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FILED
DAVIDSON COUNTY
CLERK & MASTER

2015 JUL 15 PM 3:41

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ENTERED 7-23-15

LAST WILL AND TESTAMENT

OF

RONALD W. KERR

THIS INSTRUMENT PREPARED BY:
Bryan Howard
Howard & Mobley, PLLC
200 31st Avenue North, Suite 100
Nashville, Tennessee 37203

STATE OF TENNESSEE
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.
1-9-18
ELAINE B. BEELER, Clerk & Master

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FILED
CHARLESTON COUNTY
CLERK & MASTER
2015 JUL 15 PM 3:41
ENTERED

LAST WILL AND TESTAMENT

OF

RONALD W. KERR

I, RONALD W. KERR, being of sound mind and disposing memory, do hereby make, publish and declare this as my Will, hereby revoking all last wills and testaments and Codicils heretofore made by me.

The name of my spouse is GWYNETH B. KERR. All references to my spouse in this document are to her. The names of my children are BONNIE S. KERR, RONALD S. KERR, ROBERT W. KERR and DONALD W. KERR. All references to my children in this document are to these children.

ARTICLE I.
Appointment of Co-Executors, Trustee and Guardian

A. Appointment of Co-Executors. I nominate and appoint my spouse, GWYNETH B. KERR, and my son, RONALD S. KERR, to serve as Co-Executors of this my Will, without bond. If my spouse, GWYNETH B. KERR, fails or ceases to serve, then such person as my spouse appoints, or if she fails to appoint her successor, my spouse's sister, SUSAN D. BOWLING, shall serve as successor co-Executor of this my Will, without bond. If my son, RONALD S. KERR, fails or ceases to serve, then such person as such son appoints, or, if he fails to appoint his successor, DONALD W. KERR, shall serve as successor co-Executor of this my Will, without bond. It is my intention to have one representative for my children to serve as Co-Executor with my spouse or her representative.

B. Waiver of Inventory and Accounting. I hereby expressly excuse my Co-Executors from filing any inventory, interim accountings, and final accounting that might otherwise be required pursuant to applicable law, unless such reports are specifically requested by any beneficiary of my residuary estate.

C. Appointment of Ancillary Personal Representative. If the appointment of an Executor of my estate is necessary or desirable in any jurisdiction in which the Co-Executors named herein is unable or unwilling to act, I appoint as my Executor in that jurisdiction such person or corporation as may be designated in an instrument signed by the Co-Executors named herein, to serve without security or any bond, and to have all the powers with respect to my estate in that jurisdiction that my Co-Executors named herein is given with respect to my domiciliary estate (including the power to sell real or personal property at public or private sale for

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any purpose), to be exercisable without the joinder of any beneficiary or the approval of any court.

D. Health Insurance for Spouse. To the extent legally possible, it is my desire that my spouse retain her health insurance coverage that she has at the time of my death. I direct my Co-Executors to take any action necessary to ensure she retains this insurance including but not limited to voting certain stock that I may own in a manner that causes her to retain such insurance, and/or continuing her employment for one the companies of which I have any percentage of ownership at the time of my death. After my death, if any of said companies are continued in any form, by the same name or a different name, with any percentage of ownership belonging to one of my children or a trust for their benefit, my spouse shall have the same assurance of coverage within the said company or companies.

ARTICLE II.
Payment of Debts, Taxes and Expenses

I direct that all of my legally enforceable debts, funeral expenses, and expenses in connection with the administration of my estate be paid as soon as may be convenient after my death. I further direct that all transfer, estate, inheritance and other death taxes which are payable because of my death, including any interest or penalties thereon, with respect to the property comprising my estate for such tax purposes, whether or not such property passes under this Will and whether such taxes are payable by my estate or by any recipient or beneficiary of any such property, shall be paid entirely out of that portion of my residuary estate, which is not qualified for the marital deduction under Internal Revenue Code Section 2056 and does not qualify for the marital deduction under T.C.A. § 67-8-315(a)(6) or any other exclusion or deduction for federal estate purposes, as an expense of administration, without apportionment, and with no right of reimbursement from any recipient or beneficiary of any such property (except as otherwise specifically provided in this Article). I authorize my Co-Executors, in their sole discretion, to use the proceeds of any life insurance payable to my estate or to my Co-Executors for the payment of my debts or taxes of my estate.

