Karen Y Johnson Davidson County
Batch# 173352 WILL
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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** heretofore assigned to Seventh Circuit Court (Probate Division) for Davidson County, Tennessee, Case No. **18P2007**.

ESTATE OF JOYCE M. HOSTETTLER

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 12th day of December in the year Two Thousand and Eighteen.

RICHARD R. ROOKER, Clerk

RICHARD R. ROOKER CIRCUIT COURT CLERK

Deputy Clerk

FILED
DEC 12 2018
By

18P2007
RT Sept 9, 2011
9/9/11
Cal. 9/9/2011

Joyce M. Hostettler

LAST WILL AND TESTAMENT

Know All Men by These Presents, that I, Joyce M. Hostettler, with date of birth on April 4, 1927, Social Security Number [redacted]594, and currently residing at 3863 Cantarutti Road, Joelton Tennessee 37080, County of Davidson, being of sound mind do hereby make, publish, and declare this Will to be my last Will and Testament. I further declare that I am not executing this Will under any duress, menace, fraud, mistake, or undue influence.

Article I. Declarations

1.1 Family and Beneficiaries

My husband Phillip Joseph Hostettler, has predeceased me. My living Children are my Beneficiaries whose names are Connie Marie Hostettler Radford, Barbara Ann Hostettler Rowland, Phillip Joseph Hostettler, Jr., Paul Anthony Hostettler, John Lucien Hostettler, and none other.

Article II. Executor

2.1 Attorney-in-fact, Personal Representative Fiduciary and Executor herein referred to as Executor.

I hereby expressly revoke all Wills and Codicils previously made by me except my Durable General Power of Attorney instrument executed on April 11th 2008. I do hereby constitute and appoint Phillip Joseph Hostettler, Jr, my oldest son, to be my true and lawful Attorney-in-fact and as my Personal Representative Fiduciary and Executor of this Will. He is referred to as my Executor in this document and is given by me the same general, broad powers upon my death as are provided and outlined in my Durable General Power of Attorney instrument executed on April 11th of 2008 and additionally include those powers outlined herein as they legally apply to my Estate and Will. If he is or becomes unable or

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unwilling to serve, I hereby constitute and appoint John Lucian Hostettler, my youngest son, as successor or alternate Attorney –in-fact as my Personal Representative Fiduciary and Executor of this Will and herein referred to as Executor.

2.2 Powers.

(a). The Executor shall have all of the powers that are given to an Attorney-in-fact, personal representative and Executor under Tennessee Law, or as may be provided under Federal Law and US Constitutional Law, as exists on the date that I sign this Will. Questions pertaining to the validity, construction and powers created under this instrument shall be determined in accordance with the laws of the State of Tennessee, Federal Law and US Constitutional Law.

(b). I understand that this Will is an important document. This document provides my Executor with broad powers to dispose, sell, convey and encumber my real property and personal property upon my death for the purposes of distributing and protecting my estate and all beneficiaries named herein on my behalf.

2.3 Compensation.

My Executor is entitled to reimbursement for out-of-pocket expenses and may receive reasonable compensation for services.

2.4 Bond

No bond shall be required of my Executor.

Article III. Specific Gifts

3.1 Tangible Personal Property

I give my tangible personal property (items) as gifts to my Children Beneficiaries. Me and my deceased husband's tangible personal property includes and is not limited to my personal effects, furniture, household goods, jewelry, tools, yard

tools, equipment, automobile(s), military medals, military rifles, hunting rifles and shotguns, handguns and other tangible items. I have also provided items that are specific items to be given to each of my Children and where all Children are in agreement regarding distribution of all Tangible Personal Property and items.

3.2 Resolution of Disputes.

If there is a dispute among my Children Beneficiaries over which items of tangible personal property each is to receive, the Executor shall place a value on each item (by appraisal if appropriate) and then each Beneficiary shall select in rotation (the order of choice to be determined by lot) the items each desires until all have received approximately equal value.

Article IV. Residue

4.1 Residue.

I give all my property that I own to my oldest son Phillip J. Hostettler, Jr. This gift includes all property that I have the power to appoint by Will and that does not require specific reference for its exercise.

Article V. General Provisions

5.1 Choice of Law.

This Will is to be interpreted and construed under the laws of the State of Tennessee, Federal Law and US Constitutional Laws when and where it applies.

5.2 Simplified Probate

If my Estate may be settled under simplified or informal procedures, I direct that my Executor elect to do so unless my Executor decides the supervised or formal procedures is preferable.

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5.3 Statutory Benefits.

The value of a homestead allowance, family allowance, exempt property allowance, or similar statutory benefit that is received by a beneficiary shall be charged against the share given under this will to or for the beneficiary. If the benefit exceeds the gift under this will, my Executor may direct that the excess be charged against the benefits payable to the beneficiary under any trust that receives assets from my estate.

