Karen Johnson Davidson County
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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 02 day of OCTOBER, 2019, in Docket Number 19P1669, IN RE: HUNT, DAVIS P. ET.AL, 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 02 day of MARCH in the year 2022 and in the 245 year of American Independence.

RICHARD R. ROOKER, Clerk,

[SEAL]

RICHARD R. ROOKER CIRCUIT COURT CLERK

By: _____
Deputy Clerk

Copy

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FILED
OCT 02 2019
RICHARD R. ROOKER, Clerk
By _____ Deputy

Last Will and Testament

of

DAVIS P. HUNT

I, **DAVIS P. HUNT**, of Madison, Davidson County, Tennessee, being of sound mind and disposing memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all other Wills and Codicils heretofore made by me.

I.

Debts.

I direct that all legally enforceable debts incurred by me, my funeral and burial expenses, including the cost of a suitable monument for my grave, the expenses of my last illness, and the costs of administration of my estate, be paid as soon as practicable after my death.

Specific Bequest(s) of Shares of Stock.

If my Will contains a specific gift of shares of stock, bonds, notes, or other negotiable securities, including, but not limited to, Certificates of Deposit or depository accounts or other similar property, the earnings attributable to such property from the date of my death to the date of distribution shall belong to the Recipient.

Specific Bequest(s) of Sum(s) of Money.

If my Will contains a bequest of any specified sum of money, my Personal Representative has one hundred eighty (180) days from the date of my death in which to distribute such bequest(s) without the Recipient participating in any earnings on such sum(s). If my Personal Representative does not distribute such bequest(s) within one hundred eighty (180) days from the date of my death, the Recipient will be entitled to receive, in addition to the bequest, a proportionate share of the earnings of my Estate from the time of my death to the date such gift(s) is/are distributed.

Real Property.

Any real property which I may own at the time of my death shall be considered part of my Probate Estate and shall be treated and administered as part of my Probate Estate subject to the control of my

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Personal Representative for purposes of administration, as authorized by ***Tennessee Code Annotated, Section 31-2-103(a)***, unless otherwise provided in this my Last Will and Testament. So long as my Personal Representative serves, my Personal Representative shall have the same power over the title to real property which is being administered as part of my Probate Estate as an absolute owner would have, including the specific powers enumerated in Article **VI** hereof, without the joinder, consent or approval of any heir, legatee, beneficiary, Court or other person, provided that in executing such power my Personal Representative shall be acting in a fiduciary and not an individual capacity.

If I own real property located outside the State of my domicile or if ancillary administration of my Estate is needed for any other reason, I nominate and appoint my domiciliary Personal Representative or any person who may be permitted to qualify in such jurisdiction as my Personal Representative in such other jurisdiction. My Personal Representative in his/her sole discretion may pay from my domiciliary estate all or any portion of the costs of ancillary administration and similar proceedings in other jurisdictions.

Secured Indebtedness(es).

I direct that any obligations of mine secured by mortgage on any real property, whether owned by me jointly or individually, or by pledge of or lien against any of my personal properties or life insurance, shall be considered in full as obligations of my Estate. My Personal Representative has discretion to pay each debt secured by my real property; and, if my Personal Representative pays a debt secured by real property, no reimbursement is to be required to my estate.

Life Insurance.

I further direct the proceeds of any life insurance payable to my Personal Representative are free from the claims of creditors but do not enure directly to my Beneficiary(ies). The proceeds paid to my Personal Representative are to be held and distributed as provided by the terms of this my Last Will and Testament. My Personal Representative may use any portion of such proceeds as deemed

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advisable for the payment of debts, expenses and taxes but only if my Personal Representative thinks the use of such proceeds is in the best interest of my Estate.

Tax Allocation(s).

I further direct that there shall be paid out of my residual Estate, without apportionment, all estate, inheritance, succession and other taxes, together with any penalty thereon, assessed by reason of my death, imposed by government of the United States, or any State or territory thereof, or by any foreign government or political subdivision thereof in respect of all property required to be included in my gross estate for estate and like tax purposes by any of such governments, whether the property passes under this my Last Will and Testament or otherwise, including property over which I may have a taxable Power of Appointment, without contribution by any Recipient of any such property.

