Karen Johnson Davidson County
Batch# 958095 WILL
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Fees: $47.00 Taxes: $0.00
20230105-0000991

STATE OF TENNESSEE

I, JOSEPH P. DAY, 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 07 day of NOVEMBER, 2018, in Docket Number 18P1777, IN RE: LINDSLEY, MARY ELIZABETH, 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 05 day of JANUARY in the year 2023 and in the 246 year of American Independence.

JOSEPH P. DAY, Clerk,

[SEAL]

By: _____

Deputy Clerk

Copy

18P1777

FILED
NOV 07 2018
By: D. Hutchison

LAST WILL AND TESTAMENT OF MARY ELIZABETH LINDSLEY

I, MARY ELIZABETH LINDSLEY, of the Town of Old Hickory, County of Davidson and State of Tennessee, which I declare to be my domicile, being of sound and disposing mind and memory, do hereby make, publish, and declare this to be my LAST WILL AND TESTAMENT, hereby revoking all Wills and Codicils at any time heretofore made by me.

FIRST: HEIRS

I am un-married, and I have Three (3) children: **Michael K. Austin, Adrena T. Austin, and Ronald L. Austin,** (each my "child" and collectively my "children").

SECOND: PERSONAL REPRESENTATIVE

I nominate and appoint my granddaughter, **Kimberly Austin** , as Executrix of this, my Will. If my granddaughter shall fail to survive me, shall decline to act, or having qualified shall, for any reason thereafter, cease to act, I nominate and appoint my son, **Michael K. Austin** as successor Executor in her place. The term "Executor" or "Executrix" may be used interchangeably as appropriate, and may also be identified as my "Personal Representative" in this my Last Will.

THIRD: BOND INVENTORY & ACCOUNTING

I direct that no Executor or other legal representative of my estate shall be required to furnish any bond or other security in any jurisdiction. I waive any requirement for inventory and direct that no annual or final accountings shall be required of my personal representative.

FOURTH: AUTHORITY of PERSONAL REPRESENTATIVE

I confer upon my Executor all powers granted to fiduciaries under the laws of the state of Tennessee, and particularly under the statutory provisions contained in Tennessee Code section 30-1-101 et.seq. and section 35-50-110 all of which provisions are incorporated herein as if copied verbatim, whether my estate is administered in the state of Tennessee or elsewhere. These powers as set out in said statutes on the date of the execution of this my Will, are granted even should said statute be amended or repealed at the time of my death. In addition to the powers granted by law, I authorize my Executor or other legal representative of my estate:

To mortgage, sell, encumber, convey, pledge or lease any real property, or interest in real property owned by me at the time of my death, without the joinder of any beneficiary and at such price or under such terms as he/she shall see fit. I further grant my personal representative the authority to execute any

Mary E. Lindsley
MARY ELIZABETH LINDSLEY

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document necessary to accomplish or complete any such sale, mortgage, encumbrance, conveyance, pledge or lease.

FIFTH: PAYMENT of EXPENSES

I direct my Executor to pay all of my just debts, taxes, and last expenses, including my funeral expenses and the expenses of administration of my estate, which shall be paid by my Personal Representative as soon as practicable after my death. However, nothing in this provision shall extend the statute of limitations for the payment of debts.

SIXTH: PERSONAL PROPERTY

A. I make the following specific bequests of certain personal property currently owned by me, and contingent on my owning the property at the time of my death, and being survived by the legatee to whom it is given. Any lapsed legacy shall be added to my Residuary Estate.

1. I give any money in Bank or Credit Union Accounts to be divided between **Adrena T. Austin** and **Kimberly Austin** in equal shares.
2. I give my Victorian Punch Bowl, and Christmas tree poinsettia to **Michael & Amelia Austin**, with the understanding that these items shall only be passed to heirs of the body of, or only a seed of, John and Maggie Lindsley.
3. Any insurance money payable to my estate, after any expenses, shall be divided equally among my three children.

