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JOSEPH P. DAY, Clerk
By Deputy

ST WILL AND TESTAMENT OF MARY JANE BUCHANAN 23P2231

I, MARY JANE BUCHANAN, of Davidson County, Tennessee, do make, declare, and publish this my last will and testament, hereby revoking all former wills and codicils.

ITEM I: REFERENCES

A. ***Family.*** I am a widow. My children, LaRita Buchanan Gwie and Shirley Lyneve Buchanan Fulton, and any other child hereafter born to or adopted by me, are referred to as my children.

B. ***Fiduciaries.*** For convenience, the fiduciaries (including any alternates) hereinafter appointed are sometimes referred to as the Executor, regardless of the gender or the number of the parties serving in each capacity.

C. ***Survival by beneficiary.*** Any beneficiary named under this will who does not survive me by twenty four (24) hours shall be deemed to have predeceased me for purposes of distribution of my will and estate.

ITEM II: FUNERAL AND DISPOSITION OF BODY

I own a gravesite in Williamson County Memorial Gardens next to my husband's grave, which is where I wish for my remains to be buried.

ITEM III: DEBTS, ADMINISTRATION EXPENSES AND TAXES

A. ***Payment of Debts, Administration Expenses and Taxes.*** All of my legally enforceable debts (except secured debts, which may be paid or retained in the discretion of the Executor), my funeral expenses and the expenses of administration of my estate, both domiciliary and ancillary, shall be paid by my Executor as soon as practicable after my death. My Executor shall pay out of my residuary estate all

estate, inheritance and other death taxes that shall become payable by reason of my death, whether in respect of property passing under this will or otherwise, as an expense of administration, without apportionment; provided, however, that I grant to my Executor the discretion to apportion such taxes to persons receiving assets outside of this will as a result of my death in accordance with Tennessee Code Annotated Section 30-2-614 when, in my Executor's discretion, it would be inequitable to charge such taxes to the takers of my residuary estate.

B. ***Life Insurance***. The proceeds of any life insurance payable to my Executor or my estate are to be free from the claims of creditors and are to be held and distributed as provided by the terms of this will. My Executor may use (but shall not be required to use) any portion of such proceeds as my Executor deems advisable, exercising a reasonable discretion, for the payment of debts, expenses and taxes, but only if my Executor deems such use of the proceeds to be in the best interests of my legatees and beneficiaries hereunder.

C. ***Real Property***. Any real property I own at my death may be sold or retained in the sole discretion of my Executor. If any real property I own is retained by my Executor and passes by this will, the recipient of said real property, not my estate, shall be responsible for any taxes, liens, encumbrances, or maintenance of the real property. In the event one of my named beneficiaries wishes to retain my real property, the Executor shall have the real property appraised to determine a fair market value as close to the time of my death as practical, and my beneficiary shall work with the other beneficiaries to determine an agreeable purchase price for each of their shares. If my real property is sold by my Executor, the proceeds after all applicable taxes and expenses of sale have been paid, shall be added to my residual estate.

D. ***Powers of Executor***. I grant to my Executor any and all of the powers that an Executor may exercise under the applicable laws of the State of Tennessee, including but not limited to the powers

enumerated in Tennessee Code Annotated Section 35-50-110 which are incorporated by reference as well as the powers granted in the Uniform Trust Code as adopted in Tennessee and any other powers granted in Title 35 of the Tennessee Code, even if my estate is administered in a state other than Tennessee or any Executor is a citizen or resident of a state other than Tennessee, to the extent that such state laws are not inconsistent with any express powers granted the Executor hereunder. I grant to my fiduciaries the power and authority to appoint resident fiduciaries to serve with them when applicable law so requires.

ITEM IV: DISPOSITION OF PERSONAL EFFECTS

I own several pieces of furniture that are of an ancestral or sentimental value that I wish to be retained within the family. I grant my Executor the authority to determine which family member, including the Executors, shall receive each item with the stipulation that each piece be placed with a blood relative of mine. The items I have identified are as follows: oval wood side table with marble top, four-drawer chest in my living room, sugar chest, square cherry table, the outside dinner bell, and my late husband's cherry bedroom suit which includes a bed, chest, triple dresser, and two nightstands.

After I sign this Will, I may leave a letter or other written document either in my own handwriting or signed by me or both addressing the disposition of certain items of a purely personal and sentimental nature from my tangible personal property. If I prepare this document, I will keep it with my will and its contents shall be incorporated herein by reference. I direct that my Executor treat said document as part of this will and carry out the provisions so provided.

