13

PROBATE COURT OF WILSON COUNTY TENN. LEBANON

STATE OF TENNESSEE, COUNTY OF WILSON
I hereby certify the foregoing to be a true and perfect copy of the original instrument on file in this case.

30TH day of May, 2024
MILLIE SLOAN, CLERK & MASTER
Vaughn A Williams D. C&M

ENTERED
MAY 20 2024
AT 3:15P M.

LAST WILL AND TESTAMENT

OF

IRENE ROWLETT

ENTERED IN WILL BOOK 66, PAGE 202
MAY 20 2024

I, IRENE ROWLETT, domiciled in Wilson County, Tennessee, do make, publish and declare this to be my Last Will and Testament, hereby revoking all wills and codicils heretofore made by me.

I

I appoint my husband, CHARLES ROWLETT, to be the Executor of this my Last Will and Testament and direct that no bond be required of him for the faithful performance of his duties; I vest my said Executor 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 price and upon such terms as he may determine and to do every other act and thing necessary or appropriate to complete the administration of this Will. If my husband is unable or unwilling to serve or continue to serve as such Executor, then I appoint my children, JEFF ROWLETT, BRAD ROWLETT and RONDA R. JERNIGAN, to serve as my successor Executors. Any successor Executor serving hereunder shall not be required to inquire into or audit the acts or doings of my Executor or to make any claim against him or his estate. My successor Executors shall have and may exercise any and all of the powers, privileges, immunities and exemptions herein conferred on my Executor as fully and to the same extent as if such successor Executors had originally been named Executor herein.

Karen Johnson
Batch # 1147179
06/14/2024 08:46:27 AM
Fees: $67.00 Taxes: $0.00
Davidson County
WILL
13 pgs
20240614-0044533

202

II

I appoint my children, JEFF ROWLETT, BRAD ROWLETT and RONDA R. JERNIGAN, to serve as Trustees of the trusts which may be established under this Will. The Trustees shall not be required to post any bond or other security for the faithful performance of their duties, or for any other reason.

III

I direct that all my just debts that constitute enforceable claims against my estate (except debts secured by mortgages or other security instruments, which may be paid or retained in the discretion of my Executor), including funeral and testamentary expenses, the cost of a suitable monument at my grave, the expense of my last illness, unpaid charitable pledges (whether or not the same are enforceable obligations of my estate) and the cost of administration of my estate be paid as soon as practical after my death. My Executor, in his sole and absolute discretion, may pay from my domiciliary estate all or any portion of the cost of ancillary administration and similar proceedings in other jurisdictions.

IV

I direct my Executor to pay as an expense of administration all estate, inheritance, succession and other taxes (together with any interest or penalty thereon), assessed by reason of my death, imposed by the government of the United States, or any state or territory thereof, or by any foreign government or political subdivision thereof in respect of all property included in my estate for estate or like tax purposes by any of such governments, whether the property passes under this Will or otherwise, including property over which I have a power of appointment. The proceeds of any life insurance payable to my estate may be used for the payment

of debts or taxes. If my husband survives me, I direct that any taxes so paid shall be charged against the Rowlett Tennessee Trust to be established under Item VI of this Will. If my husband does not survive me, I direct that any taxes so paid shall be charged against my residuary estate.

V

A. At the time of my death, I may own certain real and personal property jointly with my husband (in joint tenancy with right of survivorship or tenancy by the entireties). It is my intention that, if my husband survives me, all the property that I may then own jointly with my husband shall pass to him, to be his absolutely and without limitation.

B. If my husband survives me, then I bequeath outright to him all of my interest in automobiles, furniture, furnishings, art and household goods, equipment and other tangible personal property (together with any insurance policies thereon) which are not disposed of under the provisions of paragraph A, above. If my husband does not survive me, then the items otherwise passing to him under this paragraph shall be distributed as a part of my residuary estate.

D. I do not intend to exercise the limited power of appointment granted to me in my husband's Last Will and Testament of even date herewith.

