Karen Johnson Davidson County
Batch# 479909 AFFIDAVIT
09/21/2020 12:07:30 PM 10 pgs
Fees: $52.00 Taxes: $0.00
20200921-0107981

SCRIVENER'S AFFIDAVIT

WHEREAS, the undersigned Affiant prepared the Executor's Quitclaim Deed executed by Gary Michael McDowell, Executor of the Estate of Janet Elizabeth McDowell, deceased, appearing of record in Instrument No. 202008050087171, Register's Office for Davidson County, Tennessee; and

WHEREAS, said Executor's Quitclaim Deed contained the following scrivener's errors in it:

The Exhibit A and Exhibit B were not attached.

NOW, THEREFORE, the undersigned Affiant hereby affirms that the scrivener's errors consisted of the Exhibit A and Exhibit B not being attached to said Deed.

The Exhibit A and Exhibit B are attached hereto and made a part of said Executor's Quitclaim Deed.

This Scrivener's Affidavit is being recorded to make the above corrections on said Executor's Quitclaim Deed.

This Affidavit is being made solely to correct said errors.

WITNESS MY HAND on this the 18th day of September 2020.

Cindy S. Smith, P.C., Affiant

By: _____
Cindy S. Smith, President

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and state, the within named Cindy S. Smith, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence) and who upon her oath acknowledged herself to be the President (herein "Officer") of Cindy S. Smith, P.C., a Tennessee corporation, the within named bargainor, and that she as such Officer executed the within instrument for the purposes therein contained by signing the name of the company by the said Cindy S. Smith as such Officer.

Witness my hand and official seal at office, this 18th day of September 2020.

_____
Notary Public
My Commission Expires:_____

KIMBERLY L. THOMPSON
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

Prepared by:
Cindy S. Smith, P.C.; Attorney at Law; P.O. Box 292004; Nashville, TN 37229-2004

NOTE TO REGISTER OF DEEDS:
Please index under the following names:
Janet Elizabeth McDowell
Gary Michael McDowell, Executor
Gary Michael McDowell

Exhibit A

Copy

EFILED 05/29/20 12:52 PM CASE NO. 20P821 Richard R. Rooker, Clerk

IN THE CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

(PROBATE DIVISION)

LETTERS TESTAMENTARY

TO: **GARY MICHAEL MCDOWELL** DOCKET NO: **20P821**

*It appearing to the Court that **JANET ELIZABETH MCDOWELL** has died leaving a written Will in which you are appointed **Executor** and which has been duly approved by the Court; and you having been qualified according to law, and it having been ordered by said Court that Letters Testamentary issue to you;*

*THESE ARE, THEREFORE, to empower you, the said **GARY MICHAEL MCDOWELL**, to enter upon the execution of said Will, and take into your possession all of the property, and to make, within **sixty (60) days** from this date, a perfect inventory thereof, and make due collection for all debts, and after paying all the just demands against the Testator, and settling up the business according to law, you will pay over and deliver the property and effects that may remain in your hands, and do all other things that may be required, according to the provisions of the said will and the laws of the land.*

*WITNESS, Richard R. Rooker, Clerk of the Probate Court, at office, this **May 29th, 2020**.*

RICHARD R. ROOKER, Clerk

_____ D.C.

STATE OF TENNESSEE)

DAVIDSON COUNTY)

I, RICHARD R. ROOKER, Clerk of the Probate Court of said County, do hereby certify that the foregoing is a true and perfect copy of the Letters Testamentary issued to **GARY MICHAEL MCDOWELL** as **Executor** of the estate of **JANET ELIZABETH MCDOWELL**, deceased, and I do further certify that **GARY MICHAEL MCDOWELL** is still acting **Executor** of the estate of **JANET ELIZABETH MCDOWELL** and all acts as such are entitled to full faith and credit as it appears from the official record in my office in Nashville, Tennessee, this the _____ day of _____, 20___.

