STATE OF TENNESSEE

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Karen Johnson Davidson County
Batch # 1115294 WILL
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Fees: $52.00 Taxes: $0.00
20240326-0021098

IN RE: ***WALLACE MARSHALL***

Docket No: ***22P1078***

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 July 27, 2022 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 20, 2024.

JOSEPH P. DAY CIRCUIT COURT CLERK

JOSEPH P. DAY, Clerk,

By: _____
Deputy Clerk

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22P1078

FILED
JUL 27 2022
RICHARD R. ROOKER, Clerk
By _____ Deputy

Last Will and Testament of Wallace Marshall

Prepared by:
Shandi L. Fleeman, Attorney at Law
MERRITT, WEBB, WILSON & CARUSO, PLLC
7100 Commerce Way
Suite 260
Brentwood, Tennessee 37027
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LAST WILL AND TESTAMENT
OF
WALLACE MARSHALL

Introductory Clause. I, Wallace Marshall, a resident of and domiciled in the City of Nashville, County of Davidson, and State of Tennessee, do hereby make, publish, and declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils at any time heretofore made by me.

I am married to GLORIA MARSHALL.

I have one living child: KIMBERLY MARSHALL.

ITEM 1.
PAYMENT OF DEBTS

Payment of Debts, Expenses, and Taxes. The following provisions shall govern the payment of debts, expenses, and taxes by the Personal Representative of my estate.

1.1. **Direction to Pay Debts.** I direct that all my legally enforceable debts, secured and unsecured (except mortgages or deeds of trust, which may be paid or retained in the discretion of the Personal Representative), expenses related to my funeral, and expenses related to the administration of my estate shall be paid by my Personal Representative as soon as practicable after my death.

1.2. **Direction to Pay Taxes.** I direct that all estate, inheritance, succession, death, or similar taxes (except generation-skipping transfer taxes which shall be charged to the property constituting the transfer in the matter provided by applicable law) assessed against my estate herein disposed of, or any part thereof, or on any bequest or devise contained in this my Last Will (which term wherever used herein shall include any Codicil hereto), or on any insurance upon my life or on any property held jointly by me with another or on any transfer made by me during my lifetime or on any other property or interests in property included in my estate for such tax purposes be paid out of my residuary estate and shall not be charged to or against any recipient, beneficiary, transferee, or owner of any such property or interests in property included in my estate for such tax purposes.

1.3. **Specific Intent Regarding Life Insurance Payable to Estate.** It is my specific intention and direction that the proceeds of any life insurance policy payable to my Personal Representative or my estate shall be free from the claims of creditors and held and distributed under the dispositive provisions of this Will. My Personal Representative may use (but shall not under any circumstances be required to use) any portion of such proceeds as my Personal Representative deems advisable for the payment of debts, expenses, and taxes, but only if my Personal Representative deems such use of the proceeds to be in the best interests of my legatees hereunder.

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ITEM 2.
DISPOSITION OF TANGIBLE PERSONAL PROPERTY

General Bequest of Personal and Household Effects With a Mandatory Memorandum. I give and bequeath all my personal and household effects of every kind including but not limited to furniture, appliances, furnishings, pictures, silverware, china, glass, books, jewelry, wearing apparel, boats, automobiles, and other vehicles, and all policies of fire, burglary, property damage, and other insurance on or in connection with the use of this property, as follows:

2.1. I may leave a written memorandum disposing of certain items of my tangible personal property. Any such item of tangible personal property shall pass according to the terms of such memorandum in existence at the time of my death. If no such written memorandum is found or identified by my Personal Representative within ninety (90) days after my Personal Representative's qualification, it shall be conclusively presumed that there is no such memorandum and any subsequently discovered memorandum shall be ineffective. Any property given and devised to a beneficiary who is not living at the time of my death and for whom no effective alternate provision has been made shall pass according to the provisions of the following paragraph, and not pursuant to any anti-lapse statute. I realize that any such written memorandum may not be legally binding unless it meets the requirements of a Will or Codicil. If a memorandum attached hereto shall not meet such requirements, I nonetheless direct my Personal Representative to consider the contents of any such memorandum in making any discretionary divisions or distributions of such assets.

