Karen Johnson Davidson County
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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. **22P746.**

**ESTATE OF: ROBERT LEE YOUNG**

**IN TESTIMONY WHEREOF,** I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 21st day of July in the year Two Thousand and Twenty-Two.

**RICHARD R. ROOKER,** Clerk

By: _____
Deputy Clerk

RICHARD R. ROOKER CIRCUIT COURT CLERK

22P746

# Last Will and Testament of Robert Lee Young

I, Robert Lee Young , of Nashville, TN, declare this to be my Will, and I revoke all Wills and Codicils previously made by me.

FILED
JUL 21 2022
RICHARD R. ROOKER, Clerk
By Deputy

## Article I: Declarations

A. **Marital Status** - As of the date of this Will, I am unmarried

B. **Children** - As of the date of this Will, I have 2 children, namely: Robert Alexis Young, Vanessa Michelle Young. All references in this Will to "My Children" are to them and to all children hereafter born to or adopted by me. In addition, all references in this Will to "My Issue" are to My Children and to all of their respective descendants.

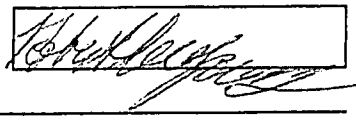
## Article II: Executor Provisions

A. **Executor** - I nominate my child Vanessa Michelle Young to serve as Executor of my estate and to carry out the instructions in this Will.

B. **Bond & Court Supervision** - No bond or other security shall be required of my Executor or Digital Executor in any jurisdiction. To the extent permitted by the laws of the state in which my Will is probated, my Executor shall have the authority to administer my estate without court supervision, and no action shall be required in any court in relation to the settlement of my estate other than the probating and recording of my Will.

C. **Executor Powers** - I grant to my Executor the following powers:

1. The power to exercise all powers of an absolute owner of property;
2. The power to retain, sell at public or private sale, exchange, grant options on, invest and reinvest, and otherwise deal with real or personal property;
3. The power to borrow money and pledge any property to secure loans;
4. The power to divide and distribute property in cash or in kind;
5. The power to compromise and release claims with or without consideration;
6. The power to pay my legally enforceable debts, funeral expenses, expenses of last illness, and all expenses in connection with the administration of my estate and the trusts created by my Will;
7. The power to employ attorneys, accountants and other persons for services or advice;

Signature: 

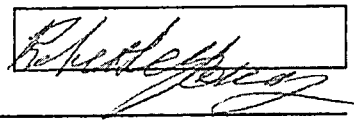
8. Except as otherwise provided herein, the power to make, in my Executor's discretion, any distribution required or permitted to be made to any beneficiary under this Will in any of the following ways when such beneficiary is a minor: (i) to the guardian or conservator of such beneficiary's person or property; (ii) by utilizing the same, directly and without the interposition of any guardian or conservator, for the health, support, maintenance or education of such beneficiary; (iii) to a person or financial institution serving as custodian for such beneficiary under a Uniform Gifts to Minors Act or a Uniform Transfers to Minors Act of any state; or (iv) by reimbursing the person who is actually taking care of such beneficiary, even though such person is not the legal guardian or conservator, for expenditures made by such person for the benefit of such beneficiary;
9. The power to perform other acts necessary or appropriate for the proper administration of my estate, execute and deliver necessary instruments, and give full receipts and discharges; and
10. Any additional powers conferred upon executors wherever my Executor may act.

D. **Expenses** - My Executor shall be reimbursed for the reasonable costs and expenses incurred in connection with such Executor's duties.

E. **Reliance** - In acting or declining to act, my Executor may rely upon the written opinion of a competent attorney licensed and in good standing in the jurisdiction where the subject matter of any opinion is sought, any facts stated in any instrument, furnished in writing and believed to be true, or any other evidence such Executor deems sufficient. My Executor shall be indemnified and held harmless from any liability for any action taken, or for the failure to take any action, if done in good faith and without gross negligence.

F. **Ancillary Executors** - If my estate contains property located in another state or a foreign jurisdiction and my Executor cannot, or chooses not to, serve under the laws thereof, my Executor shall have the power to nominate an ancillary individual or corporate Executor of such property.

