STATE OF TENNESSEE

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Karen Johnson Davidson County
Batch # 1152503 WILL
06/28/2024 01:48:31 PM 10 pgs
Fees: $52.00 Taxes: $0.00
20240628-0048894

IN RE: ***JOHN WALLACE JR***

Docket No: ***24P1081***

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 June 20, 2024 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 June 20, 2024.

JOSEPH P. DAY CIRCUIT COURT CLERK

JOSEPH P. DAY, Clerk,

By: _____
Deputy Clerk

PB1-027I-2024

FILED
2024 MAR -7 AM 8:07
STACEY KEMP
COUNTY CLERK
COLLIN COUNTY, TEXAS
BY: _____ DEPUTY

LAST WILL AND TESTAMENT

OF

JOHN R. WALLACE, JR.

FILED
JUN 20 2024
STACEY KEMP, County Clerk
Collin County, Texas
By _____ Deputy

THE STATE OF TEXAS)
)
COUNTY OF COLLIN)

KNOW ALL MEN BY THESE PRESENTS:

THAT I, JOHN R. WALLACE, JR., of Collin County, Texas, being of sound mind and disposing memory, do make, publish and declare this, my Last Will and Testament, hereby revoking all wills and codicils previously made by me.

ARTICLE I.

PAYMENT OF DEBTS, EXPENSES AND TAXES

Except as otherwise provided by this will, I direct that my legally enforceable debts, funeral expenses, expenses of the administration of my estate, and all federal and state estate, inheritance taxes and succession taxes (except any generation-skipping tax imposed by Section 2601 of the Internal Revenue Code or similar provision of any state law), including interest and penalties thereon, imposed upon my estate or any beneficiary thereof by reason of my death, including the portion of any such tax as is attributable to the proceeds of policies of insurance on my life or other property not constituting a part of my probate estate, be paid out of my residuary estate as soon as convenient without reimbursement from any person. The above direction with respect to the payment of debts shall not be construed to require the payment of any debt before it is due, and my executor is specifically given the right to renew and extend, in any form my executor deems best, any debt or charge existing at the time of my death, including any mortgage on my home. Similarly, my executor shall have the right and power to incur indebtedness and to borrow money for the purpose of paying any or all of the aforesaid debts, expenses and taxes. No policy loan against a policy of life insurance owned by me on my life or on the life of any other person shall be treated as a debt to be paid out of the residue of my estate, but rather any such policy loan against a policy of life insurance owned by me on my life shall be paid out of the proceeds of the policy and

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any policy of life insurance owned by me on the life of any other person shall be distributed to the person or entity entitled thereto subject to any such policy loan.

Notwithstanding the foregoing, if any tax, including interest and penalties thereon, is imposed on property includable in my gross estate by reason of Section 2044 of the Internal Revenue Code or a similar provision of any state law, I direct my executor to recover the tax attributable to that property from the person or entity in possession of or receiving the property as provided in Section 2207A of the Internal Revenue Code or a similar provision of state law.

ARTICLE II.

DISPOSITION OF RESIDUE

I give, devise and bequeath all of the rest and residue of my estate, of every kind and character, real, personal and mixed, but not including any property over which I may have a power of appointment, unto my wife, CHRIS S. WALLACE, if she survives me by thirty (30) days.

ARTICLE III.

ALTERNATE BEQUEST OF PERSONAL PROPERTY

If my wife, CHRIS S. WALLACE, does not survive me by thirty (30) days, I give, devise and bequeath unto such of our children as may survive me by thirty (30) days, all of my interest in personal effects (including jewelry, clothing, books, china, crystal and silverware), furniture and furnishings, objects of art, automobiles, boats, club memberships and all other personal property of a nature, use and classification similar to the foregoing. I expressly exclude from this bequest any tangible personal property regularly used in connection with any business in which I may own an interest. My executor in my executor's sole and absolute discretion may divide, partition and distribute such property among our children or may sell any such articles and include the proceeds in the residue of my estate or include such articles directly in the said residue. In the case of any distribution to any of our children who may be minors, my executor may distribute directly to such minors or to the guardian or custodian of such minors or may hold such articles in trust until such minors come of age, and any such distribution shall constitute full acquittance of my executor hereunder. If no child of ours survives me by thirty (30) days, my interest in the property described in this Article III shall pass as a part of the residue of my estate.

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ARTICLE IV.

