18P2113

LAST WILL AND TESTAMENT OF PIEDAD PEREZ-DIAZ

I, **PIEDAD PEREZ-DIAZ,** a resident of Davidson County, Tennessee, do publish and declare this to be my Last Will and Testament, hereby revoking all prior testamentary instruments.

FILED
MAY 02 2019
RICHARD R. ROOKER, CLERK
By

I. FAMILY

A. **Husband.** I am not married.

B. **Children.** I currently have three (3) living children, **MARIA PEREZ-DIAZ, PAUL PEREZ-DIAZ** and **QUIRICO PEREZ DIAZ.**.

II. PAYMENT OF DEBTS AND TAXES

I direct that all my matured debts, funeral expenses, expenses of my last illness and for the administration of my estate, and any estate or inheritance taxes that may be imposed by reason of my death, be paid out of my residuary estate by my Executor/Executor without proration among the several beneficiaries.

Piedad Perez Diaz
PIEDAD PEREZ-DIAZ

Karen Johnson Davidson County
Batch# 231288 WILL
05/17/2019 10:04:41 AM 6 pgs
Fees: $32.00 Taxes: $0.00
20190517-0046647

III. APPOINTMENT OF EXECUTOR

A. I appoint my son, **PAUL PEREZ-DIAZ**, to serve as Executor of this my Last Will and Testament; and, in the event my son is unable or unwilling to serve in said capacity, then I appoint my son, **QUIRICO PEREZ DIAZ**, to serve as Alternate Executor hereunder.

B. I do hereby expressly relieve and exempt my Executor from the necessity of giving bond or other security for the faithful performance of her duties herein, and further specifically waive the requirement for such fiduciary to file any inventory and/or accountings with the Court, provided same may be lawfully omitted.

C. My Executor, in addition to other powers and authority granted by law or necessary or appropriate for proper administration, shall have the right and power to lease, sell, mortgage, or otherwise encumber any real or personal property that may be included in my estate, without order of court and without notice to anyone.

IV. BEQUEST OF ALL REAL AND PERSONAL PROPERTY AND RESIDUARY ESTATE

A. I give, devise, and bequeath to my son, **PAUL PEREZ-DIAZ**, all real property owned by me at the time of my death, of every kind and description, and wheresoever situated.

Piedad Perez-Diaz
PIEDAD PEREZ-DIAZ

B. I give and bequeath all items of personalty (i.e. clothing, jewelry, household contents, and the like), including any checking and savings accounts, to my three (3) children in equal shares. All such items of personalty not desired by either of my children shall be sold at an estate or yard/garage sale, and the net proceeds derived from any such sale(s) shall be and become part of my residuary estate and distributed in accordance with Subparagraph (D) below. Any such items may be donated at the discretion of my Executor.

C. I give and bequeath $2,000 each to St. Lawrence Seminary, 301 Church Street, Mt. Calvary, WI 53057, and to Divine Word Missionaries, 201 Jacoby Drive, SW, Eqworth, IA 52045.

D. I give, devise, and bequeath all remaining personal property of every kind and description and wheresoever situated, and all of my residuary estate, to my three (3) children, in equal shares. In the event either of my children shall predecease me, then said deceased child's share shall be given to my surviving children.

E. If there shall be any disagreement among my beneficiaries regarding the distribution of my estate, then I direct that my Executor shall, in his/her discretion, choose the manner and method of distribution (including distributions in cash or in kind) and such manner and method so chosen by my Executor shall be binding upon all beneficiaries.

Piedad Perez-Diaz
PIEDAD PEREZ-DIAZ

F. In the event that I shall prepare a handwritten list directing the distribution of certain items of a purely, personal and/or sentimental nature to be given to designated individuals, and in the further event that said handwritten list shall be found or discovered with my Will, then I direct my Executor to utilize and follow said list in the distribution of any specific bequests as set forth therein.

V. ORDER OF DEATH PRESUMPTION

If any beneficiary and I die under circumstances in which the order of our deaths cannot be factually determined, it must be presumed that I survived the beneficiary.

VI. MISCELLANEOUS

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable, where appropriate, to all genders.

Piedad Perez-Diaz

PIEDAD PEREZ-DIAZ

IN WITNESS WHEREOF, I, PIEDAD PEREZ-DIAZ, have hereunto subscribed my name to this, my Will, contained in six (6) pages, including attached Affidavit of Witnesses, on each of which I have subscribed in my name in the sight and presence of the undersigned attesting witnesses, who at my request and in my sight and presence, and in the sight and presence of each other, have subscribed their names as attesting witnesses in the City of Nashville, County of Davidson, State of Tennessee, this the 28th day of March, 2017, and pursuant to Tennessee Code Annotated Section 32-2-110, I request the attesting witnesses to make the Affidavit which is attached to this Will.

Piedad Perez Diaz
PIEDAD PEREZ-DIAZ

WITNESSES:

Annette Spitzer

Kelsey M. Sophrit

PAGE FIVE OF THE LAST WILL AND TESTAMENT OF PIEDAD PEREZ-DIAZ

AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

We, the undersigned attesting witnesses, after first being duly sworn according to law, make oath or affirm as follows:

1. That **PIEDAD PEREZ-DIAZ** signed the foregoing Last Will and Testament on the date shown on the Will, and at the time of such signing, she informed us that she signed it as her Last Will and Testament.

2. That **PIEDAD PEREZ-DIAZ** signed this Last Will and Testament when we were both in her sight and presence. Contemporaneously with the signing, she requested us to sign the Will as her attesting witnesses, which we did in her sight and presence and in the sight and presence of each other.

3. That **PIEDAD PEREZ-DIAZ** is more than eighteen (18) years of age, and we are both more than eighteen (18) years of age.

4. In our judgment, **PIEDAD PEREZ-DIAZ** is legally competent to make this Last Will and Testament.

Velazquez Lightbourn — **WITNESS**
613 Huntington Pkwy Nash TN 37211 — **ADDRESS**

Annette Spitzer — **WITNESS**
1012 Crowder St Nashville, TN 37211 — **ADDRESS**

Sworn to or affirmed and subscribed before me this the 28th day of March, 2017.

Linda Schreiner — **NOTARY PUBLIC**

My Commission Expires: 5/8/2017

Piedad Perez Diaz — **PIEDAD PEREZ-DIAZ**

PAGE SIX AND FINAL PAGE OF THE LAST WILL AND TESTAMENT OF PIEDAD PEREZ-DIAZ

I hereby certify that this is a true copy of original instrument filed in my office this 2nd day of October, 2019
RICHARD ROOKER, Clerk
By _____ Deputy Clerk