VI

A. I hereby make the following bequest:

1. If my husband survives me, then I give to my Trustees to be held, as of the date of my death, in a separate trust to be called the "Rowlett Tennessee Trust" an amount (but not less than zero) equal to the result of (i) the largest pecuniary amount which will not increase the Tennessee inheritance tax

payable by reason of my death, less (ii) the amount, if any, of all other dispositions of property made by me which are includible in my estate for Tennessee inheritance tax law purposes and which do not qualify for deductions for Tennessee inheritance tax purposes. Only property includible in my estate for Tennessee death tax purposes may be used to fund the Rowlett Tennessee Trust.

2. I recognize that under certain circumstances no property may be allocated to the Rowlett Tennessee Trust pursuant to the formula set forth in sub-paragraph 1, above.

3. The Rowlett Tennessee Trust shall be held, administered and distributed in accordance with the terms of Item VII, below.

B. I hereby make the following bequest:

1. If my husband survives me, then I give to my Trustees to be held, as of the date of my death, in a separate trust to be called the "Rowlett Federal Trust" an amount (but not less than zero) equal to the result of (i) the largest pecuniary amount which will not increase the federal estate tax payable by reason of my death, less (ii) the amount, if any, of all other dispositions of property made by me which are includible in my estate for federal estate tax law purposes and which do not qualify for deductions for federal estate tax purposes. Only property includible in my estate for federal death tax purposes may be used to fund the Rowlett Federal Trust.

2. I recognize that under certain circumstances no property may be allocated to the Rowlett Federal Trust pursuant to the formula set forth in sub-paragraph 1, above.

3. The Rowlett Federal Trust shall be held, administered and distributed in accordance with the terms of Item VII, below.

VII

Each of the Rowlett Tennessee Trust and the Rowlett Federal Trust shall be held, administered and distributed in accordance with the following terms and conditions:

A. During the period my husband survives me, the trust net income shall be distributed to or for the benefit of my husband at least quarter-annually. Additionally, the Trustees may, in the

Trustees' sole and absolute discretion, be distributed to or for my husband's health, maintenance, education, reasonable comfort and support. It is my intent that the Trustees be liberal in making distributions of principal to my husband, and I direct the Trustees to act accordingly.

B. Upon my husband's death, my husband may appoint all or any lesser portion of the then remaining principal and undistributed income of the trust to and among my issue or to public charities, in such amounts and proportions, and outright or in trust, as he may designate in her Last Will and Testament, as duly admitted to probate, through a provision making express reference hereto. This power which I here grant to my husband shall be construed as a limited power of appointment. Notwithstanding anything contained herein to the contrary, my husband does not, by virtue of this paragraph, have the power to appoint any portion of the trust to himself, his estate, his creditors or the creditors of his estate.

C. Upon my husband's death or upon my death if my husband does not survive me, the Trustees shall divide any property remaining in the trust (with respect to which my husband has not exercised his limited power of appointment) into as many equal-in-value separate portions as I have children then living and deceased children with issue then living. Each portion established for a living child of mine shall be distributed outright to him or her. Each portion established for the issue of a deceased child of mine shall be distributed outright to his or her issue, per stirpes. If any person entitled to benefit under this provision have not yet reached the age of majority or is legally disabled when distribution is to be made to him or her, then the Trustees shall make such distribution in accordance with Tennessee law.

VIII

A. I give, devise and bequeath all the rest, residue and remainder of my estate outright to my husband, if he survives me.

B. If, however, my husband does not survive me, then I direct that all the rest, residue and remainder of my estate shall be distributed in accordance with the terms of paragraphs B and C of Item VII, above.

IX

In the administration of the trusts which may be created herein and the distribution of the income and principal thereof, the Trustees, in addition to and not by limitation of the duties and powers provided elsewhere in this Will or by law, shall be governed by the following provisions:

A. Whenever income and/or principal may be distributed to or for the benefit of a beneficiary, such distributions may be made to such beneficiary or to others for the use or benefit of such beneficiary, as the Trustees deem appropriate. The receipt of the distributee shall be a sufficient acquittance for the Trustees. Further, such distributions may be made without the intervention or the approval of any court.

