STATE OF TENNESSEE

Karen Johnson Davidson County
Batch# 348461 WILL
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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 09 day of JANUARY, 2020, in Docket Number 19P2182, IN RE: BYRD, MELINDA DIANE, 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 22 day of JANUARY in the year 2020 and in the 243 year of American Independence.

RICHARD R. ROOKER, Clerk,

By: _____
Deputy Clerk

[SEAL]

RICHARD R. ROOKER
CIRCUIT COURT CLERK

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19P2182

Prepared by: Russell W. Lewis, IV, Attorney at Law, 1019 16th Ave. S., Nashville, TN 37212

FILED
JAN 08 2020
RICHARD R. ROOKER, CLERK
DC

LAST WILL AND TESTAMENT OF MELINDA DIANE BYRD

I, MELINDA DIANE BYRD, a resident of Davidson County, Tennessee, which I hereby declare to be my domicile, do make, publish, and declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils by me at any time heretofore made.

ARTICLE I

MY FAMILY

My immediate family includes son, Matthew Timothy Byrd, and daughter, Maria Leigh Byrd Arnold.

ARTICLE II

APPOINTMENT OF FIDUCIARIES

2.1. I hereby designate Jerry McCloud to serve as Personal Representative of this my Last Will. If Jerry McCloud is unable or unwilling to serve as Personal Representative, I designate Matthew Timothy Byrd to serve as Personal Representative hereunder. No person named in this Article to serve as Personal Representative or successor Personal Representative shall be required to furnish bond with respect to the performance of their duties or file an inventory with the court.

2.2. I hereby appoint Matthew Timothy Byrd to serve as Trustee of all trusts created hereunder. If Matthew Timothy Byrd shall be or becomes unable or unwilling to serve, I appoint Candice Camille Byrd to serve as successor Trustee of such trusts. If both Matthew Timothy Byrd and Candice Camille Byrd shall be or become unable or unwilling to serve as trustee, I appoint Russell W. Lewis, IV, to serve as successor Trustee of such trusts.

2.3. No successor Trustee shall be liable or responsible in any way for any acts or defaults of any predecessor Trustee prior to its appointment, or for any loss or expense from or occasioned by anything done or neglected to be done by any predecessor Trustee prior to its appointment, but such predecessor Trustee shall be liable only for its own acts and defaults in respect to property actually received by it as Trustee, in accordance with the standard of liability

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hereinafter set forth; and with the consent of the person making designation of such successor Trustee, the successor Trustee may accept the assets and property delivered to it by the predecessor Trustee as a full and complete discharge to the predecessor Trustee, and shall incur no liability or responsibility to any beneficiary under this Will by reason of so doing.

2.4. In the event there shall be more than one party acting as Trustee, the following provisions shall apply:

(a) If there shall be an odd number of Trustees, the decision of a majority shall control in discretionary matters.

(b) If there should be an even number of Trustees, the decision of a majority shall likewise control in discretionary matter, unless there are only two Trustees, in which case the concurrence of both Trustees shall be required in deciding discretionary matters.

(c) The Trustees may designate any one or more of them to sign checks on behalf of the trust.

2.5. No Trustee designated hereunder or named pursuant to powers granted hereunder, whether individual or corporate, whether serving singly or jointly, shall be required to furnish bond or make accounting to any Court with respect to the performance of its duties, and no Trustee, other than a corporate Trustee, shall be liable for any of its actions as Trustee, except for fraud, dishonesty, or willful misappropriation.

2.6. Any person serving as a Trustee or co-Trustee hereunder may resign at any time upon giving sixty (60) days notice in writing to the person or persons then possessing the power to remove such Trustee pursuant to this Article. Such resigning Trustee shall render an accounting to the persons possessing the power to remove him within sixty (60) days after such resignation unless such persons expressly waive such accounting.

