Karen Johnson Davidson County
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STATE OF TENNESSEE

I, JOSEPH P. DAY, Clerk of the Circuit Court for Davidson County, do hereby certify that the foregoing is a true and complete copy of the LAST WILL AND TESTAMENT heretofore filed in the Seventh Circuit Court (Probate Division) for Davidson County, Tennessee, on the 20th day of June 2024, in Docket Number 24P1149 IN RE: PEGGY GLENN BLUNKALL, 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, the 20th day of June in the year 2024 and in the 247 years of American Independence.

JOSEPH P. DAY, Clerk

By: Meachelle Cannon
Deputy Clerk

[SEAL]

JOSEPH P. DAY
CIRCUIT COURT CLERK

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24P1149

FILED
JUN 20 2024
BY JOSEPH P. DAY, Clerk

LAST WILL AND TESTAMENT OF

Peggy Glenn Blunkall

I, **Peggy Glenn Blunkall**, born 5/1/1931, being a resident and citizen of Davidson County, Tennessee, being of sound and disposing mind and memory and over the age of eighteen (18) years, and not acting under any duress, menace, fraud, mistake, or undue influence, do hereby make, publish, and declare this to be my Last Will and Testament, and hereby expressly revoke any Will and Codicil I may have previously made.

I. MARRIAGE AND CHILDREN.

I am married to Ulner Lee Clark and all references to my husband are references to him, and I am the mother of two (2) children from a previous marriage, surviving are one adult child and five (5) adult grandchildren, as follows:

Lou Ann Twitty, my daughter, born 5/1/1955, residing at 2017 Sanford Drive, Mt. Juliet, Tennessee 37122, has two (2) children, Brian Patrick Twitty and Tracy Jean Kelley.

Judy Gale Baumgartner, my deceased daughter, mother of three (3) children, Jeffrey Wade Baumgartner, Christopher Lee Baumgartner, and John Martin Baumgartner.

My husband and I have a prenuptial agreement and each of us desire to exclude the other spouse as a beneficiary under the other's Will, and, therefore, my husband, by agreement is excluded as a beneficiary of this Will.

II. EXECUTOR.

I hereby appoint Lou Ann Twitty as Executor of this my Last Will and Testament. In the event my Executor shall predecease me, or, for any reason, shall fail to qualify or cease to act as my Executor, then I hereby appoint Michael Webb Twitty to serve as alternate Executor of my estate and Will. Should the alternate Executor take the duty as Executor, the alternate Executor shall be deemed the Executor and shall have the same obligations, powers, authority, and rights of the Executor.

My Executor shall be authorized to carry out all provisions of this Will and pay my just obligations and funeral expenses. I further direct my Executor to pay all of my just debts that may be probated, registered and allowed against my estate. However, this provision shall not extend the statute of limitations for the payment of debts or enlarge upon my legal obligation or any statutory duty of my Executor to pay debts.

III. WAIVER OF BOND, INVENTORY, ACCOUNTING, REPORTING AND APPROVAL.

My Executor and alternate Executor shall serve without any bond, and I hereby waive the necessity of preparing or filing any inventory, accounting, appraisal, reporting, approvals or final appraisement of my estate. I direct that no expert appraisal be made of my estate unless required by law.

IV. ADDITIONAL POWERS OF THE EXECUTOR.

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I direct that my Executor shall have broad discretion in the administration of my Estate, without the necessity of Court approval. I grant unto my Executor, all applicable powers listed, enumerated, or described, or referred to, in the introductory paragraph and/or in any of the thirty three numbered sub-paragraphs of T.C.A. § 35-50-110, as it is in its present form, together with any additional powers and/or clarifications thereof which may be added by the legislature of Tennessee subsequent to execution of this Will and which become effective prior to the date of my death (all of which are hereby incorporated herein by this reference as if they were copied herein in full), and to the extent not prohibited by the laws of Tennessee, and the following non-exhaustive list of additional powers:

1. To exercise all of the powers, rights and discretions granted by virtue of any "Uniform Trustees' Powers Law", "Probate Code", and/or any other Act, Law, or Code so similarly themed adopted by the State of Tennessee.

2. To compromise claims and to abandon property which, in my Executor's opinion is of little or no value.

3. To purchase or otherwise acquire and to retain any and all stocks, bonds, notes or other securities, or shares or interest in investment trusts and common trust funds, or in any other property, real, personal or mixed, as my Executor may deem advisable, whether or not such investments or property be of the character permissible by fiduciaries, without being liable to any person for such retention or investment.

