Karen Johnson Davidson County
Batch# 256741 WILL
07/15/2019 10:04:39 AM 6 pgs
Fees: $32.00 Taxes: $0.00
20190715-0068697

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. **19P1198**.

ESTATE OF DAVID S. STAFFORD

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 11th day of July in the year Two Thousand and Nineteen.

RICHARD R. ROOKER, Clerk

RICHARD R. ROOKER CIRCUIT COURT CLERK

By: _____
Deputy Clerk

PREPARED BY: ROBERT H. STRATTON
ATTORNEY AT LAW
4811 LEBANON ROAD, SUITE 209
HERMITAGE, TENNESSEE 37076
(615) 902-0311

19 P 1198

FILED

JUL 11 2019

RICHARD R. ROOKER, Clerk
By _____ Deputy

Last Will and Testament

of

DAVID S. STAFFORD

I, **DAVID S. STAFFORD**, of the County of Davidson, State of Tennessee, being of lawful age, sound mind and memory, and under no restraint, do hereby publish and declare this to be my Last Will and Testament, revoking all prior wills and codicils that I have made.

A PERSONAL NOTE TO MY FAMILY

I trust that the formal terminology in this will and the absence of personal messages will not cause you to doubt my love and affection for you. You are well aware of my love and affection. Because a will is a legal instrument, the purpose of which is to dispose of property, I do not feel that it is an appropriate place for extensive personal messages. Suffice it to say that I love each of you and that my last thoughts are of each of you.

ARTICLE I

All estate and inheritance taxes (including interest and penalties, if any), together with all administration expenses, payable in any jurisdiction by reason of my death (including those taxes and expenses payable with respect to assets which do not pass under this will) shall be paid out of and charged generally against the principal of my residuary estate without apportionment. I waive any right of reimbursement for, recovery of, or contribution toward the payment of those taxes and administration expenses, except my personal representative shall, to the maximum extent permitted by law, seek reimbursement for, recovery of, or contribution toward the payment of federal or state estate tax attributable to property in which I have a qualifying income interest for life, over which I have power of appointment, or which is included in my gross estate by reason of § 2036 of the Internal Revenue Code of 1986, as from time to time amended ("Code"), and which tax is not otherwise paid or payable. Any generation-skipping tax resulting from a transfer occurring under this will shall be charged to the property constituting the transfer in the manner provided by applicable law.

ARTICLE II

A. I give all tangible personal property that I own at my death, including any household furniture and

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furnishings, automobiles, books, pictures, jewelry, art objects, hobby equipment and collections, wearing apparel, and other articles of household or personal use or ornament to my spouse, KATHY J. STAFFORD. If my spouse, KATHY J. STAFFORD, predeceases me, then I give all tangible personal property that I own at my death, including any household furniture and furnishings, automobiles, books, pictures, jewelry, art objects, hobby equipment and collections, wearing apparel, and other articles of household or personal use or ornament, to my niece, PATRICIA NICOLE COFFEY, per stirpes.

B. All costs of safeguarding, insuring, packing, and storing my tangible personal property before its distribution and of delivering each item to the place of residence of the beneficiary of that item shall be deemed to the expenses of administration of my estate.

ARTICLE III

I give my residuary estate, which shall not include any property over which I have power of appointment, to my spouse, KATHY J. STAFFORD. If my spouse, KATHY J. STAFFORD, predeceases me, then I give residuary estate to my niece, PATRICIA NICOLE COFFEY, per stirpes.

However, should any heir of mine be under the age of thirty (30) years, then as follows to: Then all the rest, residue and remainder of my estate, real, personal and mixed, of whatever kind and nature, and wherever situated, including all property which I may now own or hereafter acquire or become entitled to after the execution of this Will, I give, devise and bequeath to my nephew, Michael Allen Coffey, in trust for the benefit of the children of my niece, PATRICIA NICOLE COFFEY.

Trustees appointed under this Will are to hold, administer and distribute the rest, residue and remainder of my estate in accordance with the following provisions:

A. The Trustee shall, when the youngest child shall reach the age of eighteen (18) years, divide the trust into as many separate trusts as their shall be COFFEY Children with each trust so created named after the child for which it is created. Each separate trust shall thereafter be administered under the terms of this Trust Agreement for the exclusive benefit of said child.

