14P208

FILED
FEB - 8 2018
RICHARD R. ROOKER, Clerk
By D.C. Deputy

Last Will
~and~
Testament
~of~

Claudia Mae (Zeigler) Sullivan

Bill Garrett Davidson County
Batch# 77301 WILL
04/09/2018 10:53:43 AM 7 pgs
Fees: $37.00 Taxes: $0.00
20180409-0033158

FILED
FEB - 8 2018
By: D.C.

LAST WILL AND TESTAMENT OF CLAUDIA MAE (ZEIGLER) SULLIVAN

Introductory Clause. I, **CLAUDIA MAE (ZEIGLER) SULLIVAN**, a resident of and domiciled in the City of Nashville, County of Davidson, and State of Tennessee, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils at any time heretofore made by me.

ITEM I

Direction to Pay Debts with Discretionary Refinancing by Executor. I direct that all my legally enforceable debts, secured and unsecured, be paid as soon as practicable after my death. I direct that my Executor may cause any debt to be carried, renewed and refinanced from time to time upon such terms and with such securities for its repayment as my Executor may deem advisable taking into consideration the best interest of the beneficiaries hereunder. If at the time of my death any of the real property herein devised is subject to any mortgage, I direct that the devisee taking such mortgaged property shall take it subject to such mortgage and that the devisee shall not be entitled to have the obligation secured thereby paid out of my general estate.

ITEM II

Direction to Pay All Taxes from Estate. I direct that all estate, inheritance, succession, death or similar taxes (except generation-skipping transfer taxes) assessed with respect to my estate herein disposed of, or any part thereof, or on any bequest or devise contained in this my Last Will (which term wherever used herein shall include any Codicil hereto), or on any insurance upon my life or on any property held jointly by me with another or on any transfer made by me during my lifetime or on any other property or interests in property included in my estate for such tax purposes be paid out of my estate and shall not be charged to or against any recipient, beneficiary, transferee or owner of any such property or interests in property included in my estate for such tax purposes.

ITEM III

Burial Instructions. I direct that my remains be buried. I have arranged with Hermitage Funeral Home, located at 535 Shute Lane, Nashville, Tennessee 37138, for the disposition of my remains. I have contracted for my remains to be buried at the above named cemetery in one of three plots located in Cross Section Row A. Those being plot 556, 557 or 558. Finally, I request a memorial service be conducted by Jimmy Chapman of Pegram Tennessee.

ITEM IV

Specific Gifts - Real Estate. I hereby give, devise and bequeath my residence, located at 5221 Larkway Drive, Nashville, Tennessee 37211, subject to any mortgages or encumbrances

Testatrix's Initials: CS

thereon, and all policies and proceeds of insurance covering such property, to my son, **JAMES MICHAEL SULLIVAN.** If he does not survive me, then I give, devise and bequeath my property to my daughter-in-law, **ANITA W. SULLIVAN.**

ITEM V

Outright Gift of Residuary. I give, devise and bequeath all the rest, residue and remainder of my property of every kind and description (including lapsed legacies and devises) wherever situate and whether acquired before or after the execution of this Will to my son, **JAMES MICHAEL SULLIVAN.** If he does not survive me, then I give, devise and bequeath all the rest, residue and remainder of my property of every kind and description (including lapsed legacies and devises) wherever situate and whether acquired before or after the execution of this Will to my daughter-in-law, **ANITA W. SULLIVAN.**

ITEM VI

Naming the Executor, Executor Succession, Executor's Fees and Other Matters. The provisions for naming the Executor, Executor succession, Executor's fees and other matters are set forth below:

(1) **Naming an Individual Executor.** I hereby nominate, constitute and appoint as Executor of this my Last Will and Testament my son **JAMES MICHAEL SULLLIVAN** and direct that he shall serve without bond, inventory, or accounting. If my son, **JAMES MICHAEL SULLIVAN,** predeceases me, or for any reason is unable or unwilling to act as my Executor, then I hereby nominate, constitute and appoint as my Alternate Executrix, my daughter-in-law, **ANITA W. SULLIVAN.**

(2) **Fee Schedule for Individual Executor.** For its services as Executor, my individual Executor shall receive reasonable compensation for the services rendered and reimbursement for reasonable expenses.

ITEM VII

Definition of Executor. Whenever the word "Executor" or any modifying or substituted pronoun therefor is used in this my Will, such words and respective pronouns shall include both the singular and the plural, the masculine, feminine and neuter gender thereof, and shall apply equally to the Executor named herein and to any successor or substitute Executor acting hereunder, and such successor or substitute Executor shall possess all the rights, powers and duties, authority and responsibility conferred upon the Executor originally named herein.

ITEM VIII

Powers for Executor. By way of illustration and not of limitation and in addition to any inherent, implied or statutory powers granted to Executors generally, my Executor is specifically authorized and empowered with respect to any property, real or personal, at any time held under any provision of this my Will: to allot, allocate between principal and income, assign, borrow, buy, care for, collect, compromise claims, contract with respect to, continue any business of

mine, convey, convert, deal with, dispose of, enter into, exchange, hold, improve, incorporate any business of mine, invest, lease, manage, mortgage, grant and exercise options with respect to, take possession of, pledge, receive, release, repair, sell, sue for, to make distributions or divisions in cash or in kind or partly in each without regard to the income tax basis of such asset, and in general, to exercise all the powers in the management of my Estate which any individual could exercise in the management of similar property owned in his or her own right, upon such terms and conditions as to my Executor may seem best, and to execute and deliver any and all instruments and to do all acts which my Executor may deem proper or necessary to carry out the purposes of this my Will, without being limited in any way by the specific grants of power made, and without the necessity of a court order.

ITEM IX

Discretion Granted to Executor in Reference to Tax Matters. My Executor as the fiduciary of my estate shall have the discretion, but shall not be required when allocating receipts of my estate between income and principal, to make adjustments in the rights of any beneficiaries, or among the principal and income accounts to compensate for the consequences of any tax decision or election, or of any investment or administrative decision, that my Executor believes has had the effect, directly or indirectly, of preferring one beneficiary or group of beneficiaries over others; provided, however, my Executor shall not exercise its discretion in a manner which would cause the loss or reduction of the marital deduction as may be herein provided. In determining the state or federal estate and income tax liabilities of my estate, my Executor shall have discretion to select the valuation date and to determine whether any or all of the allowable administration expenses in my estate shall be used as state or federal estate tax deductions or as state or federal income tax deductions.

ITEM X

Appointment of Ancillary Representative. If it becomes necessary for a representative of my estate to qualify in any jurisdiction other than the State of my domicile at the time of my death, then to the extent that I may legally do so, I hereby nominate, constitute and appoint my Executor named in this Will as my representative in such jurisdiction and direct that such Executor shall serve without bond. If for any reason my Executor is unable or unwilling to serve as such representative or cannot qualify as such representative, then I hereby appoint my Executor named herein to designate (to the extent that it may legally do so) a person or a corporation to serve as my representative and request that such person or corporation shall serve without bond. Any representative named as provided herein (to the extent that it may legally do so) shall have in such jurisdiction all the powers and duties conferred or imposed on my Executor by the provisions of this Will.

ITEM XI

Definition of Words Relating to the Internal Revenue Code. As used herein, the words "gross estate," "adjusted gross estate," "taxable estate," "unified credit" ("unified credit" shall also mean "applicable credit amount"), "applicable exclusion amount," "state death tax credit," "maximum marital deduction," "marital deduction," "pass," and any other word or words

Testatrix's Initials: C S

which from the context in which it or they are used refer to the Internal Revenue Code shall have the same meaning as such words have for the purposes of applying the Internal Revenue Code to my estate. For purposes of this Will, my "available generation-skipping transfer exemption" means the generation-skipping transfer tax exemption provided in section 2631 of the Internal Revenue Code of 1986, as amended, in effect at the time of my death reduced by the aggregate of (1) the amount, if any, of my exemption allocated to lifetime transfers of mine by me or by operation of law, and (2) the amount, if any, I have specifically allocated to other property of my gross estate for federal estate tax purposes. For purposes of this Will if at the time of my death I have made gifts with an inclusion ratio of greater than zero for which the gift tax return due date has not expired (including extensions) and I have not yet filed a return, it shall be deemed that my generation-skipping transfer exemption has been allocated to these transfers to the extent necessary (and possible) to exempt the transfer(s) from generation-skipping transfer tax. Reference to sections of the Internal Revenue Code and to the Internal Revenue Code shall refer to the Internal Revenue Code amended to the date of my death.

ITEM XII

Simultaneous Death Provision Presuming Beneficiary Predeceases Testatrix. If any beneficiary and I should die under such circumstances as would make it doubtful whether the beneficiary or I died first, then it shall be conclusively presumed for the purposes of this Will that the beneficiary predeceased me.

Testimonium Clause. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 10 day of August, 2016.

CLAUDIA MAE (ZEIGLER) SULLIVAN

Attestation Clause. The foregoing Will bearing on the margin the initials of the Testatrix, was this 10 day of August, 2016, signed, sealed, published and declared by the Testatrix as and for her Last Will and Testament in our presence, and we, at her request and in her presence, and in the presence of each other, have hereunto subscribed our names as witnesses on the above date.

WITNESSES:

Cathy A Street of claudia signature

Patricia C Hart of Claudia's Signature

Testatrix's Initials: C. S.

PROOF OF WILL

STATE OF TENNESSEE)
) **Self-Proving Affidavit**
COUNTY OF DAVIDSON)

We, **CLAUDIA MAE (ZEIGLER) SULLIVAN**, the Testatrix, and Cathy S. Street and Patricia D Harris, the witnesses, respectively, whose names are signed to the attached or foregoing instrument, being first duly sworn, do hereby declare to the undersigned authority that the Testatrix signed and executed the instrument as her Last Will and that she had signed willingly (or willingly directed another to sign for her), and that she executed it as her free and voluntary act for the purposes therein expressed, and that each of the witnesses, in the presence and hearing of the Testatrix, and in the presence of each other, signed the Will as witness and to the best of our knowledge the Testatrix was at that time eighteen years of age or older, of sound mind, and under no constraint or undue influence.

Claudia Z Sullivan
CLAUDIA MAE (ZEIGLER) SULLIVAN

Cathy S. Street
Witness

Patricia D Harris
Witness

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Subscribed, sworn to, and acknowledged before me by **CLAUDIA MAE (ZEIGLER) SULLIVAN**, the Testatrix and subscribed and sworn to before me by Cathy S. Street and Patricia D Harris, witnesses, this 10 day of August, 2016.

TODAY DATE → 8-10-16
My Commission Expires: → 3-7-17
Gary R. Neal

Gary R. Neal
Notary Public for Tennessee

GARY R. NEAL
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

Testatrix's Initials: _____

STATE OF TENNESSEE

I, RICHARD R. ROOKER, Clerk of the Circuit Court for Davidson County, do hereby certify that the foregoing is a true and complete copy of the **LAST WILL AND TESTAMENT FOR MUNIMENT OF TITLE** heretofore assigned to Seventh Circuit Court (Probate Division) for Davidson County, Tennessee, Case No. **18P208.**

ESTATE OF CLAUDIA MAE ZEIGLER SULLIVAN

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 8th day of February in the year Two Thousand and Eighteen.

RICHARD R. ROOKER, Clerk

By: _____
Deputy Clerk