2.2. In default of such memorandum, or to the extent such memorandum does not completely or effectively dispose of such property, and subject to any specific bequest of tangible personal property or personal effects in this Last Will and Testament, I give and bequeath the rest of my personal and household effects of every kind to my daughter, KIMBERLY MARSHALL, if she shall survive me. If my daughter shall not survive me, then I give and bequeath such property to my wife, GLORIA MARSHALL, if she shall survive me. My Personal Representative may sell personal and household effects not otherwise disposed of in a manner which, in the sole discretion of my Personal Representative, will maximize the sale proceeds and such proceeds shall be distributed as part of my residuary estate.

ITEM 3.
DISPOSITION OF RESIDUE

Outright Gift of All Property to Daughter, Contingent Gift to Wife. I give, devise, and bequeath all the rest, residue, and remainder of my property of every kind and description (including lapsed legacies and devises) wherever situated and whether acquired before or after the execution of this Will, absolutely in fee simple to my daughter, KIMBERLY MARSHALL, if she shall survive me. If my daughter shall not survive me, then I give, devise, and bequeath the residue of my estate to my wife, GLORIA MARHSALL, if she shall survive me.

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ITEM 4.
PERSONAL REPRESENTATIVE APPOINTMENT

Naming the Personal Representative and Personal Representative's Fees. The provisions for naming the Personal Representative and Personal Representative's fees are set forth below:

4.1. **Naming an Individual Personal Representative.** I hereby nominate, constitute, and appoint as Personal Representative of this my Last Will and Testament my daughter, KIMBERLY MARSHALL, and direct that she shall serve without bond.

4.2. **Fee Schedule for Individual Personal Representative.** For her services as Personal Representative, my individual Personal Representative shall receive reasonable compensation for the services rendered and reimbursement for reasonable expenses.

ITEM 5.
MEANING OF PERSONAL REPRESENTATIVE

Definition of Personal Representative. Whenever the word "Personal Representative" or any modifying or substituted pronoun therefor is used in this my Will, such words and respective pronouns shall include both the singular and the plural, the masculine, feminine and neuter gender thereof, and shall apply equally to the Personal Representative named herein and to any successor or substitute Personal Representative acting hereunder, and such successor or substitute Personal Representative shall possess all the rights, powers and duties, authority, and responsibility conferred upon the Personal Representative originally named herein.

ITEM 6.
PERSONAL REPRESENTATIVE POWERS

6.1. **Powers for Personal Representative.** I grant to my Personal Representative any and all of the powers that a Personal Representative may exercise under the applicable laws of the State of Tennessee, including, but not limited to the powers enumerated in Tennessee Code Annotated § 35-50-110 which are incorporated herein by reference as well as the powers enumerated in Tennessee Code Annotated § 35-15-816 (being a subsection of the Tennessee Uniform Trust Code) which are likewise incorporated herein by reference, even if my estate or any trust hereunder is administered in a state other than Tennessee or any Personal Representative hereunder 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 Personal Representative hereunder.

6.2. **Examples of Powers of Personal Representative.** By way of illustration and not of limitation and in addition to any inherent, implied, or statutory powers granted to Personal Representatives generally, my Personal Representative is specifically authorized and empowered with respect to any property, real or personal, at any time held under any provision of this my Will: to allot, allocate between principal and income, assign, borrow,

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buy, care for, collect, compromise claims, contract with respect to, continue any business of mine, convey, convert, deal with, dispose of, enter into, exchange, hold, improve, incorporate any business of mine, invest, lease, manage, mortgage, grant and exercise options with respect to, take possession of, pledge, receive, release, repair, sell, sue for, to make distributions or divisions in cash or in kind or partly in each without regard to the income tax basis of such asset, and in general, to exercise all the powers in the management of my Estate which any individual could exercise in the management of similar property owned in his or her own right, upon such terms and conditions as to my Personal Representative may seem best, and to execute and deliver any and all instruments and to do all acts which my Personal Representative may deem proper or necessary to carry out the purposes of this my Will, without being limited in any way by the specific grants of power made, and without the necessity of a court order. In addition to the foregoing, my Personal Representative shall be authorized and granted full power to obtain my passwords and deal with any of my mail, electronic mail, membership accounts, social media, electronic, or other media accounts, web sites, and domain and other registration names, including the power to deal with, sell, or terminate any such accounts.