2.7. No purchaser, mortgagee, lessee or other party dealing with the Personal Representative or Trustee shall be bound or concerned to see to the application of any consideration paid for any conveyances, mortgage, disposition or lease of any property, real or personal.

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ARTICLE III

PAYMENT OF DEBTS AND EXPENSES

3.1. I direct that all debts that shall be legally owing by me at the time of my death, my funeral expenses, and the expenses of administration of my estate be paid from the principal of my residuary estate as soon as practicable after my death. My Personal Representative, in such Personal Representative's discretion, may pay from my domiciliary estate all or any portion of the costs of ancillary administration and similar proceedings in other jurisdictions.

3.2. In the event that any property or interest in property passing under this Will, by operation of law, or otherwise by reason of my death (other than as part of my residuary estate), shall be encumbered by mortgage or lien, or shall be pledged to secure any obligation (whether the property or interest in property so encumbered or pledged shall be owned by me jointly or individually), it is my intention that such indebtedness shall not be charged to or paid from my estate, but that the devisee, legatee, joint owner taking by survivorship, or beneficiary receiving such property shall take it subject to all encumbrances existing at the time of my death.

ARTICLE IV

PAYMENT OF TAXES

I direct that federal or state death taxes (including any interest and penalties thereon) imposed by any jurisdiction whatsoever by reason of my death upon or with respect to any property included in my estate for the purposes of any such taxes, or upon or with respect to any person receiving any such property, whether or not such property is included in my probate estate, shall be charged against and paid by the recipient or beneficiary of such property or interest in such property or shall be paid from such property or interest in property. The amount of federal or state death taxes to be charged against the donee or recipient of any such property or interest in property shall be determined by multiplying a fraction (the numerator of which shall be the federal estate tax value of the property or interest in property received by a donee or recipient and the denominator of which shall be the total value of the property and interests in property received by all such donees and recipients, using for this purpose the values as finally determined for federal estate tax purposes) times the federal or state taxes payable after applying all deductions, exemptions and credits allowable in determining such tax. Any person receiving

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property shall be given the benefit of any deductions for associated debt whether assumed or to which the property is subject. 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 apportioned hereunder.

ARTICLE V

SPECIFIC DEVISES AND BEQUESTS

5.1. I specifically and intentionally make no provision in this Last Will and Testament for my daughter, Maria Leigh Byrd Arnold. It is my intention to disinherit Maria Leigh Byrd Arnold and that she not receive anything from my estate.

5.2. I hereby give, devise, and bequeath all of the right, title, and interest in and to the real estate now occupied by me as my residence, with all appurtenances and improvements used in connection therewith, located in Nashville, Davidson County, Tennessee, and commonly known as 7726 Indian Springs Dr., Nashville, Tennessee 37221, to my son, Matthew Timothy Byrd, if he shall survive me. In the event Matthew Timothy Byrd does not survive me, then I give, devise, and bequeath all of the right, title, and interest in the above said real property to my daughter-in-law Candice Camille Byrd, my granddaughter, Zoey Jacklyn Byrd, and my grandson, Zachary Jackson Byrd.

5.3. I hereby give, devise, and bequeath all of the right, title and interest in and to the real estate now occupied by me as my residence, with all appurtenances and improvements used in connection therewith, located in Clearwater, Pinellas County, Florida, and commonly known as 1400 Gulf Blvd Unit 510, Clearwater, Florida 33767, to my son, Matthew Timothy Byrd, if he shall survive me. In the event Matthew Timothy Byrd does not survive me, then I give, devise, and bequeath all of the right, title, and interest in the above said real property to my daughter-in-law Candice Camille Byrd, my granddaughter, Zoey Jacklyn Byrd, and my grandson, Zachary Jackson Byrd.

5.4. I bequeath to my granddaughter, Zoey Jacklyn Byrd, all of my Swarovski crystal collection, one-half of my jewelry collection, specifically including all pieces with blue sapphire, and all of my chinaware collection.

