Last Will and Testament

18P1905

FILED

DEC 06 2018

[illegible] FLOOKER, Clerk

[illegible] Deputy

OF

PERRY A. BARTON

I, PERRY A. BARTON, a resident of and being domiciled in Nashville, Davidson County, Tennessee, being of sound mind and disposing memory, do hereby make, declare and publish this to be my Last Will and Testament, and I do hereby revoke all wills and codicils made by me at any time heretofore. I am presently widowed. I have one (1) child, SUSAN WHITFIELD.

ARTICLE I

1. Appointment of Executrix. I nominate and appoint my daughter, SUSAN WHITFIELD, to serve as Executrix of this Will and of my Estate. If my daughter shall not survive me, or if she shall fail to qualify as my Executrix hereunder for any reason, or having qualified shall die or resign, then in such event I nominate and appoint my P.B. Son-in-law, BRAD WHITFIELD (Relationship), (Successor), as Alternate or Successor Executrix, as the case may be, of this Will and of my Estate. Any reference herein to Executrix or Alternate or Successor Executrix shall be deemed to include the other and be a reference to whomever of the above shall be serving in such capacity.

2. I direct that no bond shall be required of my Executrix for the faithful performance of duties in such capacity. However, if a bond is required, it is requested and directed that no sureties be required thereon.

ARTICLE II

1. Payment of Debts. I direct my Executrix to pay all of my just debts, (except debts secured by mortgages or other security instruments, which may be paid off or retained in the discretion of my Executrix), funeral expenses, expenses of administration, and any and all inheritance, income, and estate taxes imposed by any taxing authority, as soon as practicable after my death.

Karen Johnson Davidson County
Batch# 195956 WILL
02/15/2019 01:47:37 PM 6 pgs
Fees: $32.00 Taxes: $0.00
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2. Powers of Executrix. I hereby authorize and empower my Executrix to exercise all of the powers set forth in paragraphs 1 through 32, inclusive, of Section 35-50-110 of the Tennessee Code Annotated, to the extent applicable, all of which provisions are incorporated herein by reference.

3. Tax Elections. I am cognizant of the fact that the provisions of the Federal Internal Revenue Code (and other applicable laws) in force at the time of my death, and applicable to my estate, may permit my Executrix to elect to claim certain administration and other expenses as deductions, either in the income tax returns of my estate or in the estate tax return. It is my desire that my Executrix elect to claim from time to time such expenses as deductions on the particular tax returns which, in the opinion of my Executrix, should result in the smallest combined taxes being paid, irrespective of whether such expenses shall be payable from income or corpus; and my Executrix is directed not to make adjustments between income or principal, or between property interests passing to beneficiaries under my Will which may be substantially affected as a result of any election under this Article. It is my wish that such property interests as may be determined as a result of my Executrix's election under this Article shall be the interest such beneficiary shall receive. I exonerate my Executrix from all liability for any such election and direct that no beneficiary shall have any claim against my Executrix or my estate by reason of the exercise of my Executrix's judgement in this respect.

4. Waiver of Inventory/Accounting. I expressly excuse my Executrix from filing any inventory, interim accountings, and final accounting which might otherwise be required pursuant to applicable law, unless such reports are specifically requested by any beneficiary.

ARTICLE III

1. I may leave a certain memorandum, entirely in my own handwriting and signed and dated by me, giving and bequeathing certain items of furniture, household goods, jewelry, and personal effects to specific named individuals and/or institutions. I direct that all such property shall be distributed in accordance with the memorandum.

However, if for any reason said memorandum is not found and properly identified as such by my Executor within Thirty (30) days after the date of death, then it shall be presumed such memorandum did not exist and all of the said property, and any other property not specifically bequeathed shall become part of my residuary estate, hereinafter disposed of.