The entire trust estate shall be administered as one (1) Trust until no child living is under the age of eighteen (18) years. Until that time, the Trustee shall apply the net income and principal of the trust estate as follows:

1. The Trust shall pay or apply for the benefit of each of the children who is under the age of eighteen (18) years, in monthly installments or in other convenient installments, so much of the net income and principal of the trust estate as the Trustee in its sole discretion deems necessary for the support, maintenance and education of each of them.

2. The Trustee shall pay to or apply for the benefit of each of the living children who is over the age of eighteen (18) years but under the age of twenty-three (23) years, in monthly or in other convenient installments, so much of the net income and so much principal of the trust estate, up to the whole thereof, as the Trustee in its sole discretion deems necessary to support, maintain and educate each child should that child desire post-secondary education. It is my desire that such education provide each child with the skills which will aid him or her in his or her chosen field. My Trustee shall have sole discretion in determining the appropriateness of his or her continued education. After each beneficiary shall reach the age of twenty-three

(23) years, thereafter my Trustee shall have sole discretion in determining what further distributions of income or principal may be distributed to the beneficiaries hereunder.

3. The Trustee may pay more income and principal to, or apply more income and principal for, some beneficiaries than others and may omit some beneficiaries entirely from any distribution from the Trust.

4. The Trustee, in exercising its discretionary authority with respect to the payment of income and principal of the trust estate to any beneficiary, shall take into consideration any income or other resources available to such beneficiary from sources outside of this Trust that may be known to the Trustee. The Trustee may accept as final and conclusive the written statement of the beneficiary receiving payment as to other available income and resources, unless the Trustee has actual knowledge of an error in such statement. The determination of the Trustee with respect to the necessity of making payments out of income and principal to the beneficiary shall be conclusive on all persons interested in the Trust.

5. The Trustee shall accumulate and add to principal at the end of the year any net income of the Trust not paid out in accordance with the discretion herein conferred on the Trustee.

6. The interest of any beneficiary of any trust shall not be anticipated, sold, transferred, alienated, encumbered nor in any other manner assigned by any such beneficiary. Such interest shall not be subject to any legal process, bankruptcy proceedings or the interferences or control of creditors, spouses, or divorced spouses, governments or their agencies, or others, for the debts, obligations or activities of any beneficiary or beneficiary's legal representative.

B. All separate trusts created herein shall terminate upon the youngest of the **COFFEY CHILDREN** having reached the age of 30 years at which time the Trustee shall pay all the principal and accumulated income, if any, to the **COFFEY CHILDREN.**

In the event that all the **COFFEY CHILDREN** should die at any time prior to reaching the age of 30 years, the Trustee or Successor Trustee shall terminate the trust and all separate trusts and pay all accumulated assets to the heirs of the **COFFEY CHILDREN,** per stirpes,.

In the event that all the **COFFEY CHILDREN** should die at any time prior to reaching the age of 30 years leaving no heirs, then the Trustee or Successor Trustee shall terminate the trust and all separate trusts and distribute all the accumulated assets as follows: to: Lupus Foundation DSS

This trust shall terminate upon trust corpus being fully used up.

ARTICLE IV

A. I name my spouse, KATHY J. STAFFORD, as personal representative of this Will. If my spouse, KATHY J. STAFFORD, shall fail to qualify or having qualified, fails to serve in said capacity, then I name my niece, PATRICIA NICOLE COFFEY, as personal representative of this Will. If niece, PATRICIA NICOLE COFFEY, shall fail to qualify or having qualified, fails to serve in said capacity, then I name my nephew, Michael Allen Coffey, as personal representative of this Will.

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No personal representative of this will shall be required to furnish bond or other security as personal representative.

As used in this will, the terms "personal representatives" and "personal representative" designate the court-appointed fiduciaries or fiduciary of my estate from time to time qualified and acting in any jurisdiction.