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5.5. I bequeath to my grandson, Zachary Jackson Byrd, one-half of my jewelry collection and the sum of Fifty Thousand ($50,000.00) Dollars to be funded from the sale of my interest in the Florida condo.

5.6. All of my personal effects and tangible personal property held for strictly personal use at the time of my death, including, without limitation, all furniture, library, works of art, silverware, tools, or equipment located in and around my home (but excluding such items held for business use) jewelry, clothing, automobiles and other articles of personal use or adornment, not otherwise specifically bequeathed, I give and bequeath to my son, Matthew Timothy Byrd.

ARTICLE VI
DISPOSITION OF RESIDUE

6.1. I direct that, after satisfying all the bequests and devises hereinabove made and after the payment of all administration expenses and death taxes as hereinabove provided, my Personal Representative shall deliver and convey all the remainder of my estate wheresoever situated, including all property which I may acquire or become entitled to after the execution of this Will, all of which is herein referred to as my "residuary estate," to my son, Matthew Timothy Byrd, if he survives me, or if he does not survive me, I give my residuary estate to his children in equal shares, subject to postponement of possession as provided herein.

6.2. The property set aside hereunder for a descendant of mine who is under the age of 25 years shall be held and administered by the Trustee named herein for the benefit of such descendant as follows:

(a) The Trustee shall pay to such descendant or expend on his or her behalf, so much of the net income and principal of the separate trust, as the Trustee, in the Trustee's sole and absolute discretion, believes desirable to provide properly for such descendant's health, education, support and maintenance.

(b) Upon the date such descendant attains the age of 25 years, the remainder of the trust estate shall be distributed per stirpes to such descendant outright and free of trust.

(c) If such descendant shall die before attaining the age of 25 years, the remaining trust estate shall be distributed outright and in fee to such descendant's

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children in equal shares per stirpes, and if none are then living, to my descendants in equal shares per stirpes, subject to postponement of possession as provided herein.

6.3. If all of my descendants shall die prior to the complete distribution of all of the trusts created herein, then upon the happening of such event, the Trustee shall distribute the trust principal and undistributed income to my heirs per stirpes and free of trust.

6.4. Notwithstanding the directions given herein as to the distribution of income and principal, if the laws governing this trust instrument include a rule against perpetuities, any interest of an income beneficiary of a separate trust created hereunder shall vest on the date which is twenty-one (21) years after the death of the later to die of me, and any of my descendants living on the date of my death.

6.5. Neither the principal of any trust created herein, nor the income therefrom, shall be subject to or liable for any of the debts, contracts, engagements, taxes, or support obligations of any of the beneficiaries thereof; nor shall the same be liable to execution, attachment or any other legal process whatsoever at the suit of any creditor or otherwise; nor shall the same be subject to assignment, transfer or anticipation.

ARTICLE VII

FIDUCIARY POWERS

7.1. I direct that my Personal Representative, with respect to my estate, and any Trustee, with respect to the trusts created under this Will, be authorized to exercise, in their discretion, all of the fiduciary powers contained in Tenn. Code Ann. § 35-50-110, to the extent applicable, and I do hereby incorporate by reference such Code section in its entirety as completely as if copied herein verbatim. I further direct that in the event the Legislature of the State of Tennessee amends or repeals all or any part of said statutes, the fiduciary powers in effect at the date of execution of this Will, hereinabove specified shall remain without diminution or restrictions as the authorized powers of my Personal Representative and Trustee, or their successors.

7.2. In addition to the powers set forth in Section 7.1, I expressly authorize my Personal Representative, with respect to my estate, and any Trustee, with respect to the trusts

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created under this Will. (such Personal Representative or Trustee hereinafter sometimes referred to as "Fiduciary"), to exercise the following powers and discretions:

(a) To hold and retain in unchanged form any security, investment or other property, real or personal, tangible or intangible, originally coming into its hands or subsequently acquired throughout the life of any trust, regardless of any legal or statutory requirement to the contrary.

