate, and inheritance, estate or other death taxes that may be imposed upon my estate, including interest and penalties thereon, be paid by my Executor as soon as possible after my death.

I direct that my Executrix pay out of the property which would otherwise become part of my residuary estate, without apportionment, all estate, inheritance or other death taxes, including interest and penalties thereon, which may be lawfully assessed by reason of my death.

All realty is part of my probate estate and shall be treated as personalty for administration purposes.

SECOND

I give and bequeath to Ruby Ann Gilley my personal property and all of the effects which it may hold.

EXHIBIT 2

186027.1

B E 911

THIRD

I give, devise, and bequeath all the rest, residue, and remainder of my estate, of every kind and description to Ruby Ann Gilley, including, but not limited to, my personal residence located at 4410 Little Marrowbone Joelton, Tennessee 37080.

FOURTH

A. I appoint Ruby Ann Gilley, as the Executrix (hereinafter "Executrix") of my Last Will and Testament. I direct that my Executrix shall not be required to furnish a bond for the faithful performance of her duties in any jurisdiction, any provision of the law to the contrary notwithstanding. If any bond is required by law, no surety shall be required on such bond. If Ruby Ann Gilley is unable or unwilling to serve as Executrix, I appoint Carla Yarbrough as successor Executor without bond.

B. My Executrix shall be excused from the statutory requirement of making and filing an inventory of my estate with the court exercising probate jurisdiction unless such filing is demanded by any of the residuary distributes or legatees of my estate. Further, my Executrix shall also be excused from the statutory requirement of making and filing an accounting of the administration of my estate to such court.

FIFTH

My Executrix shall have the following powers, duties and discretions in addition to those now or hereafter conferred by law:

A. I incorporate by reference all of the fiduciary powers contained in section 35-50-110, Tennessee Code Annotated as fully as if set out verbatim herein.

B. When required to make a distribution or transfer of all or part of the assets of my estate, my Executrix may retain therefrom assets sufficient in its judgment to cover

any liability which may then or later be imposed upon it, including, but not limited to, its liability for estate, income or other taxes, until such liability shall have been finally determined.

C. My Executrix shall be charged with the duty of good faith and reasonable care in the management of the estate, but shall not be responsible for losses, if any, resulting from honest mistakes of judgment.

D. If my Executrix determines that any distribution shall be paid to a minor, or to a person under a legal disability, or to a person not adjudicated incompetent, but who, by reason of illness or mental or physical disability is, in the opinion of my Executrix, unable to properly administer such funds, then such funds may be paid out by my Executrix in any of the following ways as he deems best: (1) directly to such beneficiary; (2) to the legally appointed guardian or conservator of such beneficiary; (3) by my Executrix using such amounts directly for the benefit of such beneficiary; or (4) to some relative or friend for the care, support, education and welfare of such beneficiary. The receipt of any such person shall discharge my Executrix from any further responsibility with respect to such funds.

E. My Executrix may begin making payments to the beneficiaries of my estate after the beginning of the administration of my estate. My Executrix shall be given credit on his settlement for all disbursements made to the beneficiaries under the provisions of this power.

F. Any insurance on my life or other similar insurance payable to the Executrix or Administrator of my estate, or to my estate, shall be free from the claims of creditors and shall be governed by the provisions of my Will; provided, however, that my

b e m

Executrix may in its sole discretion pay my personal debts from the proceeds of such policies, but my Executrix shall, in its sole discretion, determine which, if any, of my debts shall be so paid.

SIXTH

Except where otherwise specifically stated, this Will is to be administered, construed and governed in all respects by the laws of the State of Tennessee.

IN WITNESS WHEREOF, I have hereunto subscribed my name to this the fourth (4) page of my Last Will and Testament, consisting of six (6) typewritten pages, 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 the 15th day of October, 2008, at Nashville, Tennessee.

Billy Edward Matthews

BILLY EDWARD MATTHEWS

SIGNED, PUBLISHED AND DECLARED by the above-named Testator, Billy Edward Matthews and for his Last Will and Testament, in the presence of us, who at his request, in her presence, and in the presence of each other, all being present at the same time, have hereunto subscribed our names as witnesses and do hereby certify that we believe the Testator to be of sound and disposing mind and memory.

TERRI L. HAZZARD Address 401 Moss Ln.
WITNESS

Franklin, TN 37064

Katye L. Hazzard Address 401 Moss Ln.
WITNESS

Franklin, TN 37064

186027.1

Billy Matthews

AFFIDAVIT BY WITNESSES TO WILL

TERRI L. HAZZARD and Katye L. Hazzard
WITNESS WITNESS

after first being duly sworn or affirming, make oath or affirm that the foregoing Last Will and Testament was signed by Billy Edward Matthews as and for, and at that time acknowledged, published and declared by him to be his Last Will and Testament, in the sight and presence of us, the undersigned, who at his request and in his sight and presence, and in the sight and presence of each other, have subscribed our names as attesting witnesses on the 15th day of October, 2008; and we further make oath or affirm that the Testator was of sound mind and disposing memory, and not acting under the fraud, menace or undue influence of any person, and was more than eighteen (18) years of age; and that each of the attesting witnesses is more than eighteen (18) years of age.

WITNESS

Katye L Hazzard
WITNESS

Sworn to and subscribed ~~to~~ before me, Janetta L. Bottman this 15th day of October, 2008.

Notary Public

My Commission Expires: 3-21-09

JANETTA L. BOTTMAN
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires MAR. 21, 2009

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 12 day of MAY, 2017, in Docket Number 17P379, IN RE: MATTHEWS, BILLY EDWARD, 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 13 day of NOVEMBER in the year 2017 and in the 241 year of American Independence.

RICHARD R. ROOKER, Clerk,

By: _____
Deputy Clerk

[SEAL]

