Prepared By:
Travis Earl Otto
3009 Horn Springs Rd.
Lebanon, TN 37087

Karen Johnson Davidson County
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LAST WILL AND TESTAMENT
OF
JANICE MARIE OTTO

I, Janice Marie Otto, a resident of Old Hickory, Tennessee declare this to be my Last Will and revoke all former Wills and Codicils.

ARTICLE I
Identification of Family

At the present time I am unmarried. In making this Will I have in mind my children, Tania Marie Fournier (deceased), born 1971, Travis Earl Otto, born 1973, Tara Joelle Atwood, born 1977, and Trapper John Otto, born 1979, but does not include any children hereafter born to or adopted by me. Any reference to a "child of mine" or "my children" shall include the persons named or referred to in this Article.

ARTICLE II
Disposition of Remains

I direct that my remains be cremated. Buried in Santa Fe National Cemetery with Larry G. Otto. I authorize my Executor to carry out these directions and wishes, particularly those for the disposition of my remains.

ARTICLE III
Appointment of Fiduciaries

A. Appointment of Personal Representative. I appoint my daughter-in-law, Jennifer Michelle Otto, as Executor of my estate.

B. Bond; Court Supervision. My Executor shall have the right to serve without bond and to administer and settle my estate without the intervention or supervision of any court, except to the extent required by law. Nothing herein shall prevent my Executor from seeking the assistance of the court in any situation where my Executor deems it appropriate.

ARTICLE IV
Specific Gifts

A. Specific Gifts of Cash. I give to each of the following beneficiaries the amount set forth opposite the beneficiary's name; provided, that if an individual named below does not survive me, his or her gift shall lapse:

Name of Beneficiary	Amount of Cash
The Bridge Fellowship	$100

ARTICLE V
Disposition of Residue

A. Provision for Descendants. I give all of the rest and residue of my estate, wherever located (hereafter referred to in this Article as "residue"), to my descendants if they survive me per stirpes.

1. Provision for Others. If I am not survived by any of my descendants, I give the entire residue to my heirs.

ARTICLE VI
Alternative Methods of Distribution

A. Purpose of Article. Recognizing that under certain circumstances the terms of this Will may direct that property be distributed outright to a person who is under age twenty-one (21) or under a legal disability; I make the following provisions to facilitate the distribution of property to such persons.

B. Alternative Methods. Whenever the terms of this Will direct my personal representative (referred to in this Article as the "fiduciary") to distribute property outright to a person who is then under age twenty-one (21) or under a legal disability, the fiduciary may retain pursuant to Paragraph C. of this Article or distribute all or any portion of that property in any one or more of the following ways:

1. Delivery directly to the beneficiary;
2. Delivery to the parent or stepparent of the beneficiary;
3. Delivery to the guardian of the beneficiary's person or property;
4. Delivery to any Custodian for the beneficiary under the Uniform Gifts to Minors Act;
5. Delivery to any then existing trust created for the beneficiary;
6. Deposit in a financial institution in an account established in the name of the beneficiary alone pursuant to the laws of the State of Tennessee;

7. Storage of any tangible personal property in safekeeping with the costs of storage to be borne by the beneficiary; or

8. Sale of any tangible personal property and delivery of the proceeds in any manner permitted by this Article.

Provided the fiduciary acts in good faith, upon delivery of any property in accordance with the provisions of this Article, the fiduciary shall be discharged from all responsibilities in connection with the property.

C. **Discretionary Trust.** Any property not distributed as provided in Paragraph B. of this Article shall be retained by the fiduciary in trust for the beneficiary on the following terms and conditions: During any period in which the beneficiary is under a legal disability or under twenty-one (21) years of age, the fiduciary shall pay to or apply for the benefit of the beneficiary so much of the income and principal of the trust as the fiduciary, in its sole and absolute discretion, determines is advisable for the beneficiary's health, support, education and general welfare. At such time as the beneficiary is neither under a legal disability nor under age twenty-one (21), the fiduciary shall distribute any remaining trust assets to the beneficiary. If the beneficiary dies before all of the trust assets have been distributed, the fiduciary shall distribute any remaining trust assets to the beneficiary's estate.

ARTICLE VII
Administrative Provisions

A. **Powers and Duties of Personal Representative.** My personal representative shall have all of the powers and duties granted to or imposed upon personal representatives serving with non-intervention powers pursuant to the laws of the State of Tennessee.

B. **Debts and Expenses.** All expenses of administration chargeable to principal, the expenses of the disposition of my remains, and all my legitimate debts, if and when paid, shall be paid from the principal of my residuary estate. No debt need be paid prior to its maturity in due course and except as otherwise provided in this Will no interest in any property passing under this Will need be exonerated.

C. **Taxes.** All estate, inheritance or other similar death taxes, together with any interest or penalties thereon, arising by reason of my death with respect to any property includable in my taxable estate, and any adjusted taxable gifts, whether passing under or outside of this Will, shall be paid from the principal of my residuary estate without reimbursement from the recipients or beneficiaries of such property, provided, however, that in the event any proceeds of insurance upon my life or any property over which I held a power of appointment are included in my estate for purposes of determining the federal estate tax liability of my estate, then the residue of my estate shall be entitled to receive from the recipients of any such proceeds or property the portion of

such federal estate tax liability attributable to such proceeds or property determined in accordance with IRC §§ 2206 and 2207.

ARTICLE VIII
Miscellaneous

A. **Number and Gender.** Unless the context indicates a contrary intent, the plural and singular forms of words shall each include the other, and every noun and pronoun shall have a meaning that includes the masculine, feminine and neuter genders.

B. **Survival.** To "survive" me, as that term is used in this Will, a person must continue to live for thirty (30) days after my death.

