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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 04 day of MAY, 2017, in Docket Number 17P642, IN RE: MCCABE, DONNA KILLEBREW, 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 16 day of MARCH in the year 2018 and in the 241 year of American Independence.

RICHARD R. ROOKER, Clerk,

RICHARD R. ROOKER CIRCUIT COURT CLERK

By: Deputy Clerk

[SEAL]

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17p642

LAST WILL AND TESTAMENT

OF

DONNA KILLEBREW McCABE

FILED

MAY 04 2017

RICHARD R. ROOKER, Clerk
By _____ Deputy

I, DONNA KILLEBREW McCABE, a citizen and resident of Nashville, Davidson County, Tennessee, do hereby make, publish and declare this my Last Will and Testament, hereby revoking any and all wills and codicils heretofore made by me.

A PERSONAL NOTE TO MY FAMILY

I trust that the formal terminology in this Will and the absence of personal messages will not cause you to doubt my affection for you. You are well aware of that affection. A Will is a legal instrument, the purpose of which is to dispose of property and as such, it is an inappropriate place for personal messages.

IDENTIFICATIONS

At the time of signing this My Last Will and Testament I am widowed. All references to "child" or "children" shall mean my adult son, CHARLES MARTIN McCABE, III. My son, GEORGE KILLEBREW McCABE, and my daughter, DONNA VANCE McCABE, have predeceased me.

ARTICLE I
PAYMENT OF DEBTS, EXPENSES AND TAXES AND USE OF LIFE INSURANCE

Item 1. Debts, Expenses, and Taxes. All estate, inheritance, succession and other death taxes of any nature, together with any interest and penalties thereon, which may be levied or assessed by reason of my death by the laws of any state or of the United States

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with respect to property passing under this Will or any other property shall be considered a cost of administration of my estate, and such taxes, together with all debts which I am legally obligated to pay at the time of my death, the expenses of my funeral and last illness and other costs of administration of my estate, shall be paid out of my residuary estate. In the event my residuary estate is insufficient to pay such debts, expenses, costs and taxes, I direct that the amount thereof in excess of my residuary estate shall be paid from other assets in the order provided by law. The payment or non-payment of any mortgages or other liens against any real property I may own or in which I have an interest, I leave to the discretion of my Personal Representative.

Item 2. Use of Life Insurance. I specifically direct that all life insurance policies on my life which are payable to my estate or to my Personal Representative may, in the sole discretion of my Personal Representative, be used for the payment of debts and taxes.

Item 3. Cost of Shipping. The reasonable cost of packing, shipping, storing, insuring, and otherwise maintaining, caring for, and delivering any of my personal property to any beneficiary shall be charged as an administrative expense and be paid by my estate.

Item 4. Spendthrift Provision. Prior to distribution, no interest of any beneficiary in the corpus or income of my estate, as distributed in any Article of this Will, shall be subject to assignment, alienation, pledge, attachment, or claims of creditors of such beneficiary, including the claims of any divorced spouse for alimony or support payments, and may not otherwise be voluntarily or involuntarily alienated or encumbered by any beneficiary and the same shall not be subject to be taken by any beneficiary's creditors by any process whatsoever.

ARTICLE II
DISTRIBUTION OF TANGIBLE PERSONAL PROPERTY

Item 1. Specific Bequest to My Niece, KATHY POEHL. I hereby give and bequeath my pearl necklace and earrings to my niece, KATHY POEHL. If she has predeceased me, then this bequest shall lapse.

D.P. mac

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Item 2. Specific Bequest to My Niece, MAMIE CURRELL STROWD VANDERBEEK. I hereby give and bequeath the gold bracelet that Lee Killebrew gave my daughter, Vance, to my niece, MAMIE CURRELL STROWD VANDERBEEK. If she has predeceased me, then this bequest shall lapse.

Item 3. Specific Bequests to My Niece, LORRAINE STROWD DuBOIS. I hereby give and bequeath my ladies diamond solitaire ring with one (1) mine cut diamond approximately .75 CT., and the round dining room table that belonged to her mother to my niece, LORRAINE STROWD DuBOIS. If she has predeceased me, then this bequest shall lapse.

Item 4. Specific Bequests to My Grandson, CHARLES MARTIN McCABE, IV. I hereby give and bequeath my diamond engagement ring and my diamond wedding band to my grandson, CHARLES MARTIN McCABE, IV. If he has predeceased me, then this bequest shall lapse.