B. Notwithstanding anything in this Will to the contrary, no trust created hereunder shall continue beyond twenty-one (21) years after the death of the last to die of those beneficiaries who are living at the time of my death. Upon the expiration of such period, all trusts shall terminate and the principal and undistributed income thereof shall be distributed outright to the then beneficiaries of each trust with each beneficiary receiving the share of each trust held for his or her benefit.

C. No part of any trust estate which may be herein created, nor the income therefrom, is to be subject to execution or other legal process for any obligation of any beneficiary or subject to

the claims of creditors of any beneficiary in any manner, nor shall any beneficiary have the power to sell or mortgage or encumber the same, or any part thereof, by assignment or otherwise.

X

In the administration of the trusts herein created and the distribution of the income and principal thereof, the Trustees, in addition to and not by limitation of the duties or powers provided elsewhere in the Will or by law, shall have the following powers:

A. The powers enumerated in the provisions of §35-50-110 Tennessee Code Annotated, including the introductory paragraph and all subparagraphs thereof to the extent applicable. Said provisions (as in force on the date of execution of this Will) are hereby incorporated by reference as though fully copied verbatim, notwithstanding that said statute may be amended hereafter or repealed.

B. Whenever it shall become necessary to divide assets within any trust that may be created herein, or to distribute any of said assets or to satisfy a pecuniary amount, such division or distribution shall be made in any manner deemed proper by the Trustees and may be made in cash or in kind, or partly in cash and partly in kind. Also, the judgment of the Trustees on the relative value of such assets shall be binding and conclusive on all interested parties.

C. The Trustees may terminate any trust which may be created in this Will if the Trustees feel that the trust is insufficient in size to be properly administered for the best interest of the trust beneficiary or beneficiaries. Upon such termination, the Trustees shall distribute the trust principal to the then trust income beneficiary or beneficiaries with each beneficiary of each trust receiving the portion of the trust held for his or her benefit. Provided, however, if there is then more than one income

beneficiary of the trust, then each beneficiary shall receive an equal share of trust principal.

D. The Trustees shall not be required to render an accounting to any court; however, an annual accounting of each trust herein created shall be rendered to the then trust income beneficiaries (or their guardians).

XI

Any Trustee under this Will shall have the right to resign from such capacity on sixty (60) days' written notice to the beneficiaries, and may be removed as such Trustee by written notice thereof delivered to said Trustee and signed by my husband, if he is then alive, but if he is not then alive, by a majority of the then adult beneficiaries hereunder and the legal guardians of minor beneficiaries and beneficiaries under disability. In the event of the resignation or removal of the Trustee, a successor Trustee shall be appointed. Any successor Trustee shall be an individual or a bank or trust company, authorized to administer trusts and having a combined capital surplus and undivided profits in excess of Ten Million Dollars ($10,000,000.00). Any successor Trustee (whether individual or corporate) shall be designated for this purpose by my husband, if he is then alive, but if he is not then alive, by a majority of the then adult beneficiaries hereunder and the legal guardians of minor beneficiaries and beneficiaries under disability.

XII

In addition to any powers or duties provided by other provisions in this Will or by law, my Executor shall have the following powers:

A. The powers enumerated in the provisions of §35-50-110 Tennessee Code Annotated, including the introductory paragraph and

all subparagraphs thereof to the extent applicable. Said provisions (as in force on the date of execution of this Will) are hereby incorporated herein by reference as fully as though copied herein verbatim, notwithstanding that said statute may be amended hereafter or repealed.

B. The power to exercise any election available to my estate with regard to claiming any administration expense either as a deduction for any death tax or income tax purpose. Said elections may be made in such manner as will minimize the total tax burden, if any, on my estate and shall not require adjustments as between the income and principal accounts of my estate. I hereby relieve my Executor of any liability to any beneficiary by reason of making or failing to make any such election.