ALTERNATE DISPOSITION OF RESIDUE

If my wife, CHRIS S. WALLACE, does not survive me by thirty (30) days, I give, devise and bequeath all of the rest and residue of my estate, of every kind and character, real, personal and mixed, but not including any property over which I may have a power of appointment, unto BRIAN A. SMITH, and his successors, and his substitute and successor trustee or trustees, as Trustee of the trust known as THE WALLACE FAMILY TRUST, created by Trust Agreement, dated August _____, 1990, to be held and distributed in accordance with the terms and provisions of said Trust Agreement; provided, if the said trust is not in existence at the time of my death, then I give, devise and bequeath all of the said residue of my estate in equal shares unto those among our children and my children as survive me by thirty (30) days, and to the descendants of any such deceased child, such descendants, however, to take per stirpes and not per capita.

ARTICLE VI.

GUARDIANSHIP PROVISIONS

If my wife, CHRIS S. WALLACE, does not survive me, I name and appoint DAVID SMITH and LISA SMITH as guardians of the person of each of our minor children. In the event the said guardians shall not survive me or shall cease or fail for any reason to serve as guardian, I name and appoint PEGGY and CARL LAMMERS as guardians of the person of each of our minor children. Any such guardian shall serve without bond.

In the event my former spouse, PAMELA MEADOWS, shall have predeceased me, I name and appoint my wife, CHRIS S. WALLACE, as guardian of the person of each of my minor children, and in such event, such guardian shall serve without bond.

ARTICLE VII.

WILL NOT CONTRACTUAL

This will is not being executed pursuant to or as a part of any contract, and I am free to revoke or change this will at any time.

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ARTICLE VIII.

DEFINITIONS

As used in this will, the words "*our child*," or "*our children*" refer specifically to my sons, JONATHAN P. WALLACE and JEREMY R. WALLACE, and to any other children born of or adopted during the marriage between myself and my wife, CHRIS WALLACE, subsequent to the execution of this will. Such term does not include other children of mine born during my prior marriage.

As used in this will, the words, "my child" or "my children" refer specifically to the following children of mine born during my prior marriage: ASHLEY ELIZABETH WALLACE, REBECCA RACHEL WALLACE and MICHAEL BENJAMIN WALLACE.

As used in this will, the words "*descendant*" or "*descendants*" and other words of like import shall include both natural descendants and those legally adopted into the line of descent.

All references to the "*Internal Revenue Code*" shall be to the Internal Revenue Code of 1954, as it exists at the time of the execution of this will or as amended from time to time thereafter unless otherwise designated, or to its successor statute.

As used in this will, the word "*Trustee*" or "*trustee*" shall mean any and all trustees from time to time serving hereunder and shall refer to both the original Trustee and to any successor or substitute trustee or trustees.

The word "*executor*" shall include both the singular and the plural and shall mean the executor or executors acting hereunder at any time, whether one or more.

As used in this will, the masculine, feminine and neuter genders shall each be deemed to include the others unless the context requires otherwise. The singular shall include the plural and the plural shall include the singular wherever the context of this will permits.

ARTICLE IX.

PROVISIONS RELATING TO EXECUTOR

I constitute and appoint my wife, CHRIS S. WALLACE, independent executrix without bond of this, my Last Will and Testament. In the event my wife shall predecease

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me, fail or refuse for any reason to serve as independent executrix, I constitute and appoint my brother-in-law, DAVID SMITH, independent executor or, if he does not survive me, my sister PEGGY LAMMERS, independent executrix, without bond of this, my Last Will and Testament. I direct that no action shall be had in the probate court respecting my estate other than to probate this will and, if required, to make, return and record an inventory and appraisement of my estate and list of claims.

During the administration of my estate, my executor shall have, in extension and not in limitation of the powers given by law or the terms of this will, all of the administrative powers and powers of sale granted to a Trustee under the Texas Trust Code (or its successor statute), such powers to be exercised without court supervision or control.

My executor shall have full power and authority to make any and all estate, inheritance and income tax elections available to my executor, including specifically (i) the date and option, alternative or method which is selected for the valuation of property in my gross estate for federal and state estate and inheritance tax purposes and the payment of all such taxes, (ii) whether a deduction shall be taken as an income tax deduction or an estate tax deduction, and (iii) the election to extend the time for the payment of federal and state estate and inheritance taxes and the election to pay such tax in installments. My executor shall incur no liability to any beneficiary of my estate on account of making any such election, regardless of the fact that any federal or state estate, inheritance or income tax imposed on my estate is thereby increased or that there is a change in the proportion in which any beneficiary shares in my estate. My executor's decisions with respect to such matters shall be binding and conclusive upon all concerned. No compensating adjustments between income or principal or in the amount of any bequest or devise hereunder shall be made as a result of any such decision.

