Karen Johnson Davidson County
Batch# 853897 WILL
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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. **22P421**.

ESTATE OF: BETTY RUTH MALONE

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 28th day of April in the year Two Thousand and twenty-two.

RICHARD R. ROOKER CIRCUIT COURT CLERK

RICHARD R. ROOKER, Clerk

By: _____
Deputy Clerk

FILED 22P421
APR 28 2022
RICHARD R. BROOKS, CLERK
By _____ Deputy

LAST WILL AND TESTAMENT OF RUTH MALONE

I, **Ruth Malone**, a citizen of the United States of America and a resident of Tennessee, do hereby make, declare and publish this my Last Will and Testament, hereby revoking all former Wills and codicils.

ITEM I
REFERENCES

For convenience, the fiduciaries (including any alternates) hereinafter appointed are sometimes referred to as the Executor, regardless of the gender or the number of the parties serving in each capacity.

ITEM II
DEBTS, ADMINISTRATION EXPENSES AND TAXES

All of my lawful debts, my funeral expenses and the expenses of administration of my estate (both domiciliary and ancillary) shall be paid by the Executor out of my residuary estate as soon as practicable after my death, without apportionment against the share of any beneficiary. The Executor shall pay 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 out of my residuary estate.

ITEM III
DISPOSITION OF PERSONAL EFFECTS

I may have left a memorandum of disposition that is written entirely in my handwriting, which memorandum of disposition is incorporated herein by reference, indicating that certain items of tangible personal property are to be distributed to the beneficiaries who are designated in the memorandum. I direct the Executor to comply with the instructions that are contained in any such memorandum. If the Executor is unable to locate such memorandum, then I authorize the Executor to dispose of all of my tangible personal property subject to the paragraph below on the assumption that no such memorandum was executed or is then in existence.

I bequeath to **James R. Malone**, if he shall survive me, all of my clothing, jewelry, personal effects, automobiles (together with any policies of insurance thereon) and all of my other tangible personal property. If **James R. Malone** shall not survive me, I bequeath to **Savannah Jenkins** all of my clothing, jewelry, personal effects, automobiles (together with any policies of insurance thereon) and all of my other tangible personal property.

Ruth Malone

Ruth Malone

ITEM IV
RESIDUARY ESTATE

All of the rest and residue of my property I devise and bequeath absolutely and in fee simple to **James R. Malone**, if he shall survive me. If he shall not survive me, then I devise and bequeath absolutely in fee simple all of the rest and residue of my property to **Savannah Jenkins.**

ITEM V
POWERS OF EXECUTOR

The Executor, including any substitute or successor personal representative, in the exercise of a reasonable discretion with respect to all property, real and personal, at any time forming a part of my estate, may exercise any and all of the powers set forth in Tennessee Code Annotated Section 35-50-110, to the extent applicable, all of which provisions and powers are incorporated herein by reference (as set out in said statute on the date of the execution of this will) even if said statute be amended or repealed hereunder and even if my estate be administered in a state other than Tennessee.

Without limiting the general grant of authority and power to my Executor in the Will, I grant to my Executor any and all authority, power and access to any and all of my digital assets, including but not limited to currency, documents, photographs, music, videos, movies, notes, records, memoranda, electronic communications and other information, data and records of all types, kinds and formats, (collectively my "digital estate"), stored on any device or in any server or in any other medium used to store such assets. My Executor may access, manage, deactivate, delete and take any and all other actions, without limitation, regarding my digital estate.

My Executor is also granted all authority, power and access over and to any digital and/or electronic device or equipment owned or used by me during my life and may access any and all of my digital estate on any device. By granting my Executor this authority, power and access over my digital estate and any device, I expressly provide that my Executor (1) has the same authority, power and access as I had during my lifetime; (2) has my lawful consent as an account holder or authorized user; and (3) is authorized as a user of any account, device or other repository of my digital estate.

ITEM VII
FIDUCIARIES

I appoint, **James R. Malone**, as the Executor of this my Last Will and Testament. In the event that he is unable to serve as Executor for any reason, I appoint **Savannah Jenkins**, as first alternate Executor. I direct that no bond be required of them for the faithful performance of their duties. **The Executor of my estate is expressly excused from filing any inventory or accounting.**

Ruth Malone

Ruth Malone

IN WITNESS WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of this and the preceding two typewritten pages, and for the purpose of identification, I have signed each such page at the bottom thereof, all in the presence of the persons witnessing it, at my request, on this the 6th day of November, 2019, at Brentwood, Tennessee.

Ruth Malone

Signed, sealed, published and declared by the Testator, **Ruth Malone** to be her Last Will and Testament in the presence of all of us at one and the same time, and we, at her request and in her 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.

WITNESSES:

Signature

KATHERINE A HEDRICK
Print Name

7101 Executive Center Dr. 151, Brentwood, TN
Address

Signature

Jennifer W. Hoyle
Print Name

7101 Executive Center Dr. 151 Brentwood, TN
Address

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Before me, the undersigned authority, a Notary Public within and for the State and County, appeared **Ruth Malone,** KATHERINE A HEDRICK and Jennifer Hoyle with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who upon their oaths acknowledged themselves to be the within named bargainors, and that they executed the foregoing instrument of their own free will for the purposes therein set forth.

Witness my hand and official seal on this the 6th day of November, 2019.

John M. Wells
State of Tennessee Notary Public

Notary Public

My Commission Expires: 3/7/2023

AFFIDAVIT

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

The undersigned persons, after being duly sworn according to law, depose and say:

1. That they are adult citizens and residents of the state listed beside their respective signatures on the Last Will and Testament described hereinbelow.
2. That they witnessed the execution of the Last Will and Testament of **Ruth Malone**, dated the 6th day of November, 2019, to which this Affidavit is attached, and that this Affidavit is being made at the request of the Testator and in accordance with the provisions of Tenn. Code Ann. Section 32-2-110.
3. That their signatures are affixed to said Last Will and Testament, that they signed or affixed the same at the instance and request of the Testator, and in his presence, and in the presence of each other, at the place and on the date recited in said Last Will and Testament.
4. That the Testator declared to them that said instrument is his Last Will and Testament and he executed same in their sight and presence.
5. That at the time they witnessed said Last Will and Testament, the Testator was at least twenty-one years of age and was of sound mind and under no constraint, duress, fraud or undue influence.
6. That the Testator willingly executed said Last Will and Testament as his free and voluntary act and deed for the purposes therein expressed.

WITNESS

WITNESS

Sworn to and subscribed before me by the said KATHERINE A HEDRICK and Jennifer W. Floyd as witnesses, this 6th day of November, 2019.

Notary Public

My Commission Expires: 3/7/2023

State of Tennessee Notary

THIS WILL PREPARED BY:
Southland Law Group
7101 Executive Center Drive, Suite 151
Brentwood, Tennessee 37027