6.3. **Control Over Real Property by Personal Representative.** I direct, pursuant to Tennessee Code Annotated § 31-2-103, that any interests in real property which I shall own at the time of my death shall be administered as part of my estate and subject to the control of my Personal Representative, who shall have the full power to grant, bargain, sell, convey, lease, encumber, manage and otherwise deal in any lawful manner with said real property at any time during the administration of my estate, in the sole discretion of my Personal Representative, without the need for approval or joinder of any beneficiary and without the necessity of any person or entity overseeing the application of any proceeds that may result from any acts of my Personal Representative in the premises.

ITEM 7.
TAX-RELATED PROVISIONS

Tax-Related Administrative Provisions. The following provisions shall govern tax related aspects of the devises, bequests and estate administration under this Last Will and Testament.

7.1. **Discretion Granted to Personal Representative in Reference to Tax Matters.** My Personal Representative as the fiduciary of my estate shall have the discretion, but shall not be required when allocating receipts of my estate between income and principal, to make adjustments in the rights of any beneficiaries, or among the principal and income accounts to compensate for the consequences of any tax decision or election, or of any investment or administrative decision, that my Personal Representative believes has had the effect, directly or indirectly, of preferring one beneficiary or group of beneficiaries over others. In determining the state or federal estate and income tax liabilities of my estate, my Personal Representative shall have discretion to select the valuation date and to determine whether any or all of the allowable administration expenses in my estate shall be used as state or federal estate tax deductions or as state or federal income tax deductions and shall have the discretion to file a joint income tax return with my wife.

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ITEM 8.
MISCELLANEOUS PROVISIONS

Miscellaneous Administrative Provisions. The following miscellaneous provisions shall apply to the administration of my estate and the interpretation of this Last Will and Testament.

8.1. **Waiver of Bond, Inventory, and Accounting Requirements.** To the extent permitted by law, no Fiduciary serving hereunder, primary, successor or otherwise, shall be required to furnish a bond or file any inventory or accountings with the Court in the performance of the Fiduciary's duties.

8.2. **Captions.** The captions and headings of this Will are for convenience only and shall not define or otherwise limit the provisions contained herein.

8.3. **State Law to Govern.** This Last Will and Testament shall be construed, regulated, and governed by and in accordance with the laws of the State of Tennessee.

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PROOF OF WILL

STATE OF TENNESSEE)
) Self-Proving Affidavit
COUNTY OF DAVIDSON)

We, Wallace Marshall, Susie Harris, and Debra Dixon, the Testator and the witnesses, respectively, whose names are signed to the attached or foregoing instrument, being first duly sworn, do hereby declare to the undersigned authority that the Testator signed and executed the instrument as his Last Will and that he had signed willingly (or willingly directed another to sign for him), and that he executed it as his free and voluntary act for the purposes therein expressed, and that each of the witnesses, in the presence and hearing of the Testator, and in the presence of each other, signed the Will as witness and to the best of our knowledge the Testator was at that time eighteen years of age or older, of sound mind, and under no constraint or undue influence.

Wallace Marshall
Wallace Marshall
TESTATOR

Susie Harris
WITNESS

Debra Dixon
WITNESS

Subscribed, sworn to, and acknowledged before me by Wallace Marshall, the Testator, and subscribed and sworn to before me by Susie Harris and Debra Dixon, witnesses, this the 4 day of Apr., 2022.

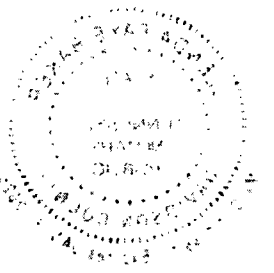
GLENDA FAYE BAKER
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires JAN. 6, 2025

Glenda Faye Baker
Notary Public for Tennessee

My Commission Expires: January 6, 2025

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Testimonium Clause. IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament and, for the purpose of identification, I have initialed each such page, all in the presence of the persons witnessing same at my request on this the 4th day of April, 2022.

Wallace Marshall
Testator

Attestation Clause. The foregoing Will was this the 4th day of April, 2022 signed, sealed, published, and declared by the Testator as and for his Last Will and Testament in our presence and at one and the same time, and we, at his request and in his 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 on the above date.

Witness
Susie Harris
Print Name
3230 Healy Dr.
Address Line 1
(Number, Street, Apartment or Suite Number)
Nashville, Tn 37207
Address Line 2
(City, State, Zip Code)

Witness
Debra Dixon
Print Name
2070 Bandy Rd
Address Line 1
(Number, Street, Apartment or Suite Number)
Ashland City, TN 37015
Address Line 2
(City, State, Zip Code)

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