Karen Johnson Davidson County
Batch# 763705 WILL
12/01/2021 10:08:44 AM 7 pgs
Fees: $37.00 Taxes: $0.00

20211201-0158499

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 24 day of MAY, 2021, in Docket Number 21P678, IN RE: BRATTEN JR., JOHN ROBERT, 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 29 day of NOVEMBER in the year 2021 and in the 245 year of American Independence.

RICHARD R. ROOKER CIRCUIT COURT CLERK

RICHARD R. ROOKER, Clerk,

By: _____
Deputy Clerk

[SEAL]

COPY

EFILED 05/24/21 02:52 PM CASE NO. 21P678 Richard R. Rooker, Clerk

21P678

THIS DOCUMENT PREPARED BY:
NANCY KING CRAWFORD
ATTORNEY AT LAW
1929 21ST AVENUE SOUTH
NASHVILLE, TN 37212
615-292-2331

FILED
MAY 24 2021
RICHARD R. ROOKER
BY

Last Will and Testament

of

JOHN R. BRATTEN, JR.

I, JOHN R. BRATTEN, JR. residing at 2443 Tinnin Road, City of Goodlettsville, County of Davidson, State of Tennessee being of sound and disposing mind, and not acting under duress, menace, fraud, or undue influence of any person, declare this to be my last will and testament, and I revoke and cancel all previous wills and codicils made by me.

Clause One

Marital Status; Spouse's Name

I am married. My wife's name is Sandra Byrd Bratten. All references in this Will to my "spouse" or my "wife" are to her.

Clause Two

Children

1. I have two living children, as follows:
   Jason Bratten and Lauren Bratten

2. I have one living stepchild, as follows:
   Christ na Travis

3. References in this Will to my children include all the children mentioned in Paragraph 1 and Paragraph 2 of this clause of my Will and any child or children that may subsequently be adopted by myself and my wife. I specifically declare that my stepchild shall be considered as my child for all purposes of construing this will, and all references to "my child" or "my children" shall include my stepchild.

Clause Three

Intention

It is my intention by this will to dispose of all my property, real, personal, and mixed, including any and all property of whatever nature acquired after the execution of this will, wherever situated.

Clause Four

Bequests to Spouse

I give to my wife, if she survives me, any interest I may have in all household furniture, furnishings, and fixtures, jewelry, china, silverware, books, pictures, clothing, and all other items of domestic, household, or personal use or adornment, and all automobiles which at the time of my death shall be in, about, or used in connection with my home.

If my wife does not so survive me, I give the property described above in this Clause to my children, ***per stirpes***. It may be difficult to achieve equal shares due to the nature of personal property of this type, but it is my directive that the division be as equal as is reasonably possible. I trust that my children will be congenial in this division.

John R Bratten Jr.

COPY

EFILED 05/24/21 02:52 PM CASE NO. 21P678 Richard R. Rooker, Clerk

Clause Five

Devises to Spouse

1. I give to my wife, Sandra any interest I may have in my or our home, which we may be occupying as our principal residence at my death, subject to any trust deed or mortgage or other encumbrance and all unpaid real property taxes and special assessments which are a lien at the date of my death.

If my wife does not survive me, this gift shall lapse and become part of the residue of my estate.

2. I presently own a one-half undivided interest in certain property described as follows:

Land in Davidson County, Tennessee, being parts of Lots Nos. 4 and 5 on the unrecorded plan of Brattonview Subdivision at Bordeaux, Tennessee, described according to a survey made by Erle Drake, County Surveyor, August 14, 1936, as follows: BEGINNING on the northeasterly margin of Highway No. 112 at the southwesterly corner of the property conveyed to Lonie E. Nicholson and wife, by deed from Cosie E. Bratton, as of record in Book 1272, page 344, Register's Office for said County; thence with Nicholson's southeasterly line, northeastwardly 172.25 feet more or less to a point 100 feet southwest of the southwesterly line of Lot No. 14; thence southeastwardly and parallel with the southwesterly line of Lot No. 14, 158 feet more of less to the line between Lots Nos. 3 and 4; thence with the line between said two lots southwestwardly 178.5 feet to the northeasterly margin of Highway No. 112; thence with the same northwestwardly 158 feet to the beginning.

Included in the above description but expressly excluded from this conveyance is that portion of the property taken by the State of Tennessee for the widening of Highway No. 112.

I received my interest by Instalment Deed of record in Book 7173, page 311, Register's Office, Davidson County, Tennessee.

I give to my wife, Sandra any interest I may have in said property, subject to any trust deed or mortgage or other encumbrance and all unpaid property taxes and special assessments which are a lien on the date of my death. If my wife does not survive me, this gift shall lapse and become part of the residue of my estate.

Clause Six

Business Ownership

I presently own all outstanding shares in the company known as Buena Vista Funeral Home, Inc.