5.4 Payment of Charges.

I direct my Executor to pay the following items from the residue of my estate, without apportionment among my beneficiaries:

a. My legally enforceable debts as outlined in Article IV, Section 4.1 of this document.
b. Funeral expenses;
c. Expenses of administering my estate;
d. Taxes, including and interest and penalties, imposed by reason of my death upon any transfer of property, but excluding, taxes, interest, and penalties imposed on property subject to a power of appointment, imposed by the IRC upon any generation-skipping transfer, imposed upon qualified terminable interest property includable in my estate, and excluding any additional estate taxes, interest, and penalties imposed under IRC 2032A© and 2057 (f)

In Witness Whereof, I have signed my name to this Last Will and Testament this 9th day of September, 2011.

Joyce M. Hostettler
JOYCE M. HOSTETTLER, Testator

Harry L Swann III
Read Tuesday Sept 9, 2011
9/9/11

ACKNOWLEGMENT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

On this 9th day of September, 2011, before me, a Notary Public in and for said county and state, personally appeared Joyce M. Hostettler, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument, and acknowledge that he or she executed it. I declare, under penalty of perjury, that the person whose name that is subscribed to this instrument appears to be of sound mind and under no duress, fraud, or undue influence.

Cindy D. Doss
NOTARY PUBLIC

CINDY D. DOSS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires September 3, 2012

My Commission Expires: Sept. 3, 2012

IN THE CIRCUIT COURT FOR THE STATE OF TENNESSEE
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY
AT NASHVILLE, TENNESSEE
(PROBATE DIVISION)

IN RE: THE ESTATE OF JOYCE JOYCE M. HOSTETTLER	)	**No.** 18P2007
Decedent.	)	

AFFIDAVIT OF ATTESTATION

The undersigned witness, being duly sworn, deposes and says:

1. I have been shown the original instrument dated September 9, 2011.

2. On the date indicated in such instrument, I saw the Decedent subscribe the same at the place where the Decedent's signature appears, and I heard the decedent declare such instrument to be her law Will and Testament.

3. I thereafter signed my name to such instrument as a witness thereto at the request of the decedent and in the presence of the decedent, and I saw the other witness, ~~Robert~~ RANDALL Tarpey, sign his name at the end of such instrument as a witness thereto.

4. At the time the Decedent subscribed and executed such instrument, the Decedent was to the best of my knowledge and belief upwards of 18 years of age, and in all respects appeared to be of sound and disposing mind, memory and understanding, competent to make a will, and not under any restraint.

5. The Decedent could read, write and converse in the English language, and was not suffering from defects of sight, hearing or speech, or any other physical or mental impairment, which would affect his/her capacity to make a valid will. The purported instrument was the only copy of said Will executed on that occasion, and was not executed in counterparts.

6. I am making this Affidavit at the request of Phillip J. Hostettler, Jr.

(Signature Page Follows)

(Signature Page for Affidavit of Attestation)

Henry Lee Swain
HARRY

Address: 6728 Clarksville Hwy
Joelton TN 37080

State of Tennessee
County of Davidson

Sworn to before me this 7th day of December, 2018.

Beth Herman
Notary Public
My Commission Expires: 3/10/19

BETH HERMAN
STATE OF TENNESSEE
NOTARY PUBLIC
WILLIAMSON COUNTY

IN THE CIRCUIT COURT FOR THE STATE OF TENNESSEE
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY
AT NASHVILLE, TENNESSEE
(PROBATE DIVISION)

IN RE: THE ESTATE OF JOYCE JOYCE M. HOSTETTLER	)	**No.** 18P2007
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3. I thereafter signed my name to such instrument as a witness thereto at the request of the decedent and in the presence of the decedent, and I saw the other witness, Harry Lee Swain, sign his name at the end of such instrument as a witness thereto.

4. At the time the Decedent subscribed and executed such instrument, the Decedent was to the best of my knowledge and belief upwards of 18 years of age, and in all respects appeared to be of sound and disposing mind, memory and understanding, competent to make a will, and not under any restraint.

5. The Decedent could read, write and converse in the English language, and was not suffering from defects of sight, hearing or speech, or any other physical or mental impairment, which would affect his/her capacity to make a valid will. The purported instrument was the only copy of said Will executed on that occasion, and was not executed in counterparts.

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(Signature Page Follows)

(Signature Page for Affidavit of Attestation)

Randall Tarpey

~~Robert~~ Tarpey
Randall

Address: 2964 Greer Rd Goodlettsville TN 37072

MISTY CRAIN
STATE OF TENNESSEE NOTARY PUBLIC
ROBERTSON COUNTY

State of Tennessee
County of Robertson

Sworn to before me this 7th day of Dec 2018.

Misty Crain
Notary Public
My Commission Expires: 7/6/19