EFILED 09/30/24 03:07 PM CASE NO. 24P1923 Joseph P. Day, Clerk

Karen Johnson
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Davidson County
WILL
9 pgs
20241031-0084458

FILED
SEP 30 2024
JOSEPH P. DAY, Clerk
By Deputy

LAST WILL AND TESTAMENT

OF

DELORES D. HOBBS

KNOW ALL MEN BY THESE PRESENTS, That I, the undersigned **DELORES D. "LOLO" HOBBS,** being of sound and disposing mind and memory, do hereby declare this my Last Will and Testament, hereby expressly revoking any and all previous Wills and Codicils which may have been made by me.

ITEM I: RESIDENCE AND FAMILY

A. RESIDENCE. At the time of the execution of this Will, I am a resident of Davidson County, Tennessee.

B. SPOUSE. At the time of the execution of this Will, I am not married.

C. CHILDREN. At the time of the execution of this Will, I have one child, whose name is **SIDNEY MARIE GARMON**. Any reference to my "daughter", "child," "children," "descendants," or the like shall apply to my child named above and her issue, unless specifically indicated otherwise, and the provisions of this Will shall be deemed modified to the extent necessary to effectuate this intention. Furthermore, wherever the terms "children" or "descendants" are used or are relevant under this Will and in the disposition of my estate, adopted children or descendants shall be considered and treated in all respects the same as natural children or descendants.

ITEM II: PAYMENT OF DEBTS, TAXES AND EXPENSES

As soon as practical after my death, I direct that all of my debts, my funeral expenses (including the cost of a cemetery plot and suitable marker or head stone), expenses of administration including all expenses connected with any ancillary administration and expenses of my last illness as well as any unpaid charitable pledges, be paid by my Personal Representative, hereinafter named, from my residuary estate; provided, however, that in the event any property passing under this Will or by operation of law or otherwise by reason of my death shall be encumbered by a mortgage, deed of trust or other lien or shall be pledged to secure any obligation, I direct that such indebtedness shall be paid or retained in the discretion of my Personal Representative, hereinafter named, and if retained, the devisee, legatee, joint owner taking by survivorship,

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or beneficiary thereof shall take such property subject to such retained indebtedness. I further direct that all taxes, including estate and inheritance taxes, as well as any penalties and/or interest that may become due and payable with respect thereto, but not including any tax imposed as a result of any Generation Skipping Transfer under Section 2601 of the Internal Revenue Code of 1986, as amended, or under the Tennessee Generation Skipping Tax Law, taxable against my estate, or against any life insurance on my life, be paid by my Personal Representative, hereinafter named, from my residuary estate without apportionment and with no right of reimbursement from any recipient or beneficiary of any such property. I waive any right of reimbursement for, recovery of, or contribution toward the payment of those taxes and administration expenses, except my Personal Representative shall, to the maximum extent permitted by law, seek reimbursement for, recovery of, or contribution toward the payment of federal or state estate or inheritance tax attributable to property in which I have a qualifying income interest for life, over which I have a power of appointment, or which is included in my gross estate by reason of Section 2036(c) of the Internal Revenue Code of 1986, as from time to time amended, and which tax is not otherwise paid or payable, it being my intention that such taxes be borne by such property.

ITEM III: SPECIFIC BEQUESTS

A. HANDWRITTEN MEMORANDUM. I intend to leave a handwritten memorandum designating certain articles of my personal effects and my personal property for various individuals. I give and bequeath to the individuals identified in said memorandum the items of personal property and/or personal effects as identified in said memorandum. Furthermore, I may identify in said memorandum a person or persons whom I desire to oversee the allocation, distribution and division of any personal property of mine disposed of pursuant hereto. I request that my wishes as set forth in said memorandum be observed by the Personal Representative of my estate in the distribution of said property. In the event I allocated said property on a percentage or fractional basis, then unless otherwise indicated in said memorandum the Personal Representative of my estate shall have absolute discretion as to which specific article or articles of such personal property shall be included in each share, and as to which share each person shall be entitled to receive. In the event that a person entitled to receive property hereunder shall not have attained the age of eighteen (18) years, then my Personal Representative shall deliver such property to the person having custody of him or her, and the receipt of such person shall constitute complete and final acquittance of my said fiduciary with respect to such property.

Any remaining items not addressed by me in a handwritten memorandum shall be distributed in accordance with paragraphs B. and C. of this **ITEM III**, which are as follows:

B. FURNISHINGS, CRYSTAL AND SILVERWARE. I give and bequeath to my daughter, **SIDNEY MARIE GARMON**, if she shall survive me, whatever, if any, household

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furnishings, crystal and silverware which I may own at the time of my death, along with any and all unexpired insurance thereon. In the event that my daughter shall not survive me, then I give and bequeath the aforesaid property in equal shares to the lineal descendants, ***per stirpes***, of such deceased child. If my daughter fails to survive me and there are no issue of my daughter living at the time of my death, then I give and bequeath the aforesaid property in equal shares to my sisters, with the share of any sister of mine not living at the