I further direct that my Personal Representative may claim each Estate administration expense as a deduction on any U. S. Estate Tax Return or on any U. S. Income Tax Return required to be filed by my Estate and that no compensating adjustments between the income and principal are to be made because of this decision.

Inventory and Accounting(s).

I relieve my Personal Representative the duty to file any Inventory or any Accountings with any Court. However, upon the request of one (1) or more residual Beneficiaries of my Estate, my Personal Representative shall prepare an Inventory of Estate assets and an accounting of receipts to and distributions of the Estate and shall furnish these to my Beneficiary(ies).

II.

I may make a separate list indicating how I desire other of my personal property, other than cash, including, but not limited to, household furniture and furnishings, jewelry, and other personal effects to be distributed. This separate list will be in my own handwriting, signed and dated, and will be placed with or attached to this my Last Will and Testament as an Addendum and/or Codicil. I direct my Personal Representative to deliver my personal properties

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pursuant to any separate list placed with or attached hereto and made a part of this my Last Will and Testament.

III.

All the rest, residue and remainder of the property which I may own at the time of my death, real, personal and mixed, tangible and intangible, of whatsoever nature and wheresoever situated, including all property which I may acquire or become entitled to after the execution of this my Last Will and Testament, including all lapsed legacies and devises and all life insurance payable to my estate, I will, devise and bequeath to **DEBORAH A. DILLON**, the daughter of Mabel Ford Dillon, my former next door neighbor now deceased, and **JOSH GOAD**, my present next door neighbor, but his share only if he survives me.

Disclaimer.

Any person entitled to receive property under the terms of this my Last Will and Testament may disclaim all or any part of the property otherwise passing herein by complying with the statutory requirements of ***Section 2518 of the Internal Revenue Code***, as amended, and the Federal regulations thereunder, and ***Tennessee Code Annotated, Section 31-1-103***, as amended, or other applicable provisions of law. Unless otherwise provided herein, such disclaimed property shall be distributed pursuant to the terms of this my Last Will and Testament as if the disclaiming person had predeceased me.

No Surviving Legatee.

I further direct that, if there is no person qualified to receive all or any part of my estate bequeathed or devised under this my Last Will and Testament, my Estate, or the portion of it with respect to which the total failure of qualified recipients has occurred, my Estate is to pass to those persons and in such shares as would have taken the property owned by me had I died at the time intestate and domiciled in the State of Tennessee.

IV.

In Terrorem.

If any distributee or legatee of my Estate or Beneficiary of any Trust established hereunder in any manner, directly or indirectly contests the validity of this Will or any disposition hereunder to be

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distributed then the share of my Estate or any Trust hereunder given to such person shall be revoked in its entirety; and such share otherwise payable to or set aside for such person shall be distributed in the same manner as if the person contesting shall have predeceased me.

V.

I nominate and appoint **DEBORAH A. DILLON** to be Personal Representative of this my Last Will and Testament and direct that no bond be required for the faithful performance of her duties.

In the event that **DEBORAH A. DILLON** is unable or unwilling to serve as Personal Representative, then I direct that **JEFF HERBOLD** be appointed Personal Representative in her place and stead and further direct that no bond be required for the faithful performance of his/her duties.

In the event my Personal Representative needs legal assistance presenting this my Last Will and Testament for probate and administering my estate, I suggest that JOHN R. REYNOLDS, Attorney, be retained for that purpose, since he has prepared this my Last Will and Testament and is familiar with my wishes and desires.