RICHARD R. ROOKER, Clerk

_____ D.C.

Exhibit B

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FILED 05/19/20 02:58 PM CASE NO. 20P821 Richard R. Rooker, Clerk

LAST WILL AND TESTAMENT

OF

JANET ELIZABETH MCDOWELL

THIS DOCUMENT PREPARED BY:

JOHN FAHNER
KENNEDY & ASSOCIATES, PLLC
3052 Lebanon Pike
Nashville, Tennessee 37214
Phone: (615) 883-4998
Fax: (615) 883-4848
Email: john@kennedyfirmtn.com

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LAST WILL AND TESTAMENT OF
JANET ELIZABETH MCDOWELL

BE IT KNOWN ON THIS DAY THAT,

I, JANET ELIZABETH MCDOWELL, being of legal age and of sound and disposing mind and memory and not acting under duress, menace, fraud, or undue influence of any person, do make, declare, and publish this to be my Last Will and Testament. I hereby revoke any and all prior Wills or Codicils I may have previously made.

ARTICLE ONE
Statement of Family

1.1 Family. I am unmarried at the time of the execution of this Last Will and Testament, and I have no children. I have one sibling, Gary Michael McDowell, who is the primary beneficiary of my estate under this Last Will and Testament.

ARTICLE TWO
Designation of Fiduciaries

2.1 Appointment of Executor. I nominate the following persons to serve as Executor of this Will, with such persons to act successively and in the order named:

I nominate my brother, Gary Michael McDowell. In the event that Gary Michael McDowell predeceases me, or for any reason fails to qualify, is unable or unwilling to serve in this capacity, or ceases to act as my Executor, then I nominate my brother's spouse, Karen McDowell to serve as successor Executor.

2.2 Waiver of Bond, Inventory, and Accounting. To the extent permitted by applicable law, no Executor shall be required to furnish bond, file any inventory, or file any accountings with respect to the performance of the Executor's duties.

2.3 Compensation. Any person serving as Executor will render valuable services for which payment of a reasonable fee will be deserved. If any such person desires to be paid a fee, then I do not want any individual serving as Executor to be required to seek approval of a fee from any Court or beneficiary. Accordingly, I authorize any individual serving as Executor to receive and be paid a fee not to exceed the fee that would be charged by a bank or corporate trustee selected by the Executor and located in either my or the Executor's community. If two or more individuals serve at the same time, they shall each receive an equal share of the fee as determined above, unless they agree to divide the fee otherwise. Any person serving as Executor shall also be reimbursed for expenses properly incurred.

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ARTICLE THREE
Disposition of Tangible Personal Property

3.1 Tangible Personal Property Definition. "Tangible personal property" includes, but is not limited to, clothing, personal effects, objects of art, collectibles, jewelry, books, glassware, silverware, flatware, other household goods, furniture, furnishings, sports equipment, lawn and farm equipment, motor vehicles, boats, and other similar articles of tangible personal property that I own at my death that are subject to administration by my Executor, including all policies of insurance or the proceeds of policies of insurance that are insuring such property. Tangible personal property does not include money, evidences of indebtedness, securities, tangible personal property used in any trade or business in which I have an interest, or tangible personal property specifically devised in this Will.

3.2 General Bequest of Tangible Personal Property. I bequeath all of my tangible personal property, except for any tangible personal property specifically bequeathed to another in this Will or in any document described below in this Will, to my brother, Gary Michael McDowell.

In the event that Gary Michael McDowell shall predecease me, I bequeath all of my tangible personal property to my brother's spouse, Karen McDowell.

All tangible personal property that I may own at the time of my death, which is not otherwise bequeathed under this Will, shall become a part of my residuary estate, to be distributed as hereinafter provided.

3.3 Memorandum. I may leave a letter or other written document, either in my own handwriting or signed by me or both, addressing the distribution of certain items of my tangible personal property. It is my desire that the wishes expressed in such document be carried out.

3.4 Related Expenses. All reasonable expenses of storing, packing, shipping, delivering, insuring, or selling my tangible personal property shall be paid as an expense of administration and charged against my residuary estate.

ARTICLE FOUR
Disposition of Residuary Estate

4.1 Real Property. I bequeath my personal residence, located at 2133 June Drive, Nashville, Tennessee 37214, as well as any and all other real property that I may own at my death, to my brother, Gary Michael McDowell, outright and free of trust. If Gary Michael McDowell does not survive me, I bequeath all real property, including my personal residence, that I may own at my death to my brother's spouse, Karen McDowell, outright and free of trust.