4. To settle, adjust, dissolve, windup or continue any partnership or other entity in which I may own a partnership or equity interest at the time of my death, subject, however, to the terms of any partnership or other agreement to which I am a party at the time of my death. I authorize my Executor to continue in any partnership or other entity for such periods and upon such terms as they shall determine. My Executor shall not be disqualified by reason of being a partner, equity owner or title holder in such firm from participating on behalf of my estate in any dealings herein authorized to be carried on between my Executor and the partners or equity owners of any such partnership or other entity.

5. To lease, sale, or offer on a lease purchase, any real or personal property for such time and upon such terms and conditions in such manner as may be deemed advisable by my Executor, all without court approval.

6. To sell, exchange, assign, transfer and convey any security or property, real or personal, held in my estate, or in any trust, at public or private sale, at such time and price and upon such terms and conditions (including credit) as my Executor may deem advisable and for the best interest of my estate, or any trust. I hereby waive any requirement of issuing summons, giving notice of any hearing, conducting or holding any such hearing, filing bond or other security, or in any way obtaining court authority or approval for any such sale, exchange, assignment, transfer or conveyance of any real or personal property.

7. To pay all necessary expenses of administering the estate and any trust including taxes, trustees' fees, fees for the services of accountants, agents and attorneys, and to reimburse said parties for expenses incurred on behalf of the estate or any trust hereunder.

8. Unless otherwise specifically provided, to make distributions (including the satisfaction of any pecuniary bequest) in cash or in specific property, real or personal, or in an undivided interest therein, or partly in cash and partly in other property, and to do so with or without regard to the income tax basis of specific property allocated to any beneficiary and without making pro rate distributions of specific assets.

9. To determine what is principal and what is income with respect to all receipts and disbursements; to establish and maintain reserves for depreciation, depletion, obsolescence, taxes, insurance premiums, and any other purpose deemed necessary and proper by them and to partite and to distribute property of the estate or trust in kind or in undivided interests, and to determine the value of such property.

10. To participate in any plan of reorganization, consolidation, dissolution, redemption, or similar proceedings involving assets comprising my estate or any trust created hereunder, and to deposit or withdraw securities under any such proceedings.

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11. To perform such acts, to participate in such proceedings and to exercise such other rights and privileges in respect to any property, as if she or he were the absolute owner thereof, and in connection therewith to enter into and execute any and all agreements binding my estate and any trust created hereunder.

12. To compromise, settle or adjust any claim or demand by or against my estate, or any trust, to litigate any such claims, including, without limitation, any claims relating to estate or income taxes, or agree to rescind or modify any contract or agreement.

13. To borrow money from such source or sources and upon such terms and conditions as my Executor shall determine, and to give such security therefore as my Executor may determine.

All authorities and powers hereinabove granted unto my Executor shall be exercised from time to time in her or his sole and absolute discretion and without prior or further license, authority or approval of any Court, and I intend that such powers be construed in the broadest possible extent.

V. SPECIFIC BEQUESTS OF REAL AND/OR PERSONAL PROPERTY.

Lou Ann Twitty shall receive all my jewelry and items personal to me, and she shall have first pick regarding the furniture and the children of Judy Baumgartner shall distribute amongst themselves the remaining, and all my other real and/or personal property of whatever kind and character shall pass under the other provisions of this Will.

VI. HOMESTEAD or PRIMARY RESIDENCE

I will, devise and bequeath all my interest in my homestead or primary residence, if I own a homestead or primary residence on the date of my death that passes through this Will, to my daughter, Lou Ann Twitty. If Lou Ann Twitty does not survive me, then my homestead or primary residence shall pass under the residuary clause of this Will.

VII. ALL REMAINING PROPERTY – RESIDUARY CLAUSE.

I will, devise, bequeath and give all the rest, residue, and remainder of my property and estate of whatsoever kind and character, wherever located, including but not limited to, real and personal property in which I may have an interest at the date of my death and which is not otherwise effectively disposed of, to both my daughter, Lou Ann Twitty, and the children of Judy Baumgartner, Jeffrey Wade Baumgartner, Christopher Lee Baumgartner, and John Martin Baumgartner, where Lou Ann Twitty shall receive Eighty percent (80%) and the remaining Twenty percent (20%) to said three (3) children of Judy Baumgartner, equally and per stirpes, provided that my daughter, Lou Ann Twitty survives me.

In the event that my daughter, Lou Ann Twitty, shall predecease me, I will, devise, bequeath and give all the rest, residue, and remainder of my property and estate of whatsoever kind and character, wherever located, including, but not limited to, real and personal property in which I may have an interest at the date of my death and which is not otherwise effectively disposed of, to both my son-in-law, Michael Webb Twitty, and all my grandchildren, Jeffrey Wade Baumgartner, Christopher Lee Baumgartner, John Martin Baumgartner, Brian Patrick Twitty, and Tracy Jean Kelley, where Michael Webb Twitty shall receive Ten percent (10%) and the remaining Ninety percent (90%) to all five (5) said grandchildren, equally, per stirpes.