I hereby grant to my Personal Representative the continuing, absolute, discretionary power to deal with any property, real or personal, held in my estate as freely as I might in the handling of my own affairs. Such power may be exercised independently and without the prior or subsequent approval of any Court or judicial authority; and no person dealing with the Personal Representative shall be required to inquire into the propriety of any of her actions. Without in any way limiting the generality of the foregoing, I hereby grant my Personal Representative hereunder, the following specific powers and authority, in addition to and not in substitution of, powers conferred by law:

1. To compromise, settle or adjust any claim or demand by or against my estate and to agree to any rescission or modification of any contracts or agreements;

2. To retain any security or other property owned by me at the time of my death so long as such retention appears advisable; and to exchange any such security or property for other securities or

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properties and to retain such items received in exchange; and my Personal Representative may presume that I have confidence in the securities owned by me at the time of my death and therefore no sale thereof need be made solely in order to diversify investments;

3. To sell, exchange, assign, transfer and convey any security or property, real or personal, held in my estate, at public or private sale, at such time and price and upon such terms and conditions, including credit, as may be determined;

4. To invest and reinvest in such stocks, bonds, and other securities and properties as may be deemed advisable, including stock and unsecured obligations, undivided interest, interest in investment trusts, mutual funds, legal and discretionary common trust funds, leases, and the property which is outside my domicile, all without diversification as to kind or amount, without being restricted in any way by any statute or court decision regulating or limiting investments by fiduciaries;

5. To register and carry any property in my fiduciaries' own names or in the names of the nominee of my fiduciaries or to hold said property unregistered, without thereby increasing or decreasing the liability of my fiduciaries;

6. To borrow money upon such terms and conditions as may be determined and to mortgage and pledge estate and trust assets as security for the repayment thereof;

7. To lease any real property for such term or terms and upon such conditions, rentals and in such manner as may be deemed advisable, with or without privilege or purchase, and any lease so made shall be valid and binding for the full term thereof; and to insure against fire or other risks; to make repairs, replacements and improvements, structural or otherwise, to any such real estate; and to dedicate same to public use and to grant easements as may be deemed necessary and proper;

8. Whenever required or permitted, to divide and distribute my estate and to make such division or distribution in money or in kind, or partly in money and partly in kind, and to exercise all powers herein conferred;

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9. To employ accountants, attorneys and such agents as may be deemed advisable and to pay reasonable compensation for their services and to charge same to, or apportion same between, income and principal as may be deemed proper; and

10. To control, direct and manage any business which I may own and/or operate at the time of my death.

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders as the context may require.

Whenever necessary or appropriate herein, the neuter gender shall be deemed to include the feminine and the masculine, the masculine shall be deemed to include the feminine and singular shall include the plural and vice versa.

IN WITNESS WHEREOF, I have hereunto set my hand to this my Last Will and Testament, on this the 7 day of July, **2017**, and pursuant to Chapter 568 of the 1972 Public Acts of the General Assembly of the State of Tennessee, I request the attesting witnesses to make the Affidavit hereinafter set out.

Davis P Hunt

DAVIS P. HUNT

Signed, sealed, published and declared by the Testator, **DAVIS P. HUNT**, to be his Last Will and Testament, in the presence of all of us at one and the same time, and we, at his request and in his presence and in the presence of each other, have hereunto subscribed our names as witnesses and we do hereby attest to the sound and disposing mind of said Testator and to the performance of the aforesaid act of execution at the place and on the date hereinabove set out.

Mark James of Suite 2702, 611 Commerce St, Nashville, TN 37203

L R By of Suite 2702 - 611 Commerce St Nashville Tn 37203

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STATE OF TENNESSEE

COUNTY OF DAVIDSON

Richard James and John R. Reynolds, after first being duly sworn or affirming, make oath or affirm that the foregoing Last Will and Testament was signed by **DAVIS P. HUNT** as and for and at the time acknowledged, published and declared by him to be his Last Will and Testament, in the sight and presence of us, the undersigned, who, at his request and in his sight and presence and in the sight and presence of each other, have subscribed our names as attesting witnesses on the 7th day of July, **2017**; and we further make oath or affirm that the Testator was of sound mind and disposing memory, and not acting under the fraud, menace or undue influence of any person, and was more than eighteen (18) years of age; and that each of the attesting witnesses is more than eighteen (18) years of age.

Richard James

JRR

Sworn or affirmed and subscribed to before me on this 7th day of July **2017**.

MARTHA M. GENTRY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY My Commission Expires JAN 8, 2019

Martha M. Gentry Notary Public

My commission expires: 1-8-2019