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19P1399

# Last Will and Testament

Karen Johnson Davidson County
Batch# 285281 WILL
09/13/2019 10:11:55 AM 7 pgs
Fees: $37.00 Taxes: $0.00
20190913-0092876

OF

PATRICIA A. THOMAS

FILED
AUG 28 2019
BY RICHARD R. ROOKER, Clerk
Deputy

I, PATRICIA A. THOMAS, a resident of Hamilton County, Tennessee, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all former wills and/or codicils by me at any time made.

ARTICLE I

I direct that all my funeral expenses, legally matured debts, expenses of administration of my estate, and estate and inheritance taxes incident to my death be paid from my general estate by my Executor, hereinafter named, without proration among the several beneficiaries, as soon after my decease as is practicable; provided that as to any debt secured by real estate, my Executor may pay such debt or permit such real estate to pass subject to such debt.

ARTICLE II

I give and bequeath to my husband, TERRY THOMAS, all of my tangible personal property, including furniture, furnishings, clothing, jewelry, automobiles and all articles of personal and household use or ornament, together with all policies of insurance on such tangible personal property.

If my husband does not survive me, then I direct that the property above bequeathed be given to the children of mine, per stirpes. I direct that such property be divided among them as they may agree, with any minor child or children to be represented by my Executor. In making such division, if there be any disagreement among my legatees, I direct that my Executor shall determine and put

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into effect a method of settling any such disagreement and that the result of the method so determined shall be conclusive.

ARTICLE III

I give, devise and bequeath all the rest and residue of my estate as follows:

(A) If my husband, TERRY THOMAS, survives me, then I direct that all the rest and residue of my estate be given outright in fee to my said husband.

(B) If my said husband does not survive me, then I direct that all the rest and residue of my estate be divided into equal shares as there are children of mine then living and deceased children of mine leaving issue then surviving. I direct my Executor to leave one such share outright and in fee to each of my children then living and then to distribute one such share to the issue then living per stirpes of each deceased child of mine, such issue to receive the share which my deceased child would have received if then living.

(C) If, for any reason, there is no person qualified to receive any property under this provision of my Will, then said property shall pass on those persons, and in such shares, as would have taken personal property owned by me had I died at that time intestate and domiciled in the State of Tennessee.

ARTICLE IV

My children at the present time are MICHAEL LANE THOMAS, Chattanooga, Tennessee, born June 7, 1961; JOHN GREGORY THOMAS, Nashville, Tennessee, born August 15, 1964; and LORI ANNE THOMAS, Chattanooga, Tennessee, born August 17, 1965. If there should be a child or children born to or adopted by me after the date of this Will, said child or children shall share under this Will as if specifically named. In every instance where it is material, I direct that a legally adopted child shall be considered as if it were a natural born child of the adopted parent.

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ARTICLE V

I incorporate by reference, as fully as if copied verbatim, all the provisions and powers set forth in Tennessee Code Annotated § 35-50-110, which section enumerates the administrative powers that I hereby confer upon my Executor.

Without in any way limiting the applicability of the foregoing, I specifically authorize my Executor to use any life insurance proceeds that may be payable to my estate for the purpose of paying my funeral expenses, the debts and expenses of administering my estate and any estate, inheritance or like taxes that may be imposed by reason of my death, without requiring reimbursement from the beneficiaries of my estate.

ARTICLE VI

If my husband, TERRY THOMAS, and I should die under such circumstances that there is not sufficient evidence to determine the order of our deaths or if he shall die within six (6) months after the date of my death, then I direct that he shall be deemed to have predeceased me and that my estate shall be administered and distributed in all respects as though my husband had not survived me. During the portion of such six (6) months as my husband shall actually survive me, he shall have the right to the use and enjoyment as life tenant of the real and personal property devised and bequeathed to him herein.

