Karen Johnson Davidson County
Batch# 1034444 WILL
08/03/2023 03 43 25 PM 8 pgs
Fees $42 00 Taxes $0 00
20230803-0060240

STATE OF TENNESSEE

I, JOSEPH P. DAY, 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 filed in the Seventh Circuit Court (Probate Division) for Davidson County, Tennessee, on the 3RD day of AUGUST, 2023, in Docket Number 23P1398, IN RE: MARILYN KAY VICK, 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 3RD day of AUGUST in the year 2023 and in the 246 year of American Independence.

JOSEPH P. DAY, Clerk

By: _____
Deputy Clerk

[SEAL]

~~20P471~~
23P139

LAST WILL AND TESTAMENT OF MARILYN KAY VICK

I, Marilyn Kay Vick, presently of Nashville, Tennessee, declare that this is my Last Will and Testament.

FILED
AUG 03 2023
JOSEPH P. DAY, Clerk
By: Deputy

PRELIMINARY DECLARATIONS

Prior Wills and Codicils

1. I revoke all prior Wills and Codicils.

Marital Status

2. I am not married.

Current Children

3. I have the following living children:

- Judy Marie Carter;
- Steven Earl Watts;
- James Lee Watts; and
- Donna Kay Dunlap.

4. The term 'child' or 'children' as used in this my Will includes the above listed children and any children of mine that are subsequently born or legally adopted.

EXECUTOR

Definition

5. The expression 'my Executor' used throughout this Will includes either the singular or plural number, or the masculine or feminine gender as appropriate wherever the fact or context so requires. The term 'executor' in this Will is synonymous with and includes the terms 'personal representative' and 'executrix'.

Appointment

6. I appoint Donna Kay Watts Dunlap of Nashville, Tennessee as the sole Executor of this my Will, but if Donna Kay Watts Dunlap should predecease me, or should refuse or be unable to act or continue to act as my Executor, then I appoint Judy Marie Watts Carter of Indian Mound, Tennessee to be the sole Executor of this my Will in the place of Donna Kay Watts Dunlap.

7. No bond or other security of any kind will be required of any Executor appointed in this my Will.

Powers of My Executor

8. I give and appoint to my Executor the following duties and powers with respect to my estate:

   a. To pay my legally enforceable debts, funeral expenses and all expenses in connection with the administration of my estate and the trusts created by my Will as soon as convenient after my death. If any of the real property devised in my Will remains subject to a mortgage at the time of my death, then I direct that the devisee taking that mortgaged property will take the property subject to that mortgage and that the devisee will not be entitled to have the mortgage paid out or resolved from the remaining assets of the residue of my estate;

   b. To take all legal actions to have the probate of my Will completed as quickly and simply as possible, and as free as possible from any court supervision, under the laws of the State of Tennessee;

   c. To retain, exchange, insure, repair, improve, sell or dispose of any and all personal property belonging to my estate as my Executor deems advisable without liability for loss or depreciation;

   d. To invest, manage, lease, rent, exchange, mortgage, sell, dispose of or give options without being limited as to term and to insure, repair, improve, or add to or otherwise deal with any and all real property belonging to my estate as my Executor deems advisable without liability for loss or depreciation;

   e. To purchase, maintain, convert and liquidate investments or securities, and to vote stock, or exercise any option concerning any investments or securities without liability for loss;

f. To open or close bank accounts;

g. To maintain, continue, dissolve, change or sell any business which is part of my estate, or to purchase any business if deemed necessary or beneficial to my estate by my Executor;

h. To maintain, settle, abandon, sue or defend, or otherwise deal with any lawsuits against my estate;

i. To employ any lawyer, accountant or other professional; and

j. Except as otherwise provided in this my Will, to act as my Trustee by holding in trust the share of any minor beneficiary, and to keep such share invested, pay the income or capital or as much of either or both as my Executor considers advisable for the maintenance, education, advancement or benefit of such minor beneficiary and to pay or transfer the capital of such share or the amount remaining of that share to such beneficiary when he or she reaches the age of majority or, during the minority of such beneficiary, to pay or transfer such share to any parent or guardian of such beneficiary subject to like conditions and the receipt of any such parent or guardian discharges my Executor.

9. The above authority and powers granted to my Executor are in addition to any powers and elective rights conferred by state or federal law or by other provision of this Will and may be exercised as often as required, and without application to or approval by any court.

DISPOSITION OF ESTATE

Specific Bequests

10. To receive a specific bequest under this Will a beneficiary must survive me for thirty (30) days. Any item that fails to pass to a beneficiary will return to my estate to be included in the residue of my estate. All property given under this Will is subject to any encumbrances or liens attached to the property. My specific bequests are as follows:

a. I leave to Judy Marie Carter of Indian Mound, Tennessee, if they shall survive me, for their own use absolutely, the following: Real Estate Property at 4484 Sulphur Creek Road, Nashville, TN 37218; and

b. I leave to Donna Kay Dunlap of Nashville, Tennessee, if they shall survive me, for their own use absolutely, the following: Time Share with Amber Vacations (Time Share) at Sunrise Ridge, Pigeon Forge, TN 37863 (owner 334870).

Distribution of Residue

11. To receive any gift or property under this Will a beneficiary must survive me for thirty (30) days. Beneficiaries of my estate residue will receive and share all of my property and assets not specifically bequeathed or otherwise required for the payment of any debts owed, including but not limited to, expenses associated with the probate of my Will, the payment of taxes, funeral expenses or any other expense resulting from the administration of my Will. The entire estate residue is to be divided between my designated beneficiaries with the beneficiaries receiving a share of the entire estate residue. All property given under this Will is subject to any encumbrances or liens attached to the property.

12. I direct my Executor to distribute the residue of my estate as follows ("Share Allocations"):

a. All of the residue of my estate to each of my children equally, for their own use absolutely.

GENERAL PROVISIONS

Individuals Omitted From Bequests

13. If I have omitted to leave property in this Will to one or more of my heirs as named above or have provided them with zero shares of a bequest, the failure to do so is intentional.

Insufficient Estate

14. If the value of my estate is insufficient to fulfill all of the bequests described in this Will then I give my Executor full authority to decrease each bequest by a proportionate amount.

Additional Provisions

15. Financial Accounts are to be distributed to beneficiaries as designated on each separate account. Contact each financial institution.

No Contest Provision

16. If any beneficiary under this Will contests in any court any of the provisions of this Will, then each and all such persons shall not be entitled to any devises, legacies, bequests, or benefits under this Will or any codicil hereto, and such interest or share in my estate shall be disposed of as if that contesting beneficiary had not survived me.

Severability

24. If any provisions of this Will are deemed unenforceable, the remaining provisions will remain in full force and effect.

IN WITNESS WHEREOF, I have signed my name on this the 24 day of August, 2019, at Nashville, TN, Tennessee, declaring and publishing this instrument as my Last Will, in the presence of the undersigned witnesses, who witnessed and subscribed this Last Will at my request, and in my presence.

Marilyn Kay Vick

Marilyn Kay Vick (Testator) Signature

SIGNED AND DECLARED by Marilyn Kay Vick on the 24 day of August, 2019 to be the Testator's Last Will, in our presence, at Nashville, TN, Tennessee, who at the Testator's request and in the presence of the Testator and of each other, all being present at the same time, have signed our names as witnesses.

IN WITNESS WHEREOF, I have signed my name on this the 24 day of August, 2019, at Nashville, TN, Tennessee, declaring and publishing this instrument as my Last Will, in the presence of the undersigned witnesses, who witnessed and subscribed this Last Will at my request, and in my presence.

Marilyn Kay Vick

Marilyn Kay Vick (Testator) Signature

SIGNED AND DECLARED by Marilyn Kay Vick on the 24 day of August, 2019 to be the Testator's Last Will, in our presence, at Nashville, TN, Tennessee, who at the Testator's request and in the presence of the Testator and of each other, all being present at the same time, have signed our names as witnesses.

Sherry Jolly

Witness #1 Signature

Sherry Jolly

Witness #1 Name (Please Print)

8800 Poplar Creek Rd

Witness #1 Street Address

Nash. TN 37221

Witness #1 City/State

Sandra Belisle Shotwell

Witness #2 Signature

Sandra Belisle Shotwell

Witness #2 Name (Please Print)

8791 Poplar Creek Rd

Witness #2 Street Address

Nashville, TN 37221

Witness #2 City/State

AFFIDAVIT

STATE OF TENNESSEE
COUNTY OF Davidson County

I, Marilyn Kay Vick, the Testator, sign my name to this instrument this 24 day of August, 2019, and being first duly sworn, declare to the undersigned authority all of the following:

1. I execute this instrument as my Last Will.
2. I sign this Last Will willingly, or willingly direct another to sign for me.
3. I execute this Last Will as my free and voluntary act for the purposes expressed therein.
4. I am 18 years of age or older, of sound mind and under no constraint or undue influence.

Testator: Marilyn Kay Vick

We, Sherry Jolly and Sandra B. Shotwell the witnesses, being first duly sworn, sign our names to this instrument and declare to the undersigned authority all of the following:

1 The Testator executes this instrument as their Last Will.

2 The Testator signs it willingly, or willingly directs another to sign for them

3 Each of us, in the conscious presence of the Testator, and in the presence of each other, signs this Last Will as a witness.

4. To the best of our knowledge, the Testator is 18 years of age or older, of sound mind and under no constraint or undue influence.

Sherry Jolly
Witness #1

Sandra Belisle Shotwell
Witness #2

Subscribed and sworn to before me by Marilyn Kay Vick, the Testator, and by Sherry Jolly and Sandra Shotwell, witnesses, this 24th day of August, 2019.

(Signed) Susan Walker

Notary
(Official capacity of officer)

my seal expires 5/9/2023

(Seal)

SUSAN WALKER
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.