B. I give all remaining tangible personal property (except cash on hand), including, but not limited to, personal effects, automobiles, furniture, furnishings, household goods, clothing, and jewelry owned by me at the time of my death, and not otherwise disposed of herein, to my children, **Michael K. Austin**, and **Adrena T. Austin**, in substantially equal shares, to be divided among them as my Executor shall determine, which determination shall be conclusive and binding upon all persons interested in my estate. I direct that any expenses incurred in obtaining possession, appraising, safeguarding, or delivering such property be paid from my estate as an administration expense.

SEVENTH: REAL PROPERTY

I am currently seized and possessed of a certain tract of real property located in Davidson County, Tennessee described as follows:

Land in Davidson County, TN; being Lots Nos. 2,4,6 and 8, Block A-2 on the Plan of Hadley's Bend City, of record in Book 421, page 120, Register's Office for Davidson County, Tennessee. Said

Mary E. Lindsley
MARY ELIZABETH LINDSLEY

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property conveyed to me as "Mary Lindsley Austin" by deed of record in Book 4894, page 684, said Register's Office.

This property is known as: 4021 Lafayette St; Old Hickory, TN. 37138.

I give this property to my daughter Adrena T. Austin. If my daughter fails to survive me, I direct that my Executor sell or dispose of this property in a manner they deem appropriate and any proceeds generated from the sale of this property shall be included in my residuary estate.

EIGHTH: RESIDUARY ESTATE

All the rest, residue and remainder of my property, of every kind and nature and wheresoever situated, whether real property or personal property, bank or investment accounts, insurance proceeds payable to my estate, or any other property, (my "residuary estate"), I give to my children, Michael K. Austin, Adrena T. Austin , and granddaughter Kimberly Austin in equal shares, with the children of any child who shall predecease me, natural or adopted, to receive their parent's distributive share, per stirpes. If any bequest shall vest ownership in a child not of majority, then my Executor may make distribution in any one or more of the following ways:

a. To a custodian under a Transfers to Minors Act;
b. To the guardian of the person or property of such beneficiary;
c. By expending such income or principal directly for the health, education, maintenance or support of such beneficiary;
d. By direct payment to the beneficiary as an allowance.

NINTH: TAXES

I direct that all estate, inheritance, succession, transfer or other death taxes assessed by any taxing authority, whether foreign or domestic, in respect of all property taxable by reason of my death or by reason of the inclusion of such property in my gross estate for estate tax purposes, be paid, without apportionment, first from that portion of my residuary estate which does not qualify for the marital deduction and, thereafter, from any portion of my residuary estate which qualifies for the marital deduction, without apportionment.

TENTH: SIMULTANEOUS DEATH

If any person who may be interested in my estate dies at the same time as I die or under such circumstances that there is insufficient evidence to determine which of us died first, then it shall be presumed that such person predeceased me.

Mary E. Lindsley
MARY ELIZABETH LINDSLEY

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ELEVENTH: DEFINITIONS

Throughout this Will I direct that the term "give" shall be deemed to include the term "bequeath" or "devise" when appropriate.

IN WITNESS WHEREOF, I sign, seal, publish and declare this instrument as my Last Will and Testament on this 11 day of August, 2015 at Old Hickory, Tennessee.

Mary E. Lindsley
MARY ELIZABETH LINDSLEY

The foregoing instrument, consisting of this and three (3) preceding typewritten pages was signed, published and declared by MARY ELIZABETH LINDSLEY, the Testator, to be her Last Will and Testament in the presence of each of us and all of us together; and the Testator, upon declaring this document to be her Last Will and Testament, requested each of us to sign the same as attesting witnesses; and we thereupon signed our names hereto as such witnesses, in the presence of the Testator, and in the presence of each other, on this

11 day of August, 2015. We further state that each of us believes that, at the time she executed the foregoing instrument, the Testator was of sound mind and memory, of lawful age, and did so execute it as her own free act and deed and not under the unlawful influence of any person.