I give to my wife, Sandra all shares of stock I own in this company at the time of my death. If my wife does not survive me, this gift shall lapse and become part of the residue of my estate.

Clause Seven

Residuary Estate

1. All the residue of my estate, whether real, person, or mixed, tangible or intangible, I give to my wife, Sandra Bratten.

2. In the event my spouse does not survive me, then I give all of the residue of my estate to my children, share and share alike. In the event any of my children dies ahead of me, the descendants of any deceased child or children shall take by representation and share only in the portion that the deceased child or children would have received had he or she survived me.

3. If neither my wife, my children, nor any lawful descendants of my children survives me, I give the residue of my estate to my heirs as determined by the laws of the State of Tennessee relating to descent and distribution.

John R. Bratton, Jr.

COPY

EFILED 05/24/21 02:52 PM CASE NO. 21P678 Richard R. Rooker, Clerk

Clause Eight

Debts and Expenses

I direct that all lawful debts and obligations, not barred by the statutes of limitations or discharged in bankruptcy, be paid as soon as practicable after my death.

Clause Nine

Taxes

All estate, inheritance, succession, or other death taxes, duties, charges, or assessments, imposed on or in relation to any property by reason of my death, whether passing under this will or otherwise, shall be paid by my executor out of the residue of my estate, without proration of any charge therefor against any person who receives such property under the terms of this will or otherwise.

Clause Ten

Will Contest

Should any of my beneficiaries in this will contest it in any manner, I revoke any gift to him or her, and direct that his or her share of any gift be disposed of as if he or she had predeceased me.

Clause Eleven

Executor

1. I nominate and appoint my wife, Sandra Byrd Bratten, who resides at 2443 Tinnin Road, City of Goodlettsville, County of Davidson, State of Tennessee, as the executor of this will, to serve without bond

2. If Sandra does not survive me, or if she does not qualify or is unwilling to act as such executor, I nominate and appoint Lynn Moss, of 2049 Lake Road, City of Greenbrier, County of Robertson, State of Tennessee. the executor of this will, to serve without bond.

Clause Twelve

Powers and Duties of Executor

1. My executor may at her sole discretion, retain any securities, real property, or other investments and continue to hold, manage, and operate any property, business, or enterprise that I may own in whole or in part at the time of my death, with or without order of court, the profits or losses from such enterprises, if any, to inure to and be chargeable against my estate and not my executor.

2. No person named in this section to serve as Personal Representative shall be required to furnish bond, file inventory, or file an accounting with any court with respect to the performance of her duties.

3. Non-resident Fiduciaries. If any person named herein as Personal Representative is not a resident of Tennessee and can not serve unless a Tennessee resident is appointed as co-fiduciary, such person shall have the power to name a Tennessee resident to serve as co-fiduciary.

4. I further grant my Personal Representative the powers specified in this section.

(a) *Basic Powers Granted by Law.* I direct that my Personal Representative, with respect to my estate, be authorized to exercise, in her sole discretion and without prior authority from any court, all of the powers granted by law to personal representatives of decedents' estates in the State of Tennessee, and I intend that the scope of such powers shall be construed in the broadest possible manner. Notwithstanding the foregoing, if any of such powers are in conflict with the terms of this Will, the terms of this Will shall control.

(b) *Special Powers and Discretions to Personal Representative.* In addition to the powers set

John R. Bratten, Jr.

COPY

EFILED 05/24/21 02:52 PM CASE NO. 21P678 Richard R. Rooker, Clerk

forth in subsection (a) of this section, I expressly give to my Personal Representative the powers and discretions set forth in this subsection.
(1) Payment of Debts and Bequests. My Personal Representative shall have the power to pay my lawful debts and funeral and burial expenses as soon as reasonably convenient to do so without the necessity of obtaining court approval for the payment of any such items.

(c) *Uncertainty Regarding Inclusion of Items in Gross Estate.* If my Personal Representative in good faith decides that there is uncertainty as to the inclusion of particular property in my Gross Estate, my Personal Representative shall exclude such property from my Gross Estate on the estate tax return and/or the Tennessee inheritance tax return. My Personal Representative shall not be liable for any loss to my estate or to any beneficiary, if such loss results from my Personal Representative's decision made in good faith that there is uncertainty as to inclusion of particular property in my Gross Estate.

(d) *Interim or Partial Distributions.* My Personal Representative is authorized to make partial or complete distributions to estate beneficiaries from time to time during administration, to distribute unequal amounts to similar beneficiaries from time to time during administration, and to make such other distributions during administration as my Personal Representative may determine. Nothing contained in this paragraph shall be construed as authorizing my Personal Representative to vary the dispositive provisions in this Will.