I further direct that each beneficiary be allowed to choose items of my personal property in the following manner: my daughters shall first be allowed to choose any and all personal items each may wish, deciding between themselves any disputed items, then each of the other named beneficiaries may select one item of my personal property and then starting over again from oldest to youngest until all items have been

selected or until each beneficiary has made all selections he or she wishes. I direct that the remainder of my personal property be sold by my Executor and added to my residual estate.

ITEM V: OMISSION OF BENEFICIARIES

Except as expressly provided herein, I have intentionally omitted to provide for persons who may be my heirs, whether or not now in being. Any person not specifically named in this Will is intentionally omitted for good reasons known to me and shall not be entitled to any benefit or distribution from my estate.

ITEM VI: RESIDUARY ESTATE

All of the rest and residue of my property I give, devise and bequeath in the following manner:

Twenty five percent (25%) to my daughter, LaRita Buchanan Gwie, if she shall survive me. If LaRita Buchanan Gwie does not survive me, then her share to her husband, Steve William Gwie, if he shall survive me. If neither LaRita Buchanan Gwie nor Steve William Gwie survive me, then LaRita's share to her children, *per stirpes.*

Twenty five percent (25%) to my daughter, Shirley Lyneve Buchanan Fulton, if she shall survive me. If Shirley Lyneve Buchanan Fulton does not survive me, then her share to her children, *per stirpes.*

Twelve and one half percent (12.5%) to each of my grandchildren, Brady Alexander Fulton of Franklin, TN; Luke Taylor Fulton of Franklin, TN; Eliana Janine Gwie of Lucas, TX; and Shayla Kayleen Gwie of Lucas, TX. If any grandchild does not survive me, then his or her share to his or her issue, *per stirpes*. If any grandchild does not survive me and leaves no issue, then his or her share to his or her sibling, if his or her sibling shall survive me, otherwise to his or her cousins in equal shares.

It is my desire that the gifts, devises, and bequests made to my grandchildren be used first for their education or towards the purchase of their home.

Distribution to a Minor or Incapacitated Beneficiary. During the minority or incapacity of any beneficiary to whom any bequest is payable or distributable under this will, the Executor, exercising a reasonable discretion, may make distribution in any one or more of the following ways: (1) directly to such beneficiary such amount as the Executor may deem advisable as an allowance; (2) to the guardian, conservator or limited guardian (including the Executor) of the person or of the property of such beneficiary; (3) to a custodian (including the Executor) in accordance with the Tennessee Uniform Transfers to Minors Act, to hold until such person reaches age 25 or any lower age that such custodian determines appropriate; (4) to a relative (including the Executor) of such beneficiary upon the agreement of such relative to expend such income or principal solely for the benefit of the beneficiary; or (5) by expending such income or principal directly for such beneficiary; or (6) to invest in or contribute to a qualified Internal Revenue Code Section 529 plan as an account owner on behalf of a beneficiary and exercise any options under such account consistent with the purposes set forth herein.

Lack of Beneficiaries. If in the absence of this Section, I otherwise would die without any named beneficiary, I then devise and bequeath my entire residuary estate in equal shares to Bethlehem United Methodist Church in Franklin, TN and Prosperity Associate Reformed Presbyterian Church in Fayetteville, TN.

ITEM VII: FIDUCIARIES

A. ***Executor***. I appoint my daughters, Shirley Lyneve Buchanan Fulton and LaRita Buchanan Gwie, as co-Executors of this my last will and testament. If either is unable or unwilling to serve as the Executor for any reason, then the other shall serve individually. If neither is able or willing to serve, then I appoint my grandson, Brady Alexander Fulton, as my alternate Executor.

1. ***Bond, Inventory and Accounting***. I direct that no bond, inventory, or accounting be required of any named Executor for the faithful performance of his or her duties. If anyone other than a named Executor serves, bond, inventory, and accounting shall be required.
2. ***Compensation***. I direct that any Executor, with the exception of my daughters or grandson, Brady Alexander Fulton, receive reasonable compensation for his or her performance of duties associated with administration of my estate. Compensation shall be reasonable for the time, locale, and effort required and shall be approved by the Court overseeing my probate estate.

ITEM VIII: DIGITAL ASSETS

My Executor shall have the power to access, handle, distribute and dispose of my digital assets and the power to obtain, access, modify, delete, and control my passwords and other electronic credentials associated with my digital devices and digital assets.

