Karen Johnson Davidson County
Batch# 1044985 WILL
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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 23P1359, IN RE: SHIRLEY ANN SCRUGGS, 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]

23P 1359

LAST WILL AND TESTAMENT

OF

SHIRLEY ANN SCRUGGS



I, SHIRLEY ANN SCRUGGS, currently of 3816 Creekside Drive, Nashville, Davidson County, Tennessee, being of sound mind and disposing memory, do make, publish and declare this to be my Last Will and Testament, hereby revoking all former Wills and Codicils made by me.

I.

I direct that all debts that shall be legally owing by me, my funeral expenses and the expenses of administration of my estate be paid by my Executor/Executrix as soon as practicable, except as to any debt secured by real estate, whether by mortgage or other security instrument, my Executor/Executrix may pay such debt or permit such real estate to pass subject to such debt. I further direct that all estate, inheritance and other taxes assessed by reason of my death be paid from my estate and that no part thereof be collected from any beneficiary. Such taxes shall be paid by the Executor/Executrix in respect of all property required to be included in my gross estate for estate, inheritance or other death taxes, whether the property passes under this Will or otherwise, without contribution by any recipient of any such property so includable for tax purposes.

If at my death I own or have an interest in any property outside my state of domicile, I authorize my Executor/Executrix, in his/her discretion, to pay from my domiciliary estate all or any portion of the costs of ancillary administration and other similar proceedings which might be required in other jurisdictions.

 Shirley Ann Scruggs
SHIRLEY ANN SCRUGGS

II.

All the property which I may own at the time of my death, whether the same be real, personal, bank account, retirement accounts, mixed, corporate shares of stock, tangible or intangible, of whatsoever nature and wheresoever situated, including any and all such property both real and personal which I may acquire or become entitled to after the execution of this Will, and which remains after the payment of my debts, expenses and any taxes incident to my death, I give, devise and bequeath to my husband, BOBBY PARKER SCRUGGS. I direct that any expenses incurred in safeguarding or delivering such property to him be paid from my estate as an administrative expense thereof.

III.

If my husband, BOBBY PARKER SCRUGGS, predeceases me, then his share of my estate shall lapse. In the event that my said husband predeceases me, I bequeath and devise all of my property, real, personal, bank accounts, retirement accounts, tangible, intangible and mixed, including property which I may acquire by virtue of inheritance or otherwise after the execution of this Will to my son, WILLIAM SCOTT SCRUGGS, and my daughter, TRACI ANN KIMBLE, in equal shares, share and share alike, per stirpes.

IV.

To this end, I direct that my Executor/Executrix reduce my entire estate to cash as soon as practicable after my death and pay to each surviving beneficiary, an equal share of the proceeds thereof. I therefore vest in my Executor/Executrix, the power to determine, in his/her discretion, all of the terms and conditions of sale, including credit.

I direct that any expenses incurred in safeguarding or delivering such property and the distribution of money to the said beneficiaries be paid from my estate as an administrative expense thereof.

V.

I appoint my husband, BOBBY PARKER SCRUGGS, to be the Executor of this my Last Will and Testament and direct that no bond, inventory or accounting be required for the faithful performance of his duties. If my husband, BOBBY PARKER SCRUGGS, predeceases me or does not survive me by thirty (30) days or for any reason shall fail to qualify as Executor hereunder or having qualified shall die or resign, then in such event, I appoint and designate my daughter, TRACI ANN KIMBLE, to act as Executrix of my estate; and in such capacity, she shall possess and exercise all powers and authority herein conferred on BOBBY PARKER SCRUGGS. I also direct that no bond, inventory or accounting be required of TRACI ANN KIMBLE, as substitute Executrix for the faithful performance of her duties.

In the administration of my estate, I direct that the Executor/Executrix shall have all of the rights and powers set forth in Section 35-50-110, Tennessee Code Annotated, which provisions are hereby incorporated by specific reference as such statutes exist on the date I execute this Will.

VI.

If BOBBY PARKER SCRUGGS and I shall die as the result of a common disaster, simultaneously, or under such other circumstances that there is not sufficient evidence to determine the order of our deaths, then it shall be presumed that I survived him; and my estate shall be administered and distributed, in all respects in accordance with such presumption.

VII.

For valuable consideration, the receipt of which is hereby acknowledged as received by me, as well as my love and affection for him, I, SHIRLEY ANN SCRUGGS, mutually contract with my husband, BOBBY PARKER SCRUGGS, that I will not revoke or change this, my LAST WILL AND TESTAMENT, pursuant to T.C.A. Section 32-3-107.

VIII.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament consisting of this and three (3) preceding typewritten pages and for the purpose of identification, I have signed each such page all in the presence of the persons witnessing it at my request on this 18th day of September, 2009, at Nashville, Davidson County, Tennessee.

Shirley Ann Scruggs
SHIRLEY ANN SCRUGGS

The foregoing instrument consisting of this and three (3) preceding typewritten pages, was signed, sealed, published and declared by SHIRLEY ANN SCRUGGS, Testatrix, to be her last Will and Testament, in our presence, and in the presence of each other, and at his request, we have hereunto subscribed our names as witnesses, this 18th day of September, 2009, at Nashville, Davidson County, Tennessee.

J. W. Ay residing at 412 E. Thompson Ln. Nashville TN. 37211

James A. Hefner residing at 3627 SABRE DR. NASHVILLE, TENNESSEE 37211

AFFIDAVIT OF WITNESSES

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Jim W. Ayers and James A. Huffaker, after being duly sworn according to law, depose and say:

1. That they are adult citizens and residents of Tennessee.

2. That they witnessed the execution of the Last Will and Testament of SHIRLEY ANN SCRUGGS dated the 18th day of September, 2009, to which this Affidavit is attached and that this Affidavit is being made at the request of the Testatrix in accordance with Tennessee Code Annotated 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 at the request of the Testatrix and in her presence and in the presence of each other, and at the place and on the date recited in said Last Will and Testament.

4. That the Testatrix signed said paper writing as and for his Last Will and Testament in their sight and presence.

5. That at the time they witnessed said Will, Testatrix was, in their opinion, of sound mind.

WITNESS

WITNESS

Personally appeared before me, a Notary Public, Jim W. Ayers and James A. Huffaker with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 18th day of September, 2009.

NOTARY PUBLIC

TOM R. SMITH STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires: 11/07/12

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SHIRLEY ANN SCRUGGS