(b) To invest in, purchase, sell, mortgage, exchange, pledge, margin, option (whether listed or unlisted), hypothecate, lease or otherwise acquire or dispose of any property, real or personal, originally or subsequently acquired by the Fiduciary upon such price, terms and conditions as the said Fiduciary shall deem best, in his discretion, and from time to time invest and reinvest in such other property, either real or personal, tangible or intangible, as the Fiduciary, in its sole judgment, may deem expedient or advisable, notwithstanding any legal or statutory requirements as to investments by fiduciaries, all of which property shall be held by the Fiduciary. The Fiduciary may borrow such funds as determined necessary in the purchase of property for investment or for any other purpose and may mortgage, pledge or hypothecate such property or interest in property in the trust estate as security for such loans as may be necessary or proper. Subject to the rights and direction of my spouse, the Fiduciary shall have the right to invest in unproductive assets.

(c) Whenever the Fiduciary is required to divide or distribute the principal of any trust fund, he is authorized, in his discretion, to make division or distribution wholly or partly in kind by allotting and transferring specific securities or other personal or real property or undivided interests therein as a part or the whole of any one or more shares or payments. The judgment of the Fiduciary as to values for such purposes shall be binding and conclusive on everyone.

(d) When required to make a distribution or transfer of all or part of the assets of the trust, the Fiduciary may retain therefrom assets sufficient in his judgment to cover a liability which may then or later be imposed upon him including, but not limited to, his liability for income and other taxes, until such liability shall have been finally determined.

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(e) To apportion between principal and income any item of receipts, increases, losses or expenditures, notwithstanding any rule, legal or otherwise, to the contrary.

(f) To commingle for investment purposes the property of the trust with the property of any other trust held hereunder, allocating to each an undivided interest in the commingled property.

(g) The whole or any part of the income or principal paid hereunder to any minor or to any other person who in the opinion of the Trustee is incapacitated through illness, age or other cause may be applied by the Trustee in his discretion for such beneficiary's comfort, maintenance, support or education. Any such application may be made at such time and in such manner as the Trustee deems advisable, whether by direct payment of such beneficiary's expenses or by payment to a person selected by the Trustee to receive payment for such beneficiary; in each case the receipt of such person to whom payment is made or entrusted shall be a complete discharge of the Trustee in respect thereof. Whenever any payment hereunder is required to be made to a minor and is not directed to be held in trust in accordance with this Section, the interest required to be paid shall be indefeasibly vested until the minor attains his majority or dies, whichever first occurs, but the Trustee may retain the amount payable until the minor attains his majority or dies, whichever first occurs, and the Trustee may pay the income and principal to the minor in such amount or amounts and from time to time as the Trustee may determine. If the Trustee holds property in accordance with this Section and if the minor lives to attain his majority, then when he attains his majority the Trustee shall pay the then remaining principal and undistributed income to him; and if the minor dies before attaining his majority, then on the minor's death the Trustee shall pay the then remaining principal and undistributed income to the minor's estate.

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ARTICLE VIII

MISCELLANEOUS PROVISIONS

8.1. References in this instrument to "my children" mean my now living children together with any other children hereafter born or adopted by me. References to "descendants" mean descendants in the first, second or any other degree of the ancestor designated. As set forth in Section 5.1, I specifically and intentionally make no provision in this Last Will and Testament for my daughter, Maria Leigh Byrd Arnold. It is my intention to disinherit Maria Leigh Byrd Arnold and that she not receive anything from my estate under any circumstances. No term in this Last Will and Testament should be interpreted otherwise.

8.2. A child in gestation, who is later born alive, shall be regarded in this instrument as a child in being during the period of gestation, in determining whether any person has died without leaving descendants surviving him or her, and in determining, on the termination of any trust hereunder, whether such child is entitled to share in the disposition of the then remaining principal and undistributed income of such trust, but for other purposes such child's right shall accrue from date of birth.