Madlene J Erwin whose address is: 100 Newport Dr.
witness
Old Hickory TN. 37138

Janet A Pool whose address is: 914 Gailynn Marie Dr
witness
Mt Juliet, TN 37122

This Will was Prepared By:
Johnny Ellis, Attorney, P.C.
Leroy Johnston Ellis, IV, Esq.
3844 Old Hickory Blvd.
Old Hickory, TN. 37138
615-847-2000

www.LjeLaw.com

Mary E. Lindsley
MARY ELIZABETH LINDSLEY

Copy

AFFIDAVIT OF ATTESTING WITNESSES

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

MARY ELIZABETH LINDSLEY, Madeline J. Erwin and Janet A. Pool first being duly sworn, depose and say:

(1) That they are, respectively, the Testator and the Witnesses whose signatures appear on the attached or foregoing Will;

(2) That, on August 11, 2015, in the presence of each of the undersigned Witnesses, MARY ELIZABETH LINDSLEY signed her name to the attached or foregoing Will at the end thereof and each of the undersigned Witnesses saw the Testator sign the Will;

(3) That, at the time she signed the Will, the Testator published and declared the instrument so signed by her to be her Last Will and Testament;

(4) That each of the undersigned Witnesses, at the request of the Testator, and in her sight and presence, and in the sight and presence of each other, thereupon signed as a Witness thereto;

(5) That the Testator, at the time of the execution of the Will, was at least eighteen (18) years of age;

(6) That, in the opinion of each of the undersigned Witnesses, the Testator was, at the time she signed the Will, of sound mind, memory and understanding;

(7) That, in the opinion of each of the undersigned Witnesses, the Testator was, at the time she signed the Will, under no restraint or in any respect incompetent to make a Will;

(8) That the Testator could read, write and converse in the English language;

(9) That the Testator was not suffering from any defect of sight, hearing or speech or from any physical or mental impairment which would affect her capacity to make a valid Will;

(10) That the Testator signed only one copy of the Will on such occasion.

(11) That each of the undersigned Witnesses was acquainted with the Testator or examined proof of Testator's identity at the time the will was witnessed.

Mary E. Lindsley
MARY ELIZABETH LINDSLEY

Madeline J. Erwin
Witness

Janet A. Pool
Witness

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

Subscribed, sworn and acknowledged before me Leroy J. Ellis IV, a Notary Public, by MARY ELIZABETH LINDSLEY, the Testator, and by Madeline J. Erwin and Janet A. Pool, Witnesses, this 11 day of Aug, 2015.

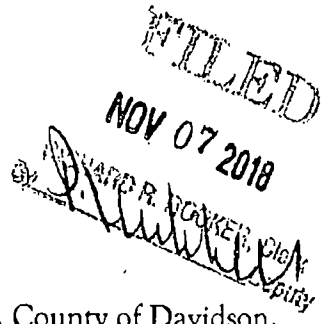
Notary Public
my commission expires 3-8-2016

LEROY JOHNSTON ELLIS IV
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN

Mary E. Lindsley
MARY ELIZABETH LINDSLEY

Copy

18D1777



FIRST CODICIL TO THE LAST WILL AND TESTAMENT OF

MARY ELIZABETH LINDSLEY

I,MARY ELIZABETH LINDSLEY, of the Town of Old Hickory, County of Davidson, and State of Tennessee, which I declare to be my domicile, being of sound and disposing mind and memory, having heretofore made and published my Last Will and Testament, do hereby make, publish, and declare this to be THE FIRST CODICIL to my LAST WILL AND TESTAMENT, dated August 11, 2015, heretofore made by me.

FIRST: HEIRS.

My son Ronald L. Austin has passed since I wrote my Last Will. Any specific or implied legacy for him is lapsed by his death, and shall be of no effect for his heirs.

SECOND: REAL PROPERTY

I wish to modify the disposition of my home place located in Davidson County, Tennessee described as follows:

Land in Davidson County, TN; being Lots Nos. 2,4,6 and 8, Block A-2 on the Plan of Hadley's Bend City, of record in Book 421, page 120, Register's Office for Davidson County, Tennessee. Said property conveyed to me as "Mary Lindsley Austin" by deed of record in Book 4894, page 684, said Register's Office.

