STATE OF TENNESSEE

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Karen Johnson
Batch # 1107518
03/05/2024 11:48:07 AM
Fees: $32.00 Taxes: $0.00
Davidson County
WILL
6 pgs
20240305-0015282

IN RE: ***JOHN STANLEY CAIL***

Docket No: ***23P1951***

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 October 26, 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 March 5, 2024.

JOSEPH P. DAY CIRCUIT COURT CLERK

JOSEPH P. DAY, Clerk,

By: _____
Deputy Clerk

EFILED 10/26/23 11:21 AM CASE NO. 23P1951 Joseph P. Day, Clerk

23P1951

LAST WILL AND TESTAMENT

-OF-

JOHN STANLEY CAIL

FILED
OCT 26 2023
By JOSEPH P. DAY, CLERK

I, JOHN STANLEY CAIL, a resident of Davidson County, Tennessee, being of sound mind and disposing memory, suffering from no disability, and knowing the nature and objects of my bounty, do hereby declare this to be my **LAST WILL AND TESTAMENT**, hereby revoking a[illegible]or wills and codicils executed by me.

ARTICLE I.

I constitute and appoint my wife, **HELEN TOMASULO,** as the Executrix of this, my Last Will and Testament. I direct that no bond or other security be required of my said Executrix or alternate for the faithful performance of their duties as such and all are expressly excused from filing any inventory or final accounting as such Executrix.

ARTICLE II.

I hereby direct that all my just debts, my funeral expenses and the cost of administration of my Estate be paid as soon as practicable after my death. I further direct that my Executrix pay out of my residuary estate, without apportionment, all estate, inheritance, succession and other taxes (together with any penalty or interest thereon), assessed by reason of my death, imposed by the government of the United States, or any state or territory thereof, in respect of all property required to be included in my gross estate for estate or like tax purposes by any of such governments, including property over which I have a taxable power of appointment, whether the property passes under this Will or otherwise, without contribution by any recipient of any such property.

EFILED 10/26/23 11:21 AM CASE NO. 23P1951 Joseph P. Day, Clerk

ARTICLE III.

I hereby authorize my Executrix to exercise with reasonable discretion, any or all powers set forth in Tennessee Code Annotated § 35-50-110 all of which provisions and powers are incorporated herein by reference as fully as if copied herein verbatim. These powers (as set out in said statute on the date of the execution of this will) are granted even should said statute be amended or repealed at the time of my death. Reasonable compensation for services of my Executrix shall be authorized for payment by interim petitions to the Probate Court having jurisdiction over this Will. My Executrix is specifically authorized to sell any and all Real and Personal Property owned by me at the time of my death for carrying out the intent of this my Last Will and Testament, without judicial approval.

ARTICLE IV.

If those in charge of my estate find any memorandum hand-written and signed by me, and attached to this Will, designating persons to whom I desire to give certain of my articles of personal property, not otherwise disposed of by this Will, I direct that said articles be delivered to the persons so designated in such memorandum. Any such hand-written and signed memorandum shall be deemed a part of this Will, by reference, as if fully copied herein. If no such hand-written, signed memorandum is found attached to this Will, those in charge of my estate shall assume that none exists.

ARTICLE V.

In the event that the death of my wife and I should occur simultaneously, or approximately so, or in the same common accident or calamity, or under any circumstances causing doubt as to which of us survived the other, it shall be deemed that she survived me.

EFILED 10/26/23 11:21 AM CASE NO. 23P1951 Joseph P. Day, Clerk

ARTICLE VI.

All the rest, residue and remainder of the property not set forth in the Articles above, which I may own at the time of my death; real, personal and mixed; tangible and intangible; of whatsoever nature and wheresoever situated, including all property which I may acquire or become entitled to after the execution of this Will, including lapsed legacies and devises and all life insurance payable to my estate (but excluding any property over or concerning which I may have a power of appointment), I give, devise and bequeath to my wife, **HELEN TOMASULO.** In the event that she predeceases me then I direct that my estate be given to **MICHAEL JAMES TOMASULO,** per stirpes.

This my Last Will and Testament, is typewritten on five *(5)* pages, including the attestation clause and signature of witnesses and is identified by my signature on each page.

IN WITNESS WHEREOF, I hereunto set my hand this 14th day of September, 2023, and do publish and declare this is my Last Will and Testament in the presence of each and all subscribing witnesses who I have requested to act as such by signing this attestation clause and affidavit below pursuant to the provisions of T.C.A. 32-2-110.

John Cail

Testator

EFILED 10/26/23 11:21 AM CASE NO. 23P1951 Joseph P. Day, Clerk

ATTESTATION CLAUSE

The foregoing instrument, consisting of five typewritten pages, including the Attestation, was signed, published, and declared by **JOHN STANLEY CAIL,** the Testator, to be his Last Will and Testament, in our presence, and we, at his request and in his presence and in the presence of each other, have hereunto subscribed our names as witnesses, this 14th day of September, 2023, at Nashville, Tennessee.

WITNESSES:

(Signature)

161 Belle Forest Circle
(Address)

Nashville, Tennessee 37221

(Signature)

161 Belle Forest Circle
(Address)

Nashville, Tennessee 37221

THIS INSTRUMENT PREPARED BY:

Jad A. Duncan
Attorney at Law
161 Belle Forest Circle
Nashville, TN 37221
(615) 297-1062

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AFFIDAVIT OF WITNESS TO PROVE WILL

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Julliana Stewart and Nikki Mayer, of legal age and after being duly sworn and according to law, depose and say:

1. That they witnessed the execution of the Last Will and Testament of **JOHN STANLEY CAIL** dated this 14th day of September 2023, to which this affidavit is attached, and that this affidavit is being made at the request of the Testator, and in accordance with Tennessee Code Annotated 32-2-110.

2. 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 Testator and in his sight and presence, and in the sight and presence of each other, at the place and on the date recited in said Last Will and Testament.

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

4. That at the time they witnessed said Last Will and Testament, the Testator was, in their opinion, of sound mind and disposing memory.

Witness

Witness

Sworn to and subscribed before me this 14th day of September 2023, at Nashville, Tennessee.

NOTARY PUBLIC

JADA DUNCAN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 3-3-2026

My commission expires: 3/3/2026

JOHN STANLEY CAIL