G. **Digital Executor** - In addition to the powers granted pursuant to Paragraph C of this Article II, I grant my Executor the power to have access to the catalogue and the contents of all electronic communications (as defined in 18 U.S.C. § 2510(8)) of mine, as well as access, use, manage, close and control my Digital Assets and Digital Accounts. If I have left a writing describing my wishes with respect to my Digital Assets and Digital Accounts, I request that my Executor follow my wishes, as expressed in that writing. If no such writing is located within thirty (30) days of my death, my Executor shall administer and distribute my Digital Assets and Digital Accounts in his or her discretion in accordance with the remaining provisions of this Will. This authorization is intended to be construed to be lawful consent under the Electronic Communications Privacy Act of 1986, as amended; the Computer Fraud and Abuse Act of 1986, as amended; and any other applicable federal or state data privacy law or criminal law. "Digital Asset" means an electronic record in which I have a right or interest, but does not include the contents of electronic

Signature: 

communications. "Digital Account" means an electronic system for creating, generating, sending, receiving, storing, displaying or processing information that provides access to a Digital Asset.

## Article III: Pet Care Directives

*[This Article Intentionally Left Blank]*

## Article IV: Gifts at Death

A. I give to My Issue who survive me by right of representation all of my interest in the real property and the improvements thereto located at 1106 N 6th St, Nashville, TN 37207.

## Article V: Gift of Residue

All of the residue of my estate shall be distributed to the following beneficiaries in the noted percentages:

A. 100% shall be distributed to My Issue who survive me by right of representation; provided, however, that if none of My Issue survive me, this share of the residue of my estate shall instead be divided into separate shares and distributed to the following alternate beneficiaries in the noted percentages:

1. 50% shall be distributed to my grandchild Jael Marie Russell.
2. 50% shall be distributed to my grandchild Isaiah Lee Russell.

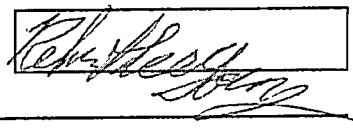
If all of the above dispositions in this Article V fail, I give all of the residue of my estate to my Heirs.

## Article VI: General Provisions

A. **Severability** - If any provision of this Will is held to be unenforceable or invalid, the remaining provisions shall remain in full force and effect to the fullest extent permissible under governing law.

B. **Survivorship** - No beneficiary shall be deemed to have survived me unless such beneficiary remains alive or remains in existence, as the case may be, on the thirtieth (30th) day after my death. Any person who is prohibited by law from inheriting property from me shall be treated as having failed to survive me.

C. **Payment of Taxes** - All estate, inheritance, or similar taxes (including interest and penalties thereon) arising in connection with my death with respect to any property included in my gross estate for the purpose of calculating such taxes, whether or not such property passes under my Will, shall be paid out of the residue of my estate without apportionment. To the extent the residue of my estate is insufficient to pay such taxes, then any excess taxes shall be paid on a pro rata basis from all of the assets passing by reason of my death.

Signature: 

Notwithstanding the foregoing, no portion of any estate, inheritance or similar taxes arising in connection with the Grantor's death shall be apportioned or charged to property qualifying full for the charitable deduction for federal estate tax purposes; provided, however, to the extent that the assets passing by reason of my death that do not qualify for the charitable deduction are insufficient for the payment of such taxes, then any excess taxes shall be paid on a pro rata basis from the assets that qualify for the charitable deduction. The provisions of this Paragraph C shall not apply to any generation-skipping transfer taxes.

D. **Payment of Expenses** - All funeral expenses, and all expenses incurred in connection with the administration of my estate shall be paid out of the residue of my estate without apportionment. To the extent the residue of my estate is insufficient for the payment of such expenses, then any excess expenses shall be paid on a pro rata basis from all of the assets passing by reason of my death.

E. **Savings Clause** - For the purposes of this Will, either gender shall be interpreted as encompassing the other gender, and the singular shall encompass the plural and vice versa, and the meaning shall dictate.

F. **Terminology** -

1. Except as otherwise provided in this Will, references to a "descendant" or "descendants" shall mean the lineal blood descendants of any degree of the ancestor designated; provided, however, that such references shall include as then living descendants, with respect to any provision of this Will, descendants who have been conceived at any specific point in time relevant to such provision and who thereafter survive birth. Except as provided in this Subdivision, below, an adopted child and such adopted child's descendants by blood or adoption shall be considered under this Will to be descendants of the adopting parent or of either of the adopting parents. Notwithstanding anything in this Will to the contrary, the following persons shall not be included in the definition of "descendants" for any purposes: (i) any person who is adopted (by anyone other than me) after reaching age eighteen (18), and (ii) any person who is the descendant (whether by blood or adoption) of such person.
2. References to "Heirs" shall refer to those persons who would inherit separate personal property from the person designated under the statutes of descent and distribution of the state in which my Will is probated, if such person had died intestate and unmarried at such time. A distribution to "Heirs" is a distribution in the shares and manner prescribed under such statutes.
3. When a distribution is to be made to a person's descendants "by right of representation," property shall be divided into as many equal shares as there are (i) members of the nearest generation of descendants who survive such person, and (ii) deceased members of that generation who left descendants who survive such person. This division into shares shall begin at the generation nearest to such person that has a surviving member. Each surviving member of the nearest generation of descendants with a member who survives such person shall receive one share, and the share that