This property is known as: 4021 Lafayette St; Old Hickory, TN. 37138.
Davidson County Tax Map# 63-08-0 / 085.00

I give this property to my daughter Adrena T. Austin for the rest of her natural life, Remainder to Kimberly Austin, and Cynecia Austin, in equal shares. My daughter's life estate is contingent on her payment of all expenses of maintenance, casualty insurance and property taxes as long as she remains in the property. Kimberly Austin and Cynecia Austin may request proof of payment for insurance and shall have the right to periodically inspect the property. If passed by inheritance, any interest in this property shall only be passed to heirs of the body of, or only a seed of, John and Maggie Lindsley, who helped me purchase this property.

IN WITNESS WHEREOF, I sign, seal, publish and declare this instrument as the First Codicil to my Last Will and Testament on this 6th day of July, 2016 at Old Hickory, Tennessee.

Mary E. Lindsley
MARY ELIZABETH LINDSLEY

Mary E. Lindsley
MARY ELIZABETH LINDSLEY

Copy

The foregoing instrument, consisting of this and one (1) preceding typewritten pages was signed, published and declared by MARY ELIZABETH LINDSLEY, the Testatrix, to be her First Codicil to her Last Will and Testament in the presence of each of us and all of us together; and the Testatrix, upon declaring this document to be her Codicil, requested each of us to sign the same as attesting witnesses; and we thereupon signed our names hereto as such witnesses, in the presence of the Testatrix, and in the presence of each other, on this 6th day of June, 2016. We further state that each of us believes that, at the time she executed the foregoing instrument, the Testatrix was of sound mind and memory, of lawful age, and did so execute it as her own free act and deed and not under the unlawful influence of any person.

Witness residing at: 1410 BRYAN ST. OLD HICKORY, TN

Witness residing at: 914 Gaelynn Marie Dr Mt Juliet, TN 37122

This Document was Prepared By:
Leroy Johnston Ellis, IV, Esq.
3844 Old Hickory Blvd.
Old Hickory, TN. 37138
(615) 847-2000

MARY ELIZABETH LINDSLEY

Copy

AFFIDAVIT OF ATTESTING WITNESSES

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

MARY ELIZABETH LINDSLEY, Ron Sutton, and Janet A. Pool after first being duly sworn, depose and say:

(1) That they are, respectively, the Testatrix and the Witnesses whose signatures appear on the attached or foregoing Codicil;

(2) That, on July 6th, 2016, in the presence of each of the undersigned Witnesses, MARY ELIZABETH LINDSLEY signed her name to the attached or foregoing Codicil at the end thereof and each of the undersigned Witnesses saw the Testatrix sign the Codicil;

(3) That, at the time she signed the Codicil, the Testatrix declared the instrument so signed by her to be her First Codicil to her Last Will and Testament;

(4) That each of the undersigned Witnesses, at the request of the Testatrix, and in her sight and presence, and in the sight and presence of each other, thereupon signed as a Witness thereto;

(5) That the Testatrix, at the time of the execution of the Codicil, was at least eighteen (18) years of age;

(6) That, in the opinion of each of the undersigned Witnesses, the Testatrix was, at the time she signed the Codicil, of sound mind, memory and understanding;

(7) That, in the opinion of each of the undersigned Witnesses, the Testatrix was, at the time she signed the Codicil, under no restraint or in any respect incompetent to make a Will or Codicil;

(8) That the Testatrix could read, write and converse in the English language;

(9) That the Testatrix was not suffering from any defect of sight, hearing or speech or from any physical or mental impairment which would affect her capacity to make a valid Will or Codicil;

(10) That the Testatrix signed only one copy of the Codicil on such occasion.

(11) That each of the undersigned Witnesses was acquainted with the Testatrix or examined proof of Testatrix's identity at the time the Codicil was witnessed.

Mary E. Lindsley
MARY ELIZABETH LINDSLEY

Ron Sutton
Witness

Janet A Pool
Witness

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

Subscribed, sworn and acknowledged before me Leroy J. Ellis III, a Notary Public, by MARY ELIZABETH LINDSLEY, the Testatrix, and by Ron Sutton, and Janet A. Pool, Witnesses, this 6th day of July, 2016.

LEROY JOHNSTON ELLIS IV NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Leroy J. Ellis IV
Notary Public

My Commission Expires 03/03/2020