(e) *Use of Realty to Satisfy Bequests or Pay Debts or Taxes.* My Personal Representative is authorized, in my Personal Representative's sole discretion, to use either real or personal property to pay debts and taxes against my estate or any portion thereof, and to that end my Personal Representative is hereby authorized to sell real estate before the personalty is exhausted.

(f) *Tax Elections.* My Personal Representative may make such elections under the tax laws as such Personal Representative, in such Personal Representative's sole discretion, may determine. No compensating adjustments between principal and income shall be made even though the elections made under the tax laws may affect the interests of the beneficiaries.

(g) *Real Estate Subject to Administration.* Except as may be otherwise specifically devised in this Will, all interests in real property that I may own at the time of my death and that shall pass under this Will shall, during the pendency of the administration of my estate or the earlier distribution or other disposition of such property, be owned by my estate. My Personal Representative shall have full possession of and exercise full control over such property during such period. Until distribution or other disposition of any such property, my estate shall be entitled to all of the income therefrom and gains from the sale or other disposition thereof and shall discharge all of the responsibilities relating to ownership thereof, including, but not limited to, payment of any taxes with respect thereto and maintenance and repairs thereof. It is my intention that all interests in real property that pass under this Will shall become assets of my probate estate at my death and shall not pass by operation of any law directly to my heirs or devisees under this Will at my death, except such interests as may be otherwise specifically devised in this Will.

Clause Thirteen

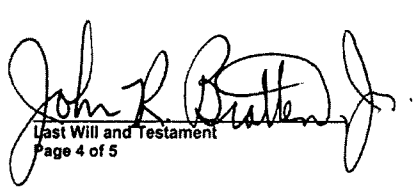
Advancements

All advancements I have made, or may subsequently make, to any of my children shall be in addition to, and not in satisfaction of, any legacies or other benefit given them by my will.

Clause Fourteen

Simultaneous Death

In the event the death of my spouse and myself should occur simultaneously, or in a common accident, or under circumstances that make it difficult to determine who died first, or in the event my spouse dies within a period of six months, after the date of my death, it shall be presumed that I survived my spouse and my estate shall be disposed of in accordance with such a presumption.



COPY

EFILED 05/24/21 02:52 PM CASE NO. 21P678 Richard R. Rooker, Clerk

IN WITNESS WHEREOF, I have executed, published and declared this paper writing, consisting of five (5) pages, as and for my Will, at Nashville, Tennessee, this 27th day of July, 2004.

John R. Bratten, Jr.
JOHN R. BRATTEN, JR., Testator

SIGNED, DECLARED AND PUBLISHED by the above-named testator, JOHN R. BRATTEN, JR., as and for his Last Will and Testament, in our sight and presence, who signified to us, the attesting witnesses, that the foregoing instrument is his Last Will and Testament, consisting of five (5) pages, including this page; and we have hereunto affixed our signatures, as attesting witnesses, at his request, in his sight and presence, and in the sight and presence of each other, this 27th day of July, 2004.

WITNESSES:

Names	Addresses
Peter Gray	1015 Villa Pl Nashville, TN 37212
Harvey Crawford	577 Hagan Branch Rd, Hendersonville, TN 37075

John R. Bratten, Jr.

COPY

EFILED 05/24/21 02:52 PM CASE NO. 21P678 Richard R. Rooker, Clerk

AFFIDAVIT

Peter Gray, and Nancy Crawford, after being duly sworn according to law, each deposes and say the following:

1. The witnesses are adult citizens of Davidson and Sumner County, Tennessee, respectively;

2. The witness have witnessed the execution of the Last Will and Testament of JOHN R. BRATTEN, JR. (sometimes hereinafter referred to as the "Testator"), dated July 27, 2004, to which this affidavit is attached;

3. This affidavit is being made at the Testator's request and in accordance with Tennessee Code Annotated Section 32-2-110;

4. The witnesses' signatures are affixed to the Testator's Last Will and Testament;

5. The witnesses signed or affixed the witnesses' signatures to the Testator's Last Will and Testament at the Testator's instance and request and in the Testator's presence and sight, and in the presence and sight of each other, at the place and on the date recited in the Testator's Last Will and Testament;

6. The Testator signed said paper writing as and for the Testator's Last Will and Testament in the witnesses' presence and sight;

7. At the time that the witnesses witnessed the Testator's Last Will and Testament, the Testator was, in the witnesses' opinion, of sound mind, memory and understanding and not under any restraint or in any respect incompetent to make a Last Will and Testament; and

8. The annexed Last Will and Testament of JOHN R. BRATTEN, JR. was examined by the undersigned witnesses at the time this affidavit was made.

STATE OF TENNESSEE)
) SS:
COUNTY OF DAVIDSON)

Severally subscribed and sworn to before me this 27th day of July, 2004.

Notary Public At Large

BRENDA WRIGHT NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: July 30, 2005

My Commission Expires JULY 30, 2005