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Z3P903

BOX 10-A

LAST WILL AND TESTAMENT

OF

PANSY JO SMELSER

FILED
MAY 24 2023
JOSEPH P. PAGE, CLERK
By

I, PANSY JO SMELSER, domiciled in Nashville, Davidson County, Tennessee, being of sound mind and disposing memory, do hereby make, publish and declare this to be my Last Will and Testament, revoking all former Wills and Codicils heretofore made by me

ITEM I

I direct that all my matured debts, funeral expenses, expenses of my last illness and for the administration of my estate, and my estate or inheritance taxes that may be imposed by reason of my death, be paid out of my residuary estate by my Executrix (Executor) without proration among the several beneficiaries

I further direct that in the event any property or interest in property passing under this Will, by operation of law, or otherwise by reason of my death (other than as a part of my residuary estate), shall be encumbered by mortgage or lien, or shall be pledged to secure any obligation (whether the property or interest in property so encumbered or pledged shall be owned by me jointly or individually), it is my intention that such indebtedness shall be paid from my estate to the extent of funds available In the event there are multiple properties subject to indebtedness, and insufficient cash to pay off said indebtedness, then remaining funds shall be paid equally against the remaining debts [e g , two properties subject to debt with Twenty Thousand Dollars ($20,000 00) remaining cash equal Ten Thousand Dollars ($10,000) applied to each property debt]

ITEM II

I may leave a certain handwritten memorandum disposing of certain of my personal effects, household furnishings and jewelry In the event that such memorandum is not found by my Executrix within thirty (30) days of probate of my estate, I then direct that my Executrix, **JOY MIGNON SMELSER**, be given first choice as to any items of my personal effects,

Karen Johnson Davidson County
Batch# 1049761 WILL
09/14/2023 09 49 31 AM 5 pgs
Fees $27 00 Taxes $0.00
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household furnishings, and jewelry The remaining tangible personal property shall be divided equally among my three stepchildren, **BRENDA JOYCE SMELSER SHUMARD, JERRY HORTON SMELSER** and **JUDY CAROLYN SMELSER BOWERS** Any disputes as to division of said property shall be decided by my Executrix with her decision to be final

ITEM III

I give and devise the following devises of real property I give and devise the property located at 1512 Gale Lane, Nashville, Tennessee 37212 to my daughter, **JOY MIGNON SMELSER** In the event she predeceases me, I then give, devise and bequeath said real estate as a part of the residuary disposed of in Item III hereunder I give and devise the property located at 629 Elaine Drive, Nashville, Tennessee 37211 to my stepson, **JERRY HORTON SMELSER**, per stirpes. I give and devise the property located at 4218 Lone Oak Road, Nashville, Tennessee 37215 to my stepdaughter, **BRENDA JOYCE SMELSER SHUMARD**, per stirpes I give and devise the property located at 3605 Robin Road, Nashville, Tennessee 37204 to my stepdaughter, **JUDY CAROLYN SMELSER BOWERS**, per stirpes

In the event that any of the above described tracts of real estate have been sold as of the time of my death, I give and bequeath a sum of money equal to the sales price of said property less expenses of sale, mortgage debt existing as of the time of sale, and income taxes payable as a result of said sale It is my intent that this bequest be a net figure representing the net sum received after deduction of the above-described items from the sale of any of such properties

All the rest, residue and remainder of my property, of whatever nature and wherever situated, I devise and bequeath in equal shares to my children, **JERRY HORTON SMELSER, BRENDA JOYCE SMELSER SHUMARD, JUDY CAROLYN SMELSER BOWERS** and **JOY MIGNON SMELSER**, per stirpes

ITEM IV

I authorize my Executrix (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 part of my estate or any trust, to exercise any and all of the powers set forth in Tennessee

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Code Annotated, Section 35-50-110, to the extent applicable, all of which provisions and powers are incorporated herein by reference as fully as if copied herein verbatim These powers are granted, notwithstanding that said statute may be amended or repealed at the time of my death

ITEM V

I appoint my daughter, **JOY MIGNON SMELSER**, to be the Executrix of this my Last Will and Testament If my daughter should for any reason fail or cease to serve as Executrix hereunder, then in such event I appoint my grandson, **KENNETH SHUMARD**, as the Sole Executor of my estate I direct that no bond or other security shall be required of my Executrix for the faithful performance of her duties I vest my Executrix with full power and authority to sell, transfer and convey any property, real or personal, which I may own at the time of my death at such time and price and upon such terms and conditions as she may determine and to do every other act and thing necessary or appropriate for the complete administration of my estate

IN WITNESS WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of this and two (2) preceding typewritten pages, and for the purpose of identification I have initialed each such page, all in the presence of the persons witnessing it at my request on this 20 day of March, 2003, at Nashville, Tennessee

TESTATRIX

Pansy Jo Smelser

PANSY JO SMELSER

The foregoing instrument, consisting of this and two (2) preceding typewritten pages, was signed, published and declared by PANSY JO SMELSER to be her Last Will and Testament in our presence, and we, at her request, and in her sight and presence and in the sight and presence of each other have hereunto subscribed our names as attesting witnesses, the day and date above written

Meg Flowers — WITNESS — 3600 Hillsboro Pk, 14-2 Nashville TN 37215 — ADDRESS

Kelli Upman — WITNESS — 1718 BRENTWOOD TERRACE, NASHVILLE, TN 37211 — ADDRESS

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AFFIDAVIT BY WITNESSES TO
LAST WILL AND TESTAMENT

Each of the aforesaid witnesses, being Ruth Lippmann and Meg Flowers, subscribe to the Last Will and Testament of PANSY JO SMELSER, executed on the 20th day of March, 2003, having been requested by the Testatrix to make and sign this Affidavit, and having first been duly sworn before the Notary Public whose name appears below, hereby state that the said Pansy Jo Smelser was over eighteen years of age, was of sound mind, declared the foregoing instrument to be her Last Will and Testament, published and executed it freely, without undue influence or coercion, by signing each page in the presence of all of us who are present at the same time and we, at her presence and at her request and in the presence of each other, subscribed our names as witnesses on the 20th day of March, 2003

Ruth Lippmann — 1718 BRENTWOOD TERRACE, NASHVILLE, TN 37211
WITNESS — ADDRESS

Meg Flowers — 3600 Hillsboro Pk, H-2 Nashville Tn 37215
WITNESS — ADDRESS

Sworn to and subscribed before me on this the 20 day of March, 2003.

Notary Public

My Commission Expires _____

JOHN GREGORY HARDEMAN NOTARY Exp 3.26.05 PUBLIC AT LARGE DAVIDSON COUNTY TN

STATE OF TENNESSEE

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IN RE: ***PANSY JO SMELSER***

Docket No: ***23P903***

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 document heretofore entered in the above styled case on May 25, 2023 in the Seventh Circuit Court for Davidson County, Tennessee, 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, on September 6, 2023.

JOSEPH P. DAY CIRCUIT COURT CLERK

JOSEPH P. DAY, Clerk,

By: _____ ***Deputy Clerk***