C. To the extent allowable under applicable Tennessee law at the time of my death, I hereby relieve my Executor from any duty or responsibility to file accountings, reports or inventories with any court having jurisdiction over my estate.

D. The power to make any election available under Tennessee or federal law in order to make any trust created hereunder eligible for the Tennessee or federal death tax marital deduction.

XIII

A. Purchasers from, lenders to and other dealing with my Executor and Trustees shall not be required to inquire as to the occasion for such sale, loan or other transaction, nor to see to the application of such purchase, loan or other money or property. Written receipts and/or canceled checks retained by my Executor and Trustees shall be good and sufficient discharges for the sums therein stated to have been received. Transfer agents and other persons dealing with my Executor and Trustees may deal with them as if they were the sole owner of the property dealt with.

B. Any Executor or Trustees serving hereunder shall be

entitled to reasonable compensation for services rendered, and may be reimbursed for their expenses. Any such expenses may be charged, in the discretion of the Executor or Trustees, to either income or principal.

XIV

Currently, my immediate family includes only my husband, CHARLES ROWLETT, and my children, JEFF ROWLETT, BRAD ROWLETT and RONDA R. JERNIGAN.

XV

In the event that my husband and I die under such circumstances that it is not possible to determine which of us survive the other, it shall be presumed for all purposes that I survived my husband.

XVI

As used in this Will, the following definitions shall apply:

A. In referring to any person in this Will, a word of one gender shall be deemed to include the other, and a reference to the singular shall include the plural, and vice versa, if the context indicates that such a reading would be appropriate. If a successor Executor or Trustee is appointed, any reference to the words "Executor" or "Trustees" shall be deemed to refer to such successor Executor or Trustees.

B. The term "issue", as used in Item VII, is to be interpreted so as to insure that living parents do not share any distribution of principal with their issue, but rather the parent would take to the exclusion of his or her issue.

IN WITNESS WHEREOF, I have hereunto subscribed my name to this

my Last and Testament, consisting of thirteen (13) typewritten pages (including the affidavit) and for the purposes of identification I have initialed each such page, all in the presence of the persons witnessing it at my request, on this the 4-30-10 day of April, 2010.

Irene Rowlett
IRENE ROWLETT

The foregoing instrument was signed, published and declared by Irene Rowlett, the Testatrix, 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 this 30th day of April, 2010, at Nashville, Tennessee, this clause having first been read to us aloud.

WITNESSES:	ADDRESSES:
[illegible]	1211 16th Avenue S Nashville Tennessee 37212
Nancy Bowen	1211 16th Avenue S. Nashville, TN 37212

Page 11-Initials: IR

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

AFFIDAVIT

Personally appeared before me, the undersigned notary public, CLAIBORNE K. McLEMORE III and Nancy Bowen, who, after being duly sworn according to law, depose and say:

1. That they are citizens of Davidson and DAVIDSON Counties, respectively, and are each more than eighteen (18) years of age.

2. That they witnessed the execution of the Last Will and Testament of Irene Rowlett, the Testatrix, dated April 30, 2010, to which this affidavit is attached, and that this Affidavit is being made at the request of the Testatrix.

3. That the Testatrix signed said paper writing as and for her Last Will and Testament in their sight and presence at one and the same time.

4. 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, at the place and on the date recited in said Last Will and Testament.

Page 12-Initials: CKM NB

5. That at the time they witnessed said Will, the Testatrix was, in their opinion, more than eighteen (18) years of age, of sound mind and disposing memory, and did not appear to be under any undue influence.

cP24mP6

Nancy Bower

Sworn to and subscribed to before me, this 30th day of April, 2010.

Dawn E. Wright
Notary Public

My commission expires: 5-8-2012

DAWN E. WRIGHT
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON

c:\rowlettirwill

BK/PG: 2313/281-293
24136160
13 PGS:AL-LAST WILL & TESTAMENT
HANNAH BATCH: 559994
06/10/2024 - 08:00 AM

VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	65.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	67.00

STATE OF TENNESSEE, WILSON COUNTY
JACKIE MURPHY
REGISTER OF DEEDS