Item 5. Specific Bequests to My Niece, SUSAN DUNCAN. I hereby give and bequeath my 1 CT diamond brooch consisting of nine (9) brilliant cut diamonds to my niece, SUSAN DUNCAN. If she has predeceased me, then this bequest shall lapse.

Item 6. Specific Bequest to My Niece, PAT GREGORY. I hereby give and bequeath my gold ring with ruby to my niece, PAT GREGORY. If she has predeceased me, then this bequest shall lapse.

Item 7. Handwritten List. I may leave a handwritten list, signed by me, which may be probated with my Will, under which certain items of my remaining tangible personal property shall be distributed. If this writing is not found and identified by my Personal Representative within thirty (30) days after the probate of my Will, then all of my remaining tangible personal property shall be distributed according to Item 8 of this Article.

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Item 8. Remaining Tangible Personal Property. Any remaining tangible personal property and household or personal effects shall be given away or sold and the proceeds, if any, shall become part of my residuary estate.

Item 9. Excluded Property. This Article of my will is not to be construed as bequeathing funds, bank accounts, securities, stocks, accounts receivable, or other evidences of debt, or any property used by me in my profession or in connection with any trade or business in which I may be interested at the time of my death.

ARTICLE III
RESIDUARY ESTATE

Item 1. Residuary Estate. All the rest, residue and remainder of my property and estate of whatsoever kind and nature and wheresoever situated and found, real, personal or mixed, I do hereby give, devise and bequeath to my son, CHARLES MARTIN McCABE, III. If my son, CHARLES MARTIN McCABE, III, shall predecease me, then my residuary estate shall be distributed to my grandson, CHARLES MARTIN McCABE, IV, or his issue, per stirpes, if he is deceased.

Item 2. Ultimate Distribution. If my son and grandson shall not survive me and my grandson has no surviving issue, then I give, devise and bequeath my residuary estate, in equal shares, to my surviving nieces and nephews. If a niece or nephew of mine is deceased, then his or her share shall be distributed, in equal shares, to my surviving nieces and nephews.

ARTICLE IV
GENDER AND NUMBER

All words in this Will referring to the masculine, feminine, or the neuter shall include all genders, and all words used in the singular or the plural shall include the singular or the plural, unless the context therein specifically requires otherwise.

D M McC

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ARTICLE V
APPOINTMENT OF A PERSONAL REPRESENTATIVE AND POWERS OF THE PERSONAL REPRESENTATIVE

Item 1. Appointment of Personal Representative and Substitute Personal Representative. I do hereby nominate and appoint my nephew, BILL KILLEBREW, and my niece, LORRAINE STROWD DuBOIS, as Co-Personal Representatives of this my Last Will and Testament and they shall not be required to give bond or other security for the faithful performance of their duties as such. If either my nephew or my niece is unable or unwilling to serve as a Personal Representative, then my remaining fiduciary shall serve as my sole Personal Representative, without bond.

Item 2. Powers of the Personal Representatives/Waiver of Inventory and Accountings. I direct that my Personal Representatives shall not be required to file an inventory, accounting or appraisal of my estate in any court. During the administration of my estate, I hereby vest in my Personal Representatives full power to sell, convey, exchange, lease for a period beyond the termination of the administration of my estate, or for a lesser period, improve, borrow on the security of, encumber, or otherwise dispose of all or any part of my estate, including any real property, in such manner and upon such terms and conditions as my Personal Representatives may approve and to invest (without the requirement of an appraisal or court approval) and reinvest my estate and the proceeds of sale or any portion thereof, in such loans, securities, or other property, real or personal, as they may consider suitable, and to change such investments, and to make such new investments from time to time as to them may seem necessary or desirable without the joinder, consent or approval of any heir, legatee, beneficiary, court or other person, provided that in exercising such powers my Personal Representatives shall be acting in a fiduciary, not an individual, capacity. In making distributions from my estate according to the terms of this Will, my Personal Representatives shall not be required to liquidate the assets of my estate but may make distributions in kind if my Personal Representatives, in their sole discretion, determines this to be in the best interest of the beneficiaries named herein.

D K.M.C.

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Item 3. Release From Liability. I intend that my Personal Representatives shall manage and administer my estate and carry out the duties of such office in good faith and with both diligence and reasonable care; however, I relieve my Personal Representatives from any liability resulting from an honest mistake of judgment.

Item 4. Incorporation of Statutory Power. In addition, I incorporate herein by reference all of the fiduciary powers contained in Section 35-50-110, Tennessee Code Annotated, as fully as if set out verbatim herein, except as may be specifically indicated otherwise by the terms of this Will.

Item 5. Ancillary Administration. In the event it is deemed necessary to have administration upon my estate in any state other than Tennessee, then I direct that my Personal Representatives as named in this ARTICLE V of my Will, shall serve as such ancillary Personal Representatives, without bond, to the extent she may be able to qualify as such, and if my domiciliary Personal Representatives are unable or unwilling to qualify or serve as such, then I appoint as my Personal Representatives in such other jurisdiction, the person or persons selected by my domiciliary Personal Representatives and delivered to the person or persons so selected and to the court having jurisdiction over the ancillary probate of my Will.

Item 6. Employment of Agents. My Personal Representatives may employ agents, custodians, depositaries, and legal, tax and investment counsel and pay them, from the estate, reasonable compensation for their services to the estate.

Item 7. Tax Election. My Personal Representatives shall make such elections and allocations under the tax laws as my Personal Representatives consider advisable (whether or not the allocation relates to property passing under this will) including the right to elect (a) whether any item of expense connected with the administration of my estate shall be claimed as a deduction for federal income tax purposes, or whether the same shall be claimed instead as a deduction for federal estate tax purposes, or (b) to value my gross estate as of a date that causes larger death taxes to be payable than would have been

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payable if my Personal Representatives had elected another date. I hereby authorize my Personal Representatives to exercise any such right of election in any such manner as they may, in their absolute discretion, determine to be advisable, even though the manner in which any such election is exercised may result in an advantage or disadvantage to any beneficiary or beneficiaries thereunder. I further direct that no compensating adjustments between income and principal shall be required or made as a result of any such election. Any election made by my Personal Representatives hereunder shall be binding and conclusive on all persons. I hereby direct my Personal Representatives to allocate the unused portion, if any, of my GST exemption as hereinafter defined, to any property with respect to which I am the transferor for generation-skipping tax purposes (irrespective of whether such property passes under this Will). As used herein, the term "GST Exemption" shall refer to that exemption from generation-skipping tax set forth in Section 2631(a) of the Internal Revenue Code of 1986, as amended.

Item 8. No Contest Provision. 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 Personal Representatives or otherwise, then any share or interest given to that beneficiary under the provisions of this Will is hereby revoked and shall be disposed of in the same manner as if that contesting beneficiary and all descendants of that beneficiary had predeceased me.

ARTICLE VI
CAPTIONS

The captions contained in this Will are inserted solely as a matter of convenience, and in no way define, limit, or describe the scope of any provision of this Will or the intent thereof.

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IN WITNESS WHEREOF, I have hereunto set my hand this the 12 day of Oct, 2016.

Donna Killebrew McCabe
DONNA KILLEBREW McCABE

SIGNED, PUBLISHED and DECLARED on October 12, 2016, by the above-named testatrix , DONNA KILLEBREW McCABE, and as for her Last Will and Testament, in our sight and presence, who signified to us, the attesting witnesses, that the foregoing instrument is her Last Will and Testament, consisting of eight (8) pages, including this page; and we have hereunto affixed our signatures, as attesting witnesses, at her request, in her sight and presence, and in the sight and presence of each other.

Harriet N. Fowler
Witness

Witness

DMC

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STATE OF TENNESSEE
COUNTY OF DAVIDSON

Harriet G. Fowler and Shelia J. Griggs,

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 testatrix, DONNA KILLEBREW McCABE, as and for her Last Will and Testament, in our sight and presence and who signified to us, the attesting witnesses, that the foregoing instrument is her Last Will and Testament; and we have hereunto affixed our signatures as attesting witnesses, at her request, in her sight and presence, and in the sight and presence of each other; and we further depose that at said place and time, the testatrix was of sound mind and disposing memory and signed the said will as her free and voluntary act.

Harriet G Fowler
Witness

5165 Tracemay Dr
Address
Nashville, TN 37221

Witness

125 Riverside Dr
Address
Old Hickory, TN 37138

Sworn to and subscribed before me this 12th day of October, 2016.

Notary Public

My commission expires: March 17, 2020.

SUSAN S. WEISS
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON CO.