4.2 Definition of Residuary Estate. My residuary estate is all property that is subject to administration by my Executor and not effectively disposed of by the preceding provisions of this Will.

4.3 Residuary Outright to Gary Michael McDowell. I bequeath all the rest, residue, and remainder of the assets passing under this Will as a result of, or upon, my death to my brother, Gary Michael McDowell, outright and free of trust. If Gary Michael McDowell does not survive me, I

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bequeath all the rest, residue and remainder of the assets passing under this Will as a result of, or upon, my death, in accordance with the remaining provisions of this Article below.

4.4 Disposition of Residuary if Gary Michael McDowell Does Not Survive Me. If my brother, Gary Michael McDowell, does not survive me, I bequeath all the rest, residue, and remainder of the assets passing under this Will as a result of, or upon, my death to my brother's spouse, Karen McDowell, outright and free of trust.

ARTICLE FIVE
Administrative Provisions

5.1 Payment of Debts, Taxes, and Administration Expenses. All of my legally enforceable debts (except secured debts, which may be paid or retained in the discretion of the Executor, and if paid shall be without right of contribution from my spouse), my funeral expenses, and the expenses of administration of my estate shall be paid by my Executor when practicable. All debts and expenses shall be paid from funds considered to be in the residue of my estate and shall not reduce any specific gifts, devises, or bequests so long as there are sufficient funds in the residue to pay any required amounts of debts and expenses. If there are not sufficient funds in the residue to pay all required debts and expenses, I direct my Executor to reduce any specific gifts, devises, or bequests on a proportional basis in order to pay all required debts and expenses.

My Executor shall pay out of my residuary estate all estate, inheritance and other death taxes which shall become payable by reason of my death, whether in respect of property passing under this Will or otherwise, as an expense of administration, without apportionment.

This provision shall not extend the statute of limitations for the payment of debts, or enlarge upon my legal obligation or any statutory duty of my Executor to pay debts.

5.2 Powers of Executor. I grant to my Executor any and all of the powers that an Executor may exercise under the applicable laws of the State of Tennessee.

If Multiple Executors serve they are to serve jointly and the signatures of all then-serving Executors are required in order to exercise the powers of such office, subject, however, to the following exceptions: if at any time there are two (2) or more persons serving in a fiduciary capacity hereunder, then, by a sworn written statement, each such person may grant to the other(s) the power and authority to act alone and without the consent of the other person(s) for all purposes or for designated purposes hereunder; and, if at any time there are three (3) or more persons serving in a fiduciary capacity hereunder, and if they are not in unanimous agreement as to any action hereunder, then they shall act by majority consent concerning the action in question.

Any real property I own at my death is to be administered as a part of my probate estate subject to the control of the Executor for purposes of administration, as authorized by Tennessee Code Annotated Section 31-2-103.

The proceeds of any life insurance payable to my Executor or my estate are to be free from the claims of creditors, and are to be held and distributed as provided by the terms of this Will. My Executor may use (but shall not be required to use) any portion of such proceeds as my Executor deems advisable, exercising a reasonable discretion, for the payment of debts, expenses and taxes,

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but only if my Executor deems such use of the proceeds to be in the best interests of my legatees and beneficiaries hereunder.

5.3 Choice of Law. The laws of the State of Tennessee shall govern this Will.

5.4 Minority or Incapacity. During the minority or incapacity of any person (the "beneficiary") to whom any trust income or any trust principal or any cash bequest or gift or any other distribution of property is payable, the Executor or Trustee, exercising a reasonable discretion, may make distribution in any one or more of the following ways: (1) directly to such beneficiary such amount as the Executor or Trustee may deem advisable as an allowance; (2) to the guardian, conservator or limited guardian (including the Executor or Trustee) of the person or of the property of such beneficiary; (3) to a custodian (including the Executor or Trustee) in accordance with the Tennessee Uniform Transfers to Minors Act, to hold until such person reaches age 25 or any lower age that such custodian determines appropriate; (4) to a relative (including the Executor or Trustee) of such beneficiary upon the agreement of such relative to expend such income or principal solely for the benefit of the beneficiary; or (5) by expending such income or principal directly for such beneficiary; or (6) to invest in or contribute to a qualified Internal Revenue Code Section 529 plan as an account owner on behalf of a beneficiary and exercise any options under such account consistent with the purposes set forth herein.

If the capacity of any person who is an Executor or Trustee or beneficiary under this Will is in question, the person in question shall be conclusively deemed to be incapacitated for all purposes under this Will upon the first to occur of the following:

(1) a written statement that because of any disability, illness, or other reason the person in question is unable to give prompt and intelligent consideration to his or her financial and/or legal affairs (a legal adjudication of incapacity, or a certification tantamount thereto, shall not be required to invoke this provision), which is signed by such person's personal, attending physician; or

(2) a determination by a court of competent jurisdiction holding the person in question to be legally incapacitated to act in such person's own behalf or the appointment by such court of a guardian or conservator of such person's person or property.

ARTICLE SIX
Miscellaneous Provisions

6.1 References to Executor. For convenience, any Executor or Trustee or other fiduciary named or referred to (including any alternate or successor) is sometimes referred to in the singular person and masculine gender, regardless of the number or gender of those actually named herein.

6.2 Distribution to Descendants. Unless specifically provided otherwise herein, references to descendants shall include natural-born and adopted descendants. Distribution to the descendants of any deceased person under this Will shall be per stirpes.

6.3 Survivorship. If any beneficiary under this Will fails to survive me by one hundred twenty (120) hours, it shall be deemed for all purposes of this Will that such beneficiary did not survive me.

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6.4 Headings and Titles. The headings and paragraph titles are for reference only and are not intended to have legal effect nor shall they define or limit the provisions contained therein.

IN WITNESS WHEREOF, I, **JANET ELIZABETH MCDOWELL**, the testator, sign this Last Will and Testament in the presence of the persons witnessing it, at my request, on this the 21ST day of November, 2019.

Janet E McDowell
JANET ELIZABETH MCDOWELL

Signed and declared by JANET ELIZABETH MCDOWELL, to be her Last Will and Testament in the presence of all of us at one and the same time, and we, at her request and in her presence and in the presence of each other, have subscribed our names as witnesses, and we do hereby attest to the sound and disposing mind of JANET ELIZABETH MCDOWELL, that she is eighteen (18) years of age or older, and to the performance of the aforesaid act of execution on the date set out above.

WITNESSES:

Jerry Jobe — Tiffany Jobe
Signature **Print Name**

3052 Lebanon Pike Nashville, TN 37214
Address

Melissa Crams — Melissa Crams
Signature **Print Name**

P. O. Box 86 Goodlettsville TN 37070
Address

THIS DOCUMENT PREPARED BY:

JOHN FAHNER
KENNEDY & ASSOCIATES, PLLC
3052 Lebanon Pike
Nashville, Tennessee 37214
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SELF PROVING AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The undersigned persons, after first being duly sworn according to law, depose and say:

1. They witnessed the execution of the Will of Janet Elizabeth McDowell to which this Affidavit is attached, and that this Affidavit is being made at the request of such person and in accordance with the provisions of Tennessee Code Annotated Section 32-2-110.

2. Their signatures are affixed to the Will, they signed the Will at the request of such person, and in the presence of such person, and in the presence of each other witness, on the date recited in said Will.

3. Janet Elizabeth McDowell signed said paper writing as and for such person's Will in their sight and presence.

4. At the time they witnessed the Will, Janet Elizabeth McDowell was eighteen (18) years of age or older, and, in their opinion, of sound mind.

Signature

Tiffany Jobe
Printed Name

Signature

Melissa Graves
Printed Name

Sworn to and subscribed before me by the two (2) persons whose signatures are affixed hereto on this the 21st day of November, 2019.

My Commission Expires: 10/2/2023

Notary Public

JOHN FAHNER
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 10-2-2023

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AFFIDAVIT FOR RECORDING

I, Cindy S. Smith, 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 or the original document executed and authenticated according to law.

Signature

State of Tennessee
County of Davidson

Personally appeared before me, Kimberly J. Thompson, a notary public for this county and state, Cindy S. Smith, who acknowledged that this certification of an electronic document is true and correct and whose signature I have witnessed.

Notary Public
My Commission Expires: _____

KIMBERLY J. THOMPSON
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires MAY 2, 2022