"Digital assets" includes files stored on my digital devices, including but not limited to, desktops, laptops, tablets, peripherals, storage devices, mobile telephones, smartphones, and any similar digital device which currently exists or may exist as technology develops or such comparable items as technology develops. The term "digital assets" also includes but is not limited to emails received, email accounts, digital music, digital photographs, digital videos, software licenses, social network accounts, file sharing accounts, financial accounts, domain registrations, DNS service accounts, web hosting accounts, tax preparation service accounts, online stores, affiliate programs, other online accounts and similar digital items which currently exist or may exist as technology develops or such comparable items as technology develops, regardless of the ownership of the physical device upon which the digital item is stored.

ITEM IX: SEVERABILITY

If any provision of this Will is held to be unenforceable or void, the other provisions of this will shall remain in effect. If possible, the offending provision should be construed in accordance with my

stated intentions. If not possible, the offending provision shall be stricken, and all other provisions shall continue in full force and effect.

ITEM X: IN TERROREM CLAUSE

Notwithstanding anything herein to the contrary, if any beneficiary contests the terms of this will, including, without limitation, filing a contest of admission of this will to probate or filing a petition requiring formal proof of this will, that beneficiary shall not be entitled to any property under the terms of this will, and for all purposes of this will, that beneficiary shall then be deemed to have predeceased me.

ITEM XI: TESTATOR INTENT

It is my intent that my daughters shall equally divide one half of my residuary estate and that my four grandchildren shall equally divide one half of my residuary estate. It is further my intent that if LaRita predeceases me, her share go to her husband Steve William Gwie, and if he does not survive me, then her share go to her children, equally; and that if Lyneve predeceases me, her share go to her children, equally. It is further my intent that any amounts received from my estate by my grandchildren be used first for their education and second for the purchase of their individual homes.

IN WITNESS WHEREOF, I have hereunto subscribed my name to this my last will and testament, consisting of this and the preceding six typewritten pages and two subsequent pages, and for the purpose of identification, I have initialed each such page at the bottom thereof, all in the presence of the persons witnessing it, at my request, on this the 30th day of July, 2023 at Nashville, Tennessee.

Mary Jane Buchanan

MARY JANE BUCHANAN

Signed, sealed, published and declared by the Testator, MARY JANE BUCHANAN, to be her last will and testament in the presence of all of us at one and the same time, and we, at her request and in her presence and in the presence of each other, have hereunto subscribed our names as witnesses, and we do hereby attest to the sound and disposing mind of said Testator and to the performance of the aforesaid act of execution at the place and on the date hereinabove set out.

WITNESS: Jessie P. Wynn
Print name: Jessie P. Wynn
Address: 305 Leopole Rd
Nash. TN. 37211

WITNESS: James E. Wynn, SR
Print Name: JAMES E Wynn
Address: 305 LEOPOLE Rd
Nash, TN 37211

AFFIDAVIT OF WITNESSES

STATE OF TENNESSEE
COUNTY OF Davidson

We, the undersigned, having been duly sworn, depose and say:

1. On the 20th day of July, 2023, MARY JANE BUCHANAN presented to us a paper writing dated on the aforementioned date, purporting to be her Last Will and Testament.
2. She signed and subscribed her name as Testator thereto in our sight and presence.
3. She published and declared said instrument to be her Last Will and Testament and requested that we subscribe our names thereto and attest her execution of the same.
4. We, the undersigned, at her request and in her sight and presence and in the sight and presence of each other, signed and subscribed our names thereto as such attesting and subscribing witnesses.
5. MARY JANE BUCHANAN was more than eighteen (18) years of age and appeared to be of sound mind and disposing memory at the time she executed said instrument as her Last Will and Testament.
6. We, the undersigned, were each more than eighteen (18) years of age when we signed as such attesting and subscribing witnesses.
7. This Affidavit is attached to said Last Will and Testament and executed pursuant to Tennessee Code § 32-2-110 and at the request of MARY JANE BUCHANAN.

And further affiants saith not.

Jessie P. Wynn Print name
Jessie P. Wynn Signature

James E. Wynn, SR Print Name
James E. Wynn, SR Signature

Subscribed and sworn to before me this day of 20th July 2023

Notary Public

MICHELE HODGES
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 7-8-2026

mjh Initials

MARY JANE BUCHANAN

Notary Public
My Commission Expires: July 6, 2026

THIS WILL PREPARED BY:

MICHELE HODGES
HODGES LAW, LLC
4117 Hillsboro Pike, Suite 103-354
Nashville, TN 37215

STATE OF TENNESSEE

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IN RE: ***MARY JANE BUCHANAN***

Docket No: ***23P2231***

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 Order heretofore entered in the above styled case on December 5, 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 December 6, 2023.

JOSEPH P. DAY CIRCUIT COURT CLERK

JOSEPH P. DAY, Clerk,

By: _____

Deputy Clerk