STATE OF TENNESSEE

Karen Johnson Davidson County
Batch# 486754 WILL
09/30/2020 01:43:15 PM 6 pgs
Fees: $32.00 Taxes: $0.00
20200930-0112800

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 14 day of MAY, 2020, in Docket Number 20P729, IN RE: AUERWECK, HELEN ELIZABETH, 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 30 day of SEPTEMBER in the year 2020 and in the 244 year of American Independence.

RICHARD R. ROOKER, Clerk,

[SEAL]

RICHARD R. ROOKER CIRCUIT COURT CLERK

By: _____
Deputy Clerk

Copy

EFILED 05/14/20 03:59 PM CASE NO. 20P729 Richard R. Rooker, Clerk

20P729

FILED

MAY 14 2020

RICHARD R. ROOKER, Clerk
by _____ Deputy

LAST WILL AND TESTAMENT
OF
HELEN E. AUERWECK

I, Helen E. Auerweck, of Davidson County, Tennessee, do make, publish and declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils that I may have made previously.

ITEM ONE: I direct that the costs of administration of my estate, lawful debts and funeral expenses be paid by my Executrix as soon as practicable after my death. I further direct that my Executrix pay out of the property which would otherwise become part of my residuary estate, inheritance or death taxes, including interest and penalties thereon, which may be lawfully assessed by reason of my death.

ITEM TWO: Certain of my Personal and Household Effects shall be distributed in accordance with the provisions of a certain memorandum which I have heretofore written entirely in my own handwriting and signed and will deposit with this Will. If for any reason the memorandum is not found and properly identified as such by my Executrix within sixty (60) days after the probate of my Will, then all of my Personal and Household Effects shall become a part of my residuary estate, which is disposed of in Item Four of this Will.

ITEM THREE: I give, devise and bequeath the real property located at 4800 Foley Drive, Nashville, Tennessee 37211 to my daughter, Diane E. Auerweck, and my son Kenneth L. Auerweck, a one-half (½) interest to each. However, for so long as my daughter shall desire to live in said real property, the property shall not be sold and my daughter shall retain possession and use of the property. All costs and expenses associated with her use of the real property, including, but not limited to, utilities, taxes and insurance, shall be paid by my daughter. A condition to my daughter's continuing occupancy of the property is that lives in the property alone. During my daughter's occupancy of the property, all furnishings therein at my death shall remain. At the time my daughter shall no longer occupy the property, the property shall be sold and one-half (1/2) of the proceeds shall be paid to her and one-half (1/2) of the proceeds shall be paid to my son, Kenneth L. Auerweck, Jr. At such time the furnishings shall be divided equally between my daughter and my son.

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ITEM FOUR: I give, devise and bequeath all the rest and residue of my estate, including all of my property, real and personal of whatsoever nature and wheresoever situated, or over which I may have any power of appointment, to my son and my daughter, in equal shares, per stirpes.

ITEM FIVE: I appoint my daughter, Diane E. Auerweck, as Executrix of this my Last Will and Testament. If my daughter does not survive me, or is unable or unwilling to serve, I appoint my son, Kenneth L. Auerweck, Jr., as successor Executor. I direct that my Executrix or any successor named herein shall not be required to furnish a bond for the faithful performance of his or her duties in any jurisdiction, any provision of the law to the contrary notwithstanding. If any bond is required by law no surety shall be required on such bond.

My Executrix, or her successor, shall possess and be vested with the powers specifically enumerated in Section 35-50-110, Tennessee Code Annotated, to the extent applicable, including but not limited to the power to sell and convey title to real property, all of which provisions are incorporated herein by reference as fully as if copied herein verbatim. These powers, as set out in said statute on the date of the execution of this Will are granted, notwithstanding that said statute may be hereafter amended or repealed.

ITEM SIX: As far as I am permitted by law to do so, I waive the filing of an inventory of my estate by my Executrix or her successor and authorize the use of a sworn statement and approval by the beneficiaries of the residue of my estate in lieu of a detailed financial accounting.

IN WITNESS WHEREOF, I have set my hand this 7TH day of September, 2000, and do publish and declare this as my Last Will and Testament, in the presence of each and all of the subscribing witnesses whom I have requested to act as such by signing their names as attesting witnesses in my presence and in the presence of each other, and by signing the affidavit below pursuant to Tenn. Code Ann. Section 32-2-110.

Helen E. Auerweck.
HELEN E. AUERWECK

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The foregoing instrument was signed, published and declared by the said Helen E. Auerweck, the Testator, as and for her Last Will and Testament in our presence, and we, in her sight and presence, and in the sight and presence of each other, have hereunto subscribed our names as attesting witnesses on this the 7TH day of September, 2000, at Nashville, Tennessee.

Witness

2021 Richard Jones Rd.
Nashville, Tn. 37215
Address

Julie A. Yant
Witness

2021 Richard Jones Rd.
Nashville, TN 37215
Address

Copy

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AFFIDAVIT OF WITNESSES TO WILL

Julie A. Yant and Betty Rice after being duly sworn according to law, depose and say:

1. That we are adult citizens of the State of Tennessee.

2. That we witnessed the execution of the Last Will and Testament of Helen E. Auerweck, the Testator, dated the 7th day of September, 2000, to which this affidavit is attached, and that this affidavit is being made at the request of the Testator and in accordance with Tenn. Code Ann. Section 32-2-110.

3. That the Testator, in our common presence, sight and hearing, declared said paper writing to be, and signed the same as and for, her Last Will and Testament.

4. That our signatures as witnesses are affixed to said Last Will and Testament; that we signed or affixed the same at the instance and request of the Testator and in her presence and in the presence of each other, at the place and on the date recited in said Last Will and Testament for the express purpose of attesting to her signature and act of execution.

5. That the Testator was, in the opinion of each of us, of sound mind and disposing memory at the time she executed said Last Will and Testament.

Julie A. Yant

Betty Rice

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Sworn to and subscribed before me, this 7th day of September, 2000.

F.B. Murphy Jr.
NOTARY PUBLIC

My commission expires: 7-27-02.

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MAY 14 2020
RICHARD R. ROOKER, Clerk
By _____ Deputy

March 16, 2011

I request the realestate property at 4860 Foley Dr. to be given to Diane Auerweck.

She shall retain possession and use of property at time of my death

If there is a car, I wish son Kenneth Auerweck Jr. to have after my death. Also any money will be divided between son and daughter.

If son should out live my daughter then property ~~it~~ will be his

Helen Auerweck