My executor shall have the power to join with my wife in the filing of any tax returns for any year or years for which I may not have filed such return or returns prior to my death, and to pay all or such ratable share of any taxes (together with any interest and penalties thereon) as my executor may deem proper. I further authorize and empower my executor to consent that any gifts made by my wife prior to my death be treated as made one-half (1/2) by me for the purpose of any gift tax laws or returns.

I authorize my executor to distribute my estate in whole or in part at such time or times as it deems advisable, and my executor is authorized to make such distribution in cash, or in kind, or partly in cash and partly in kind. My executor is further authorized to distribute my estate subject to any and all indebtedness incurred by me or by my

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executor, which in the opinion of my executor need not first be paid, and subject to any or all mortgages, deeds of trust or other liens created by me or by my executor; provided, however, except as otherwise provided by this will, the source of payment of any such debt shall be as provided in Article I hereof. Notwithstanding any provision of this will to the contrary, my executor shall have no power, right, duty or obligation which would deprive my estate of any marital deduction benefits which would otherwise be available to it.

My executor shall be entitled to reasonable fees commensurate with its duties and responsibilities, taking into account the nature and value of my estate and the time and work involved, without regard to any statutory provisions as to fees.

THIS I MAKE AND PUBLISH as my Last Will and Testament, hereunto subscribing my name in the presence of EMILY ARCHDALE, DAVID SAWYER and SUSAN LONG, who have, at my request and in my presence and in the presence of each other, also subscribed their names hereto as attesting witnesses on this 31 day of August, 1990.

JOHN R. WALLACE, JR., *Testator*

Initials: JW

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WITNESS ATTESTATION

We, the undersigned persons, of lawful age, have on this day at the request of JOHN R. WALLACE, JR., witnessed his signature to the foregoing Last Will and Testament, in the presence of each of us, and we have, at the same time and in his presence and in the presence of each other, subscribed our names hereto as attesting witnesses:

WITNESS:	*ADDRESS:*
Susan Long	2418 E. Southwest Pkwy #202 Lewisville, TX. 75067
David A Sawyer	DAVID A. SAWYER 4909 HAVERWOOD #2219
Emily Ackerman	5301 Strickland Cir. The Colony, TX. 75056

Initials: JW

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THE STATE OF TEXAS)
)
COUNTY OF COLLIN)

SELF-PROVING AFFIDAVIT

BEFORE ME, the undersigned authority, on this day personally appeared JOHN R. WALLACE, JR., EMILY ARCHDALE, DAVID SAWYER and SUSAN LONG, known to me to be the Testator and the witnesses, respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities, and all of said persons being by me duly sworn the said JOHN R. WALLACE, JR., Testator, declared to me and to the said witnesses in my presence, that said instrument is his Last Will and Testament, and that he had willingly made and executed it as his free act and deed for the purposes therein expressed; and the said witnesses, each on his oath, stated to me in the presence and hearing of the said Testator that the said Testator had declared to them that said instrument is his Last Will and Testament and that he had executed the same as such and wanted each of them to sign it as a witness; and upon their oaths, each witness stated further that they did sign the same as witnesses in the presence of the said Testator and at his request; and that he was at that time eighteen (18) years of age or over and was of sound mind; and that each of said witnesses was then at least fourteen (14) years of age.

JOHN R. WALLACE, JR., *Testator*

Witness

Witness

Witness

SUBSCRIBED AND ACKNOWLEDGED BEFORE ME, by the said JOHN R. WALLACE, JR., Testator, and **SUBSCRIBED AND SWORN TO BEFORE ME**, by the said Witnesses on this 31st day of August, 1990.

NOTARY PUBLIC, STATE OF TEXAS

8/21/91
My commission expires:

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THE STATE OF TEXAS
COUNTY OF COLLIN

I, Stacey Kemp County Clerk, Court Collin County Texas

Do hereby certify that the foregoing instrument of writing is a full, true and correct copy of the instrument as filed for record in my office the 7 day of March, 2024 No PB1-0271-2024.

Witness my hand and official seal at my office in McKinney, Texas, this 15 day of April, 2024.

Stacey Kemp Collin County Clerk
Collin County, Texas

By: Brenda Crandall, Deputy