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21P44

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By Deputy

Karen Johnson Davidson County
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LAST WILL AND TESTAMENT

OF

BEVERLY JEAN TRUETT

I, **BEVERLY JEAN TRUETT,** a resident of Nashville, Davidson County, Tennessee being of sound mind and disposing memory, do make, publish and declare this my Last Will and Testament, and in so doing, I hereby revoke any and all Wills and Codicils heretofore made by me.

ARTICLE I

I nominate and appoint FRANCHELLE ANNETTE GARNETTE, as Executrix of this my Last Will, and direct that she not be required to execute bond, or file any inventory as such.

In the event FRANCHELLE ANNETTE GARNETTE should predecease me, or for any reason should decline, or fail, or cease to act as Executor of this my Last Will, I nominate KIMBERLY JEAN MALONE, as Contingent Executrix of this my Last Will and I direct that she not be required to execute bond, or file any inventory as such.

In addition to powers conferred by law, I hereby give to my Executrix full power and discretion in the management and control of my estate, together with the right and power to sell, mortgage, lease, pledge, convey, transfer or otherwise dispose of all or any portion of any real or personal property at any time held hereunder which she may deem necessary or advisable for the payment of my debts or the advantageous administration of my estate or trust, with the power to rent, lease or exchange all or any part of my real or personal estate for such term or terms as she may deem proper.

No purchaser, mortgagee, pledgee, or other transferee from my said Executrix shall be under any obligation to see to the application of the proceeds of any sale, pledge, mortgage or other transfer, or to inquire into the expediency or propriety thereof.

ARTICLE II

I hereby nominate and appoint, FRANCHELLE ANNETTE GARNETTE as Trustee of the trust estates created by this my Last Will. In the event FRANCHELLE ANNETTE GARNETTE should predecease me, or for any reason decline or fail, or cease to act as Trustee, it is my desire that KIMBERLY JEAN MALONE be appointed Trustee. Said Trustee is relieved of any responsibility for auditing the final accounting of my Executrix.

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ARTICLE III

I will and direct that my remains be buried above the ground and not beneath the ground.

ARTICLE IV

I will and direct that all of my just debts, including funeral expenses and testamentary expenses of my last illness, be paid as soon as conveniently may be after my death. I further will and direct that my Executrix (all references to my Executrix in this my Last Will and Testament shall include and apply to my Contingent Executrix should either qualify and serve as same) pay all taxes due by my estate, including inheritance, estate, transfer or succession taxes, and charge the same generally as expenses of administration, without apportionment or proration among the beneficiaries, legatees, and devises.

ARTICLE V

The proceeds of my insurance of my life payable to my estate shall be free from all claims of creditors and shall not inure directly to the benefit of my child, but shall be paid over to my Executrix to be held, distributed and administered as provided under the terms of this Will; provided, however, my Executrix may use such portion of such proceeds as she deems such use of the proceeds to be in the best interest of my children.

ARTICLE VI

I will, devise and bequeath all of the rest and residue of my property, be it real, personal or mixed wherever located or situated to FRANCHELLE ANNETTE GARNETTE and KIMBERLY JEAN MALONE in equal shares or their issue per stirpes.

ARTICLE VII

In the event any of the beneficiaries named herein are minors not having attained the age of eighteen (18) at the time of my death, then I will, devise and bequeath said child's interest as articulated aforesaid to the aforesaid Trustee to act without the requirement of making bond. Said minor beneficiary's interest shall be held in a separate trust and distributed as follows:

A. My Trustee shall hold, manage, invest and reinvest the principal and accumulated interest, if any, collect the income therefrom and pay all expenses, costs and taxes incident to the prudent management of my trust estate.

B. I hereby expressly authorize and empower the Executor of my probate estate and the Trustee of my estate to exercise all powers specifically set forth in Section 35-50-110, Tennessee Code Annotated, and all provisions of said Section are expressly incorporated herein by reference.

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as fully and completely as though copied herein verbatim.

C. My Trustee shall be excused from making any reports to any Court, but shall make annual written reports to the beneficiaries hereunder.

D. My Trustee shall utilize the interest coming into his hands, and such principal of the trust estate as may be necessary for the benefit of the beneficiary or beneficiaries hereunder provided for the support, maintenance, education and general welfare of ~~said beneficiary or~~ beneficiaries, for so long as funds are available for such purpose. At such time as said beneficiary whose interest is maintained in a separate trust shall attain the age of eighteen (18) then the Trustee shall distribute the balance of said beneficiary's interest to said beneficiary and said trust shall terminate.

IN WITNESS WHEREOF, I have hereunto set my hand this __ day of March, 2002, and do publish and declare this as my Last Will and Testament, consisting of four (4) pages, in the presence of each and all of the subscribing witnesses whom I have requested to act as such by signing the Attestation Clause and Affidavit below pursuant to the provisions of T.C.A. 32-211.

BEVERLY JEAN TRUETT

ATTEST:

The said BEVERLY JEAN TRUETT, being of sound mind and disposing memory, signed the foregoing instrument in our presence, as and for her Last Will and Testament, and signified and declared to us that same was her Last Will and Testament; and we, the undersigned, at her request and in her presence and sight and in the presence and sight of each other, have subscribed our names hereto as attesting witnesses the day and date above written.

WITNESS — ADDRESS 220 N. Spring St, M'boro, TN

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STATE OF TENNESSEE
COUNTY OF RUTHERFORD

For the purposes expressed in Chapter No. 568 of the Public Acts, 1972, General Assembly of the State of Tennessee, Codified as T.C.A. 32-1-110, the undersigned individuals,

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first being duly sworn, depose and say:

1. That BEVERLY JEAN TRUETT signified and declared to us that the foregoing instrument was her Last Will and Testament and signed and published the same as such in our presence and sight and we, the undersigned, at her request and in her presence and sight subscribed our names thereto as attesting witnesses.

2. That at the time of the execution of the aforesaid instrument by BEVERLY JEAN TRUETT, she was of sound and disposing mind and memory and was more than eighteen (18) years of age.

Sworn to and subscribed before me this 7th day of March, 2002.

My commission expires:
3-18-2004

NOTARY PUBLIC

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 01 day of MARCH, 2021, in Docket Number 21P44, IN RE: TRUETT, BEVERLY JEAN, 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 01 day of MARCH in the year 2021 and in the 244 year of American Independence.

RICHARD R. ROOKER, Clerk,

By: _____
Deputy Clerk

[SEAL]