B. In addition to all powers granted by law, I give my personal representative(s) power, exercisable in the discretion of my personal representative(s) and without court order, to retain, sell (at public or private sale), exchange, lease for any term (even though commencing in the future or extending beyond the date of final distribution of my estate). mortgage, pledge, or otherwise deal for any purpose with the property, real , personal or mixed, from time to time comprising my estate, for such consideration and on such terms (with or without security) as my personal representative(s) shall determine; to borrow money for any purpose, at interest rates then prevailing, from any individual, bank or other source, irrespective of whether that lender is then acting as a personal representative; to invest in any property whatsoever; to compromise or abandon any claims in favor of or against my estate; to hold any property in the name of a nominee or in bearer form; to employ accountants, depositories, attorneys, and agents (with or without discretionary powers); to execute contracts, notes, conveyances, and other instruments, including instruments containing covenants and warranties binding upon and creating a charge against my estate, and containing provisions excluding personal liability; to make distributions wholly in cash or in kind, or partly in each; to allot different kinds or disproportionate shares of property or undivided interests in property among the beneficiaries; and to determine the value of any property distributed in kind.

C. I empower my personal representative(s) (I) to make such elections under the tax laws as my personal representatives(s) deem advisable, including an election to create qualified terminable interest property for both estate and generation-skipping tax purposes alone, and (ii) to allocate the unused portion, if any, of my GST exemption (as defined in this paragraph) to any property with respect to which I am the transferor for generation-skipping tax purposes (irrespective of whether such property passes under this will) in such manner as my personal representative(s) deem advisable, in each case without regard to the relative interests of the beneficiaries; however, my personal representative(s) shall not make adjustments between principal and income , or in the interests of the beneficiaries, to compensate for the effects of such elections and allocation. Any decision made by my personal representative(s) with respect to the exercise of any tax election or the allocation of my GST exemption shall be binding and conclusive on all persons. As used in the paragraph, the "GST Exemption" means the exemption from generation-skipping tax allowed under Section 2631 of the Code.

D. I direct that the compensation of the corporate personal representative, if any, shall be in accordance with its published schedule of fees as in effect at the time the services are rendered.

E. **I direct that the Personal Representative(s) shall not be required to file any inventory or appraisal or accounting or any annual or other returns or reports to any court.**

I signed this will on this the 27 day of April, 2007.

4. DES
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BY: David S. Stafford
DAVID S. STAFFORD

On the date last above written, we saw DAVID S. STAFFORD, in our presence, sign the foregoing instrument at its end. He then declared it to be his will and requested us to act as witnesses to it. We then, in his presence and in the presence of each other, signed our names as attesting witnesses, believing him at all times herein mentioned to be of sound mind and memory and not acting under constraint of any kind.

Megan McIntosh
Residing at 619 Francis Circle
Mount Juliet, TN 37122

Beverly A. Stratton
Residing at 1481 Lebanon Pike
Hermitage, TN 37076

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Megan McIntosh and Beverly A Stratton, after being severally duly cautioned and sworn, depose and say that:

We are acquainted with DAVID S. STAFFORD, who executed the annexed Last Will and Testament, consisting of five (5) typewritten pages, dated the 27 day of April, 2007, on that date at Hermitage, Tennessee by subscribing him name at the end thereof in the presence and sight of each of us.

At the time of subscribing said Last Will and Testament, DAVID S. STAFFORD declared the instrument so subscribed by him to be his Will, and we thereupon signed our names as witnesses at the end of said Instrument at his request and in his presence and sight, and in the presence and sight of each other.

At the time of executing said Last Will and Testament, DAVID S. STAFFORD was over the age of eighteen 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 Will.

This affidavit is made at the request of said DAVID S. STAFFORD.

The annexed Will was examined by the undersigned at the time this affidavit was made.

BY: Megan McIntosh BY: Beverly A Stratton

SWORN TO AND SUBSCRIBED before me, this 27 day of April, 2007.

BY: _____
NOTARY PUBLIC

My Commission Expires: 3/14/2011

ROBERT H. STRATTON
STATE OF TENNESSEE NOTARY PUBLIC
WILSON COUNTY

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