2. All of the rest, remainder and residue of the property that I may own at the time of my death, real, personal and mixed, tangible and intangible, of whatsoever nature and wheresoever located, I hereby give, devise and bequeath outright and in fee, to my daughter, SUSAN WHITFIELD.

ARTICLE IV

1. Miscellaneous. Should any person whom I have nominated to serve as Executrix of this Will, and should the law of the state in which I died a resident thereof not permit that person to serve as the sole fiduciary in one or more of these capacities, then I direct that such nominated person shall have the right to name an individual, a resident of said jurisdiction, or a bank or trust company, qualified to act in a fiduciary capacity in said jurisdiction, to serve with her as Co-Executor of this Will. To the extent permitted by law, I direct that no bond shall be required of any co-fiduciaries named pursuant to this article.

2. Unless otherwise clearly indicated, words in the singular or plural shall include the plural and singular respectively, where they would so apply. Words in the masculine or neuter gender shall include the feminine, masculine or neuter gender where applicable.

IN WITNESS WHEREOF, I have hereunto subscribed my name to this, my Last Will and Testament, consisting of this and three (3) preceding typewritten pages, and for the purposes of identification, I have initialed each such page, all in the presence of the persons witnessing it at my request on this the 9 day of December 1998.

Perry A Barton
PERRY A. BARTON, Testatrix

ATTESTATION

The said PERRY A. BARTON, being of sound mind and disposing memory, signed the foregoing instrument in our presence, as and for her Last Will and Testament, and signified and declared to us that same was her Last Will and Testament; and we, the undersigned, at her request, and in her presence and sight and in the presence and sight of each other, have subscribed our names hereto as attesting witnesses the day and date above written.

WITNESS:
Name
3137 Knobview Dr.
Address
Nashville TN. 37214
City, State, Zip Code

WITNESS:
Name
302 3rd Ave. N
Address
Springfield TN 37172
City, State, Zip Code

AFFIDAVIT

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

[signature] and [signature], being severally duly sworn, depose and say that:

We are acquainted with PERRY A. BARTON, who executed this annexed Last Will and Testament, consisting of this page and four (4) preceding pages, dated the _____ day of December 9, 1998, on that date at Nashville, Tennessee, by subscribing her name at the end thereof in the presence and sight of each of us.

At the time of subscribing said Will, PERRY A. BARTON declared the instrument so subscribed by her to be her Last Will and Testament, and we thereupon signed our names as witnesses at the end of said instrument at her request and in her presence and sight, and in the presence and sight of each other.

At the time of executing said Last Will and Testament, PERRY A. BARTON was over the age of eighteen (18) years and in our opinion was of sound mind, memory, and understanding and not under any restraint or in any respect incompetent to make a Last Will and Testament.

This affidavit is made at the request of the said PERRY A. BARTON

The annexed Last Will and Testament was examined by the undersigned witnesses at the time this affidavit was made.

WITNESS: [signature]
Name

WITNESS: [signature]
Name

SWORN TO AND SUBSCRIBED before me, this 9th day of December, 1998.

[signature]
NOTARY PUBLIC

My Commission Expires: 5/28/2000

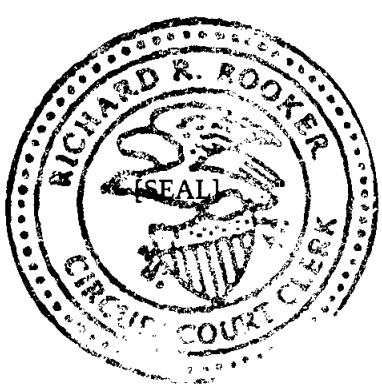
Page 5 Of This my Last Will and Testament PB

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 06 day of DECEMBER, 2018, in Docket Number 18P1965, IN RE: BARTON, PERRY A., 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 13 day of FEBRUARY in the year 2019 and in the 242 year of American Independence.

RICHARD R. ROOKER, Clerk,



[SEAL]

By: _____

Deputy Clerk