C. **Descendants.** The "descendants" of an individual include only the following:

1. All such individual's biological descendants, except any person not born in lawful wedlock and his descendants, unless the biological parent who would otherwise cause him or her to be a descendant has acknowledged paternity or maternity in legitimation proceedings, or in an unambiguous signed writing identifying such person by name, or by raising such person in the same household; and

2. Persons adopted by such individual or one of his or her descendants, and their descendants.

If the parent, who would cause a person to be a descendant as defined above, is replaced in an adoption proceeding, such person shall remain a descendant unless such parent voluntarily consents to the relinquishment of his or her status as parent in connection with such adoption proceedings.

D. **Heirs.** The term "heirs" shall mean those persons entitled to inherit under the then-applicable laws of the State of Tennessee governing the descent of an intestate's separate estate. They shall inherit in their statutory proportions.

E. **Exclusion of Pretermitted Heirs.** Other than as set forth in this Will, I make no provision for any child of mine or descendant of a deceased child of mine. I specifically make no provision for any person (whether now living or hereafter born), other than a child named or referred to in Article I or a descendant of mine as defined in this Will, who may be entitled to claim an interest in my estate under the laws of the State of Tennessee.

F. **Legal Disability.** A person is under a legal disability if my personal representative determines, in good faith, that the person is incapable of managing her

property or of caring for herself, or both, or is in need of protection or assistance by reason of physical injury or illness, mental illness, developmental disability, senility, alcoholism, excessive use of drugs, or other physical or mental incapacity.

G. **Title to Real Property.** Upon my death, title to any real property passing under this Will shall vest in my personal representative in his fiduciary capacity and shall remain so vested until my personal representative distributes or sells that property, at which time title shall vest in the distributee or purchaser.

H. **Disclaimer.** Except as may be otherwise specifically provided in this Will, in the event that any beneficiary disclaims an interest arising out of this Will or any trust created herein it is my intention that the interest disclaimed shall be distributed in the same manner and at the same time as if the disclaiming beneficiary had died immediately preceding the event pursuant to the laws of the State of Tennessee.

I. **Governing Law.** The provisions of this Will shall be interpreted in accordance with and in light of the laws of the State of Tennessee.

J. **Corporate Successors.** Whenever a corporation or other business entity is referred to herein, the reference shall include any successor organization.

K. **References to Statutes.** In this Will, the abbreviation "IRC" shall refer to the Internal Revenue Code of 1986 as amended.

I have initialed and dated for identification purposes all pages of this, my Last Will, and have executed the entire instrument by signing this page on the 3rd day of Apr. 1, 2013, at Farmington, ~~Tennessee~~ New Mexico.

Janice Marie Otto

Attestation and Statement of Witnesses

Each of us declares under penalty of perjury under the laws of Tennessee that Janice Marie Otto, the Testator, signed this instrument as her Last Will in our presence, all of us being present at the same time, and we now, at the Testator's request, in the Testator's presence, and in the presence of each other, sign below as the witnesses, declaring that the Testator appears to be of sound mind and under no duress, fraud, or undue influence.

[Witness Signature]

Tanner Atwood
[Print Name]

Residing at 40 cr 5387
Farmington, NM 87401

[Witness Signature]

Bailey Atwood
[Print Name]

Residing at 40 cr 5387
Farmington NM 87401

STATE OF TENNESSEE, COUNTY OF WILSON
I hereby certify the foregoing to be a true and perfect copy of the original instrument on file in this case.
21st day of June, 2019
BARBARA WEBB, CLERK & MASTER
, D. C&M

PROBATE COURT OF WILSON COUNTY TENN.
LEBANON

SELF-PROVING AFFIDAVIT

STATE OF TENNESSEE }
} ss.
COUNTY OF Sou Jnen }

We, Janice Marie Otto and _____ and _____, the Testator and the witnesses, whose names are signed to the attached or foregoing instrument in those capacities, personally appearing before the undersigned authority and being first duly sworn, declare to the undersigned authority under penalty of perjury that: 1) the Testator declared, signed and executed the instrument as her last will; 2) she signed it willingly or directed another to sign for her; 3) she executed it as her free and voluntary act for the purposes therein expressed; and 4) each of the witnesses, at the request of the Testator, in her hearing and presence, and in the presence of each other, signed the will as witness and that to the best of her knowledge the Testator was at that time of full legal age, of sound mind and under no constraint or undue influence.

Janice Marie Otto

[Witness Signature]

[Witness Signature]

Tanner Atwood
[Print Name]

Bailey Atwood
[Print Name]

Residing at 40 cr 5387
Farmington NM 87401

Residing at 40 cr 5387
Farmington NM 87401

Section for Notary Public:
Subscribed, sworn and acknowledged before me by the said Janice Marie Otto, Testator, and by the said _____, and _____, witnesses, this 3 day of April, 2013.

Edward A Notson
[Signature of Notary]

[Seal or stamp] OFFICIAL SEAL
EDWARD A. NOTSON
Notary Public
State of New Mexico
My Commission Expires 3/17/16

TRUE COPY CERTIFICATON

I, Jill Simmons, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Jill Simmons
Signature

STATE OF TENNESSEE
COUNTY OF WILSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Jill Simmons the bargainor(s), with whom I am personally acquainted or proved to me on the basis of satisfactory evidence to be the person(s) described herein, and who acknowledge that she executed the within instrument for the purposes therein contained.

Witness my hand and Official seal this 11th day of April, 2019.

Lissa Groom
Notary Public

My Commission Expires: 9.16.2020

LISSA GROOM
STATE OF TENNESSEE NOTARY PUBLIC
WILSON COUNTY