ARTICLE VII

It is hereby expressly declared that it is not my intent to keep my husband, TERRY THOMAS, from changing the provisions of his Last Will and Testament at any time, even after my death, should I predecease him, and this Will shall be construed to permit him to do so without forfeit, if he so sees fit; and this shall include but not be limited to, the right to change the provisions of his Will with respect to any property that he may receive under the

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terms of this Will and to dispose of any of the same any way he so sees fit.

ARTICLE VIII

I appoint my husband, TERRY THOMAS, to be the Executror of this My Last Will and Testament. If he shall predecease me or for any reason shall fail to qualify as Executror hereunder (or having qualified shall die or resign), then in such event my son, MICHAEL LANE THOMAS of Chattanooga, Tennessee, shall act as the Executor of my estate. I direct that no bond or other security shall be required of the above-named fiduciaries for the faithful performance of their respective duties.

I also specifically waive any requirement that my Executor file any inventory, interim accounting, final accounting, or any other report with any court or any beneficiary during the administration of my estate, if allowed by the state of the probate of this Will.

In referring to Executor, child, descendant, fiduciary, or beneficiary, a word of one gender includes each other applicable gender and a reference to the singular includes the plural, and vice-versa, unless the context indicates this would be inappropriate.

IN WITNESS WHEREOF, I have hereunto set my hand this the 7th day of October, 1986, and do publish and declare this as my Last Will and Testament.

Patricia A. Thomas
PATRICIA A. THOMAS

The foregoing instrument, consisting of this and four (4) preceding typewritten pages, was signed, declared and published by the said PATRICIA A. THOMAS, for her last Will and Testament in the presence of us, the undersigned, who, at her request and in her sight and presence and in the sight and presence of each other, have

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subscribed our names hereto as attesting witnesses the day and date above written.

| Name | Address |
|---|---|
| Cheryl L. Hackney | Chattanooga Tn. 37412 |
| Monica P. Smith | Chattanooga TN 37412 |
| Randall L. Nelson | Chattanooga, Tn. 37343 |

PAGE 5 OF THIS MY LAST WILL AND TESTAMENT Patricia A. Thomas

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AFFIDAVIT OF SUBSCRIBING WITNESSES

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

Each of the undersigned, being duly sworn, deposes and says:

The foregoing Will was signed, published and declared in the presence of the undersigned on the 7th day of October, 1986, at Chattanooga, Hamilton County, Tennessee, by PATRICIA A. THOMAS (hereinafter called the "Testatrix"), who declared said instrument to be her Will.

Each of the undersigned then signed his or her name as a witness at the end of said Will at the request of the Testatrix and in her presence and in the presence of each other.

The Testatrix was, at the time the Will was executed, over the age of eighteen (18), and, to the best of the knowledge of the undersigned, of sound mind and not under any restraint or in any respect incompetent to make a Will.

Each of the undersigned was acquainted with the Testatrix at such time and makes this Affidavit at the request of PATRICIA A. THOMAS.

The within Will was shown to the undersigned at the time this Affidavit was made and was examined and verified by each of them as to the signatures of said Testatrix and that of the undersigned.

Cheryl L. Huskey

Olivia L. Smith

Randall L. Nelson

Severally subscribed and sworn to before me this 7th day of October, 1986.

D. Lee Madden
NOTARY PUBLIC

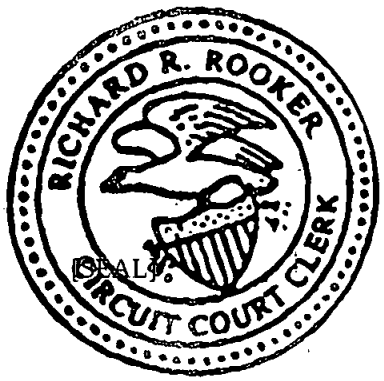
My Commission Expires: 9-8-87

# 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 29 day of AUGUST, 2019, in Docket Number 19P1399, IN RE: THOMAS, PATRICIA 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 06 day of SEPTEMBER in the year 2019 and in the 243 year of American Independence.*

*RICHARD R. ROOKER, Clerk,*




*By:* _____

*Deputy Clerk*