8.3. References in this instrument to "my heirs" mean those persons, other than creditors, who would take my personal property under the laws of the State of Tennessee if I had died intestate at the time stipulated for distribution, not married and domiciled in such state. In determining who such persons are, it shall be assumed that all decrees of divorce rendered by a court of record, wherever located, are valid. Distribution to such persons shall be made in the manner and in the proportion that my personal property would be distributed under the laws of the State of Tennessee if I had died intestate at the time stipulated for distribution, not married, owning the property available for distribution and no other property and domiciled in such state.

8.4. Whenever distribution is to be made to designated descendants on a "per stirpes" basis, the property shall be distributed to the persons and in the proportions that personal property of the named ancestor would be distributed under the laws of the State of Tennessee in force at the time stipulated for distribution if the named ancestor had died intestate at such time, domiciled in such state, not married and survived only by such descendants.

8.5. Whenever the Trustee has discretion to pay income or principal to designated "descendants," payment may be made to or for the benefit of a descendant of the second or more

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remote degree even though payment is also made, or could be made, to the parent of such descendant.

8.6. The masculine, feminine and neuter genders whenever used herein shall each be deemed to include the other as well, where the context required. Moreover, terms referred to in singular form shall be deemed to include the plural as well as where the context requires.

8.7. The term "Trustee," wherever used herein, shall be deemed to include not only the original Trustee hereunder but also any successor Trustee or co-Trustee and all powers and discretions vested in the Trustee shall be vested in and exercisable by any such successor Trustee or co-Trustee.

8.8. The term "Personal Representative," whenever used herein, shall be deemed to include the original Personal Representative named in Article I herein as well as any successor Personal Representative, and all powers and discretions vested in the original Personal Representative shall be vested in and exercisable by any such successor Personal Representative.

8.9. References to "Code Section" in this Will are to the Internal Revenue Code of 1986, as amended, and shall be deemed to refer to corresponding provisions of any subsequent federal tax law.

IN WITNESS WHEREOF, I have executed, published and declared this paper writing, consisting of Eight (8) Articles, as and for my Last Will and Testament, at Nashville, Tennessee, this 21st day of November, 2019.

MELINDA DIANE BYRD

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The foregoing paper writing, consisting of Eight (8) Articles, was upon this 21st day of November, 2019, by the said Testator, Melinda Diane Byrd, being of sound mind and disposing memory, signed, sealed, published and declared to be her Last Will and Testament in the presence and sight of us, present at the same time, who, at her request, in her presence and sight, and in the presence and sight of each other, have signed our names as attesting witnesses on the day and last above written.

WITNESSES:

Virginia Bell — Signature

Virginia Bell — Print or Typed Name

1096 Mt Pleasant Rd Kingston Springs, TN 37082 — Address

Delain L Deatherage — Signature

Delain L. Deatherage — Print or Typed Name

1019 16th Avenue South Nashville, TN 37212 — Address

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AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The undersigned, VIRGINIA BELL and DELAIN DEATHERAGE, being first duly sworn, depose and say:

1. This affidavit is made at the request of the Testator, Melinda Diane Byrd.

2. The Testator signed the foregoing paper writing, declaring it as and for her Last Will and Testament on the 21st day of November, 2019, in our presence and sight.

3. At the request of said Testator, we then each signed said paper writing as attesting witnesses thereto, in the presence of the Testator and in the presence of each other.

4. At the time she signed said paper writing, the Testator was over eighteen (18) years of age and appeared to be of sound mind, memory and understanding and not under any restraint or in any respect incompetent to make a Last Will and Testament.

Virginia Bell

Delain F Deatherage

SWORN TO AND SUBSCRIBED before me the 21st day of November, 2019.

NOTARY PUBLIC

My Commission Expires: 5/9/2023

RUSSELL W. LEWIS IV
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 5-9-2023

MB