VIII. MISCELLANEOUS PROVISIONS

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I direct that the Laws of the State of Tennessee shall govern this Will and the construction thereof.

If any beneficiary to this Will is indebted to me at the time of my death, then such person's portion of my estate shall be diminished by the amount of such verified debt. Any and all debts of my estate shall first be paid from my residuary estate. Any debts on any real property bequeathed in this Will shall be paid by my Executor.

I desire to be buried in the Woodlawn cemetery in Davidson County, Tennessee.

IX. IN TERROREM

In event any person shall file or cause to be filed, a Will Contest or any sort of suit or pleading which challenges the validity of this will or which questions my competence to make this will or which challenges any provision hereof I direct that neither such person nor anyone claiming by, through or under such party, shall receive no part of my estate whether under this Will or by virtue of the laws governing intestate succession in Tennessee.

X. CONSTRUCTION INTENTIONS.

It is my intent that this Will be interpreted according to the following provisions:

1. The term "Executor", as used in this Will, shall be deemed to mean and include "Executor", "Executrix", and "Personal Representative".
2. The masculine gender shall be deemed to include the feminine as well as the neuter, and vice versa, as to each of them; the singular shall be deemed to include the plural, and vice versa.
3. The term "testator" as used herein is deemed to include me as Testator or Testatrix.
4. This will is not a result of a contract between myself and any beneficiary, fiduciary or third party and I may revoke this Will at any time.

XI. SEVERABILITY AND SURVIVAL

Each section, subsection, paragraph, sentence, and clause of this Will is hereby declared to be separable and severable. Therefore, if any part or provision of this Will, for any reason, shall be declared by a court of competent jurisdiction to be invalid, illegal, unenforceable, inoperative or otherwise ineffective, that provision shall be limited or eliminated to the minimum extent necessary so that this Will shall otherwise remain in full force and effect and enforceable. Any Court so interpreting this Will and any provision in it shall construe it in favor of survival and that interpretation after severing shall allow to the greatest extent possible the objectives of the invalid or unenforceable provision.

IN WITNESS WHEREOF, I, Peggy Glenn Blunkall, having signed this last Will in the presence of David E. Phillips, and Debra K. Phillips who attested it at my request on this 12th day of March, 2008 at Davidson County, declare this to be my Last Will and Testament.

Peggy Glenn Blunkall

Peggy Glenn Blunkall
2517 Woodberry Drive, Nashville, Tennessee 37214

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WITNESSES

The above and foregoing Will of Peggy Glenn Blunkall was declared by Peggy Glenn Blunkall in our view and presence to be his/her Will and was signed and subscribed by the said Peggy Glenn Blunkall in our view and presence and at her request and in the view and presence of Peggy Glenn Blunkall and in the view and presence of each other, we, the undersigned, witnessed and attested the due execution of the Will of Peggy Glenn Blunkall on this the 12th day of March, 2008 at Davidson County, Tennessee.

	Witness #1	Witness #2
Signature		
Name:	**David E. Phillips**	**Debra K. Phillips**
Address:	2525 Lebanon Pike, Nashville, TN 37214	2525 Lebanon Pike, Nashville, TN 37214

ATTESTATION

STATE OF TENNESSEE
COUNTY OF DAVIDSON

We, Peggy Glenn Blunkall, David E. Phillips, and Debra K. Phillips, the testator and the affiants respectively, whose names are signed to the attached instrument in those capacities, personally appearing before the undersigned authority and first being duly sworn, do hereby declare to the undersigned authority under penalty of perjury that the testator declared, signed, and executed the instrument as her last will; she signed it willingly or willingly directed another to sign for her; she executed it as her free and voluntary act for the purposes therein expressed; and each of the witnesses, at the request of the testator, in his or her hearing and presence, and in the presence of each other, signed the Will as witness and that to the best of his or her knowledge the testator was at that time eighteen (18) years of age or older, of sound mind and under no constraint or undue influence.

Peggy Glenn Blunkall
2517 Woodberry Drive, Nashville, Tennessee 37214

	Affiant #1		Affiant #2
		[Signature]	
	David E. Phillips	[Print Name]	**Debra K. Phillips**
	2525 Lebanon Pike, Nashville, TN 37214	[Address]	2525 Lebanon Pike, Nashville TN 37214

Subscribed, sworn, and acknowledged before me, a Notary Public in and for Tennessee by Peggy Glenn Blunkall, the testator, and by David E. Phillips, and Debra K. Phillips, the affiants this 12th day of March, 2008.

NOTARY PUBLIC

STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission Expires: July 5, 2011