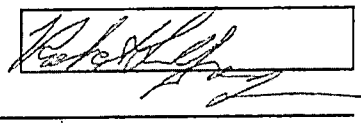
Signature: 

would have passed to each deceased member of that generation who left descendants who survive such person shall be divided in a similar manner (by reapplying the preceding rule) among his or her descendants who survive such person. For example, if a person has deceased children and surviving children when a distribution is to be made, the assets will be divided into equal shares at the child level and distributed by right of representation below that level; however, if the person has no surviving children at such time, that equal division will be made at the grandchild level (or lower, if appropriate) and distributed by right of representation below that level. This definition is intended to override any conflicting or contrary statutory or common law definition.

G. **Discretion** - Whenever in this Will is authorized in the discretion of my Executor or Digital Executor, the term "discretion" shall mean the reasonable discretion of such Executor or Digital Executor.

H. **Spendthrift Provisions** - Prior to the actual receipt of property by any beneficiary, no property (income or principal) distributable under this Will shall, voluntarily or involuntarily, be subject to anticipation or assignment by any beneficiary, or to the attachment by or to the interference or control of any creditor or assignee of any beneficiary, or taken or reached by any legal or equitable process in satisfaction of any debt or liability of any beneficiary, and any attempted transfer or encumbrance of any interest in such property by any beneficiary hereunder prior to distribution shall be void.

*-- Signature Page Follows --*

Signature: 

## WILLMAKER

IN WITNESS WHEREOF, I sign my name to this Will at Nashville *(City)* in the State of Tennessee *(State)*.

I have told the persons listed below as "First Witness" and "Second Witness" that this is my Will, and asked them to be my witnesses.

Signature of Willmaker

10/21/2021
Date

## WITNESSES

On the date written below, the maker of this Will, Robert Lee Young , declared to us, the undersigned, that this instrument, consisting of 7 pages, including this page, was the maker's Will, and requested us to act as witnesses to it. We understand that this instrument is the maker's Will. The maker signed this Will in our presence, all of us being present at the same time. At the maker's request, and in the maker's and each other's presence, we now sign below as witnesses. We believe the maker is over age eighteen (18), is of sound mind and memory, and to the best of our knowledge, this Will was not procured by duress, menace, fraud or undue influence. Each of us is now age eighteen (18) or older, is a competent witness, and resides at the address set forth below. We declare under penalty of perjury under the laws of the State of Tennessee that the foregoing is true and correct.

Executed this 21 (date) of October (month), 2021, at Nashville (city), Tennessee.

Signature of First Witness

Signature of Second Witness

Christine M. DiLullo
Name of First Witness

Melissa Kochersperger
Name of Second Witness

244 Belmar Cir.
Manchester, TN 37355
Address of First Witness

244 Belmar Cir
Manchester TN 37355
Address of Second Witness

Signature:

## SELF-PROVING AFFIDAVIT

STATE OF TENNESSEE
COUNTY OF Davidson

Before me, the undersigned authority, on this day personally appeared Robert Lee Young , Christine M Dilullo , and Melissa Kuhnsperger known to me to be the testator and the witnesses, respectively, whose names are subscribed to the foregoing instrument in their respective capacities, and, all said persons being by me duly sworn, the said Robert Lee Young , testator, declared to me and to the said witnesses in my presence that said instrument is the last will and testament of the testator, and that the testator had willingly made and executed it as a free act and deed for the purposes expressed therein. The said witnesses, each on oath, stated to me in the presence and hearing of the said testator, that the testator had declared to them that the instrument is the testator's last will and testament and that the testator executed the instrument as such and wishes each of them to sign it as a witnesses; and upon their oaths each witness stated further that the witness had signed the same as witness in the presence of the testator and at the testator's request; that the testator was at that time eighteen (18) years of age or over, and was of sound mind; and that each of the said witnesses was then at least eighteen (18) years of age.

*(Signature of Testator)*
*(Signature of First Witness)*
*(Signature of Second Witness)*

Subscribed and sworn to before me by the said Robert Lee Young , testator, and by the said Christine Dilullo , and Melissa Kuhnsperger, witnesses, this 21 day of October A.D. 2021.

(Signed) _____ (SEAL)
Notary Public, State of Tennessee

KESHA FORD
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

My Commission Expires Nov. 8, 2022

Signature: