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LAST WILL AND TESTAMENT

OF

MERRILL HORN FARNSWORTH

I, Merrill Horn Farnsworth, a resident of Davidson 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. However, the foregoing revocation is not intended to revoke any document commonly known as a "Living Will."

ARTICLE I

I direct that all of my legal debts (excluding debts secured by mortgages or other security instruments) my funeral expenses, and the costs of administration of my estate be paid as soon as practicable and convenient after my death. My Executor in his sole discretion, may pay from my domiciliary estate all or any portion of the costs of ancillary administration and similar proceedings in other jurisdictions.

ARTICLE II

I give, devise and bequeath to my children, Jonathan Robert Farnsworth, born August 22, 1983; Evan Elizabeth Farnsworth, born January 10, 1990; and Rebecca Reid Farnsworth, born January 10, 1990, all the property that I may own at the time of my death, real and personal, tangible and intangible, of whatsoever nature and wheresoever situated.

ARTICLE III

If any child of mine predeceases me, then the shares to have been distributed to that deceased child shall be distributed to the issue of such deceased child surviving on the date of my

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death, per stirpes. If any child of mine shall predecease me leaving no issue surviving, then the share to have been distributed to the deceased child shall be divided equally among my surviving children. I give, devise and bequeath in equal shares to my then living children, all the rest, residue and remainder of the property that I may own at my death, real and personal, tangible and intangible, of whatsoever nature and wheresoever situated.

ARTICLE IV

I nominate and appoint **Jonathan Robert Farnsworth** as Executor of this my Last Will and Testament. If for any reason **Jonathan Robert Farnsworth** is unable or unwilling to serve in that capacity, I nominate and appoint my sister, **Debbie Horn Hendren** as Executrix of this my Last Will and Testament. I authorize my Executor and any successor in that capacity (including any substitute personal representative) in the exercise of a reasonable discretion with respect to all property, real and personal, at the time forming part of my estate, to exercise any or all of the powers set forth in Tennessee Code Annotated §35-50-110, to the extent applicable, all of which provisions and powers are incorporated herein by reference as fully as if copied herein verbatim. I further direct pursuant to T.C.A. §31-2-103 that any interests in real property which I may own at my death be administered as part of my estate subject to the control of my Executor, who shall have the full power to grant, bargain, sell, convey, lease, encumber, manage and otherwise deal in any lawful manner with said real property at any time during the administration of my estate, in the sole discretion of my Executor, without the approval or joinder of any beneficiary and without the necessity of any person or entity looking into the application of any proceeds that may or might result from any acts of my Executor in the premises. In addition, my Executor and any successors are authorized to do any and all things which I might do if living

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and which my Executor or any successors shall deem advisable for the proper protection and management of the assets of my estate during its administration.

Without limiting the general grant of authority and power to my Executor in this Will, I grant to my Executor any and all authority, power and access to any and all of my digital assets, including but not limited to documents, photographs, music, videos, movies, notes, records, memoranda, electronic communications and other information, data and records of all types, kinds and formats (collectively my "digital estate") stored on any device or in any server or in the "cloud" or elsewhere. My Executor may access, manage, deactivate, delete and take any and all other actions without limitation regarding my digital estate. My Executor is also granted all authority, power and access over and to any digital and/or electronic device or equipment (collectively the "device") owned or used by me during my life and may access any and all of my digital estate on any device.

By granting my Executor this authority, power and access over my digital estate and any device, I expressly provide that my Executor:

(1) has the same authority, power and access as I had during my lifetime;

(2) has my lawful consent as an account holder or authorized user; and

(3) is authorized as a user of any account, device or other repository of my digital estate.

ARTICLE V

I direct that no inventory, accounting, bond or other security shall be required in any jurisdiction of any person named in this Will as Executor or Executrix, or any successor in that capacity.

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ARTICLE VI

Wherever used in this instrument, the terms child, children, grandchild, grandchildren, beneficiary and decedents shall include persons born before and after the date of execution of this Will. Throughout this instrument, the masculine gender shall be deemed to include the feminine, and the singular shall include the plural, and *vice versa*.

[Remainder Left Intentionally Blank]

M.H.F.

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IN WITNESS WHEREOF, I have hereunto subscribed my name to this my *Last Will and Testament*, consisting of six (6) typewritten pages, each of which is identified by my signature thereon, this 9TH day of August, 2017, and do publish and declare this as my *Last Will and Testament*, in the presence of each and all of the subscribing witnesses who I have requested to act as such by signing the *Attestation Clause* and *Affidavit* to prove this Will pursuant to the provisions of *Tennessee Code Annotated* §32-2-110, this 9th day of August, 2017.

MERRILL HORN FARNSWORTH, Testatrix

ATTESTATION CLAUSE

This instrument, consisting of six (6) typewritten pages, was signed, published and declared by the Testatrix to be her *Last Will and Testament*, in our sight and presence, and we, Lisa Paige Binder and Patricia L. Halper, at her request, and in her sight and presence, and in the sight and presence of each other, have hereunto subscribed our names as witnesses, this 9th day of August, 2017 at Nashville, Davidson County, Tennessee.

WITNESSETH:

Lisa Paige Binder — Residing at: 4424 Alcott Drive, Nashville TN 37215

Patricia L. Halper — Residing at: 3902 Trimble Road, Nashville, TN 37215

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AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

We, Lisa Paige Binder and Patricia L. Halper, the undersigned, being first duly sworn, make oath that Merrill Horn Farnsworth, on the day and date written below, declared and signified to us that the foregoing instrument consisting of six (6) typewritten pages was declared to be her Last Will and Testament; that she then signed said instrument in our sight and presence; that we, at her request and in her sight and presence, and in the sight and presence of each other, then subscribed our names thereto as attesting witnesses; that at the time of execution the Testatrix was more than eighteen (18) years of age, of sound mind and disposing memory, and did not appear under any undue influence; and that the undersigned, each being more than eighteen (18) years of age, make and sign this Affidavit at the Testatrix's request on the date and day written below.

Lisa Paige Binder — Residing at: 4424 Alcott Drive, Nashville TN 37215

Patricia L. Halper — Residing at: 3902 Trimble Road, Nashville, TN 37215

SWORN TO AND SUBSCRIBED before me this 9th day of August, 2017.

Lisa Davis, Notary Public
My Commission Expires: 5/8/2018

LISA DAVIS STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY My Commission Expires MAY 8, 2018

M.H.F.

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 05 day of OCTOBER, 2017, in Docket Number 17P1660, IN RE: FARNSWORTH, MERRILL HORN 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 21 day of FEBRUARY in the year 2018 and in the 241 year of American Independence.

RICHARD R. ROOKER, Clerk,

[SEAL]

By: _____
Deputy Clerk