ARTICLE III.
Disposition of Tangible Personal Property and Devise of Residences

A. Residences. I give, devise and bequeath the real estate, improvements and all contents, of all homes/residences to my wife, Gwyneth B. Kerr, if she survives me. Our current two residences are located at:

1. 708 S.E. 2nd Avenue
   North Bldg. #4, Unit 325
   Deerfield Beach, FL 33441

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2. 1060 Barrel Springs Hollow Rd.
Franklin, TN 37069

In addition, I give, devise and bequeath all of my interest in whatever "time-share" property that I/we may own, to my wife, GWYNETH B. KERR. The foregoing bequests shall lapse if my spouse does not survive me.

B. Written Memorandum. I may leave one or more handwritten memoranda (dated and signed subsequent to the date of this Will) disposing of certain items of tangible personal property. Except as otherwise provided in any such memorandum, if an individual named therein does not survive me, then the bequest made in such memorandum to that individual shall lapse. In addition, such memorandum shall not operate to revoke this Will.

C. Bequest of Tangible Personal Property. Except as provided in paragraphs A. and B. of this Article, I give all furniture, household furnishings, automobiles, personal effects and all other items of tangible personal property (except cash on hand or deposit) that I own at the time of my death to my spouse, GWYNETH B. KERR, if my spouse survives me. If my spouse does not survive me, then I give such property to my children to be divided in substantially equal shares as to the value thereof, in such manner as shall be practicable as to the individual items thereof and as my children shall agree. If a child is deceased, his or her share shall be divided among and distributed to his or her then living descendants, *per stirpes*. If my spouse has predeceased me and I have no then living descendants, then this bequest shall lapse and the property shall be administered as part of my residuary estate.

ARTICLE IV.
Distribution of My Residuary Estate

I direct my Co-Executors to distribute all the rest and residue of my property, real, personal and mixed, of whatever kind and character and wherever situated, including the proceeds of any insurance policies payable to my estate ("residuary estate"), as follows:

A. Fifty percent (50%) of my residuary estate shall be distributed to my spouse, GWYNETH B. KERR, outright and free of trust, if she survives me.

B. The remainder of my residuary estate shall be distributed to my then living descendants, per stirpes.

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ARTICLE V.
Powers and Duties of Co-Executors

A. In General. In addition to all powers given under applicable law and those set forth below, my Co-Executors shall have all of the powers enumerated in T.C.A §35-50-110 as it exists on the date of my death.

B. Administration of Real Property. 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 my Co-Executors, as authorized by T.C.A. § 31-2-103. It is my intention that my Co-Executors 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. Any commissions or other expenses arising out of the sale of any such property by my Co-Executors shall be deemed to be a proper expense of administering my estate.

C. Co-Executors' Authority to Make Tax Elections. My Co-Executors shall be indemnified and held harmless for any claims in connection with the exercise of any available tax elections, including but not limited to any elections relating to deductions, the deduction and/or allocation of estate administration expenses, allocations of available exemptions, and tax payment deferrals.

ARTICLE VI.
Miscellaneous

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

B. State Law. The validity of this Will shall be determined by reference to the laws of the State of Tennessee.

C. "*Per stirpes*" Distributions. Whenever a distribution is directed to be made to the descendants of a deceased person, "*per stirpes*," the amount to be distributed shall be divided into a sufficient number of equal shares to create one share for each child of the deceased person who is then living, and one share for each deceased child of the deceased person who left descendants who are then living (with the share created for the deceased child to again be divided among his or her descendants in like manner).

D. Survivorship Presumptions. If my spouse and I shall die simultaneously, or under circumstances which make it difficult to determine which of us died first, I direct that all bequests hereunder to my spouse shall lapse and one-half of my residuary estate shall be distributed to my spouse's estate and the

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other one-half of my residuary estate shall be distributed in accordance with the provisions of Article IV, paragraph A. A beneficiary (other than my spouse) shall be deemed to have survived another individual only if such beneficiary survives the individual by at least ninety (90) days. A beneficiary shall be deemed to be "then living" at the death of another individual only if such beneficiary survives the individual by at least ninety (90) days.

E. In Terrorem Clause. If any beneficiary under this Will in any manner, directly or indirectly, contests or attacks the validity of this Will or any disposition under this Will, by filing suit against my Co-Executors or otherwise, then such contesting beneficiary shall be treated as deceased for all purposes of this Will and any share or interest given to that beneficiary directly or indirectly, under the provisions of this Will is hereby revoked and shall be disposed of under Article IV above in the same manner that it would pass if such beneficiary and all of his or her descendants had predeceased me.

So long as Gwyneth B. Kerr and I are husband and wife, no future Wills or codicils to my Will can change the provisions I have set forth for my wife and her estate, in this Will, without, in my own handwriting, notification is made to my wife and her legal representative, sixty days prior to the effective date of such change of Will or codicil to my Will. Verbal notification of such change shall also be made, by me, to my wife, within the fourteen days prior to me sending out my handwritten notification to her and her legal representative. My handwritten notification shall be delivered by a professional courier service such as Federal Express, United Parcel Service, or Airborne Express. Such delivery must be evidenced by the signature of my wife or her legal representative or an employee of her legal representative's office staff.

I hereby also declare that copies of any and all other changes in my Will or codicils to my Will shall be provided to my wife at least thirty days prior to any such change becoming effective.

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IN WITNESS WHEREOF, I have hereunto set my hand to this my Will, on January 22, 2010.

Ronald W. Kerr

RONALD W. KERR

The foregoing last will and testament was, on the day and year written above, published and declared by RONALD W. KERR in our presence to be such declarant's last will and testament. We, in such declarant's presence and at such declarant's request, and in the presence of each other, have attested the same and have signed our names as attesting witnesses.

WITNESSES:

Jeffrey Mobley ADDRESS: Nashville, Tenn.
3618 Woodmont

Julia C. Hunt ADDRESS: Nashville, TN

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STATE OF TENNESSEE
COUNTY OF DAVIDSON

We, the witnesses, whose names are signed to the foregoing last will and testament and printed below, having been sworn, declared to the undersigned officer that RONALD W KERR, in the presence of both witnesses, signed the instrument declaring it to be such person's last will and testament, and that each of the witnesses, in the presence of RONALD W. KERR and in the presence of each other, signed the last will and testament as a witness.

We declare that at the time of our attestation of this Will, RONALD W. KERR was, according to our best knowledge and belief, over the age of eighteen, under no undue duress or constraint, of sound and disposing mind, memory and understanding, and in all respects competent to make a last will and testament.

Jeffrey Mobley
WITNESS

Jeffrey Mobley
(Printed name)

Julia C. Hunt
WITNESS

Julia C. Hunt
(Printed name)

SWORN TO AND SUBSCRIBED before me, on the 22nd day of January,2010

Bryan Howard
NOTARY PUBLIC

My Commission Expires:_____

BRYAN HOWARD
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires MAY 6, 2013

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True Copy Certification

I, Jay H. Smith, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Signature

State of Tennessee

County of Davidson

Personally appeared before me, Elizabeth Puckett, a notary public for this county and state, Jay H. Smith who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Notary's Signature

My Commission Expires: 5/6/2019

Notary Seal:

