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By _____ Deputy

LAST WILL AND TESTAMENT

OF

EMMA JEAN LEWIS

Karen Johnson Davidson County
Batch# 534799 WILL
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LAST WILL AND TESTAMENT

OF

EMMA JEAN LEWIS

I, **EMMA JEAN LEWIS (D.O.B. 06/23/1943)**, make and declare this document as my Last Will and Testament. I revoke all former wills and codicils.

ITEM 1
FAMILY

A. **Spouse**. I am unmarried and widowed at the time of the writing of this document.

B. **Children**. I have three (3) children, **MARIO DWAYNE LEWIS (D.O.B. 08/08/1961), MONICA ANTOINETTE LEWIS (D.O.B. 03/25/1963), and MARGARET MARIE LEWIS (D.O.B. 08/29/1970)**, and I shall refer to them as my children.

ITEM 2
SPECIFIC BEQUESTS

A. **Specific Bequests of Tangible Personal and Real Property**.

1. To my son, MARIO DWAYNE LEWIS, I bequeath my real property in full. Said property is located at 4044 Boyd Drive, Nashville, TN 37218.
2. To my sister, LILLIE MYERS, I bequeath $2,000.00.
3. To my godson, ELBERT JOHNSON, I bequeath $1,500.00.
4. To my granddaughter, DOMINIQUE SMITH, I bequeath $1,500.00.

B. **General Bequest of Tangible Personal Property**. I bequeath my personal property, except for any items specifically bequeathed to another in any document described above or below in this Item, in one or more of the following ways, as my Executor, exercising an absolute and unlimited discretion, determines to be appropriate: my Executor may distribute to any one or more of my children any items my Executor selects for any child to have; my Executor may distribute any items selected for a child to an adult of my Executor's choosing (including my Executor) to hold in safekeeping until the child is an adult; and my Executor may sell any items, and add the cash proceeds from the sale to my residuary estate.

I bequeath my personal property, except for any personal property specifically bequeathed to another above or in any document described below in this Item, to my children that survive me, to be divided by them as they may agree, but if they cannot agree, my Executor, exercising an

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absolute and unlimited discretion, shall distribute my personal property to my children in as fair yet practical manner as is appropriate under the circumstances.

If no child survives me, I bequeath my personal property in one or more of the following ways, as my Executor, exercising an absolute and unlimited discretion, determines to be appropriate; my Executor may distribute to any one or more of the persons taking my residuary estate any items my Executor selects for such person to have; my Executor may donate any unwanted or disputed items to an appropriate charity selected by my Executor; or my Executor may sell any items, and add the cash proceeds from the sale to my residuary estate.

ITEM 3
RESIDUARY ESTATE

A. **Residuary For Children.** I devise and bequeath all the rest, residue and remainder of the assets passing under this Will as a result of, or upon, my death to my children in equal shares. I devise and bequeath the share for a deceased child to the deceased child's descendants. If a deceased child leaves no descendants, such deceased child's share shall lapse and I devise and bequeath such deceased child's share to my other children (with, as mentioned previously, the assets for a deceased child to pass to such deceased child's descendants).

ITEM 4
PROVISIONS IF ALL DEAD

If at any time I, my children, and all descendants of my children are all deceased, **(or if for any other reason any trust under this Agreement otherwise would fail for lack of a beneficiary)** then the Executor shall distribute the assets thereby affected to my heirs-at-law.

ITEM 5
EXECUTOR, TRUSTEE & GUARDIAN

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

1. My son, **MARIO DWAYNE LEWIS.**
2. My sister, **LILLIE MYERS.**
3. My daughter-in-law, **ALEXIS LEWIS.**

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.

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

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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 in accordance with its fee schedule in effect at the time the fee is charged. 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.

ITEM 6
ADMINISTRATIVE PROVISIONS

A. Payment of Debts, Administration Expenses and Taxes. 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. 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.

B. 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, including but not limited to the powers enumerated in T.C.A. § 35-50-110 that can be incorporated by reference as well as any other powers granted in Title 35 of the Tennessee Code even if my estate is administered in a state other than Tennessee or any Executor is a citizen or resident of a state other than Tennessee, to the extent that such state laws are not inconsistent with any express powers granted the Executor.

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

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

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

D. **References to Executor & Trustee.** 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.

E. **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 Agreement shall be per stirpes.

F. **Captions.** The captions and headings are for convenience only and shall not define or limit the provisions contained herein.

Copy

IN WITNESS WHEREOF, I sign this Will, or direct it to be signed due to current physical disability, in the presence of the persons witnessing it, at my request, on this the 10 day of January, 2020.

Emma Jean Lewis
EMMA JEAN LEWIS

THIS DOCUMENT PREPARED BY:

G. Alan Brown, Esq.
PO Box 1
Pleasant View, TN 37146
615-390-9276
AlanBrownLaw@gmail.com

Signed and declared by EMMA JEAN LEWIS to be such person's Will in the presence of all of us at one and the same time, and we, at such person's request and in such person's 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 EMMA JEAN LEWIS, that EMMA JEAN LEWIS is eighteen (18) years of age or older, and to the performance of the aforesaid act of execution on the date hereinabove set out.

WITNESSES:

Kerra J Hearne
Signature

Terra J. Hearne
Print or Type Name

2000 Church Street Nashville TN
Address

Lorenzo Washington
Signature

Lorenzo Washington
Print or Type Name

2004 Jefferson St. Nashville Tn. 37208
Address

Copy

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 EMMA JEAN LEWIS dated the 10 day of January 2020, 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. EMMA JEAN LEWIS signed said paper writing as and for such person's Will in their sight and presence.

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

Witness

Witness

Sworn to and subscribed before me by the two (2) persons whose signatures are affixed hereto on this 10 day of January, 2020.

My Commission Expires: 1/4/2021

Notary Public

TRACEY M. WASHINGTON NOTARY PUBLIC AT LARGE DAVIDSON

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. **20P1801.**

ESTATE OF EMMA JEAN LEWIS

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 8th day of January in the year Two Thousand and twenty.

RICHARD R. ROOKER, Clerk

By: _____
Deputy Clerk

TRUE COPY CERTIFICATION

I, **Patricia R. Young**, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document – certified copy of the Last Will And Testament Of Emma Jean Lewis dated January 10, 2020 – tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

This 14th day of December 2020.

PATRICIA R. YOUNG

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Personally appeared before me, the undersigned, a notary public for this county and state, **Patricia R. Young**, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed this 14th day of December 2020.

MILDRED A. SELMAN
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON

NOTARY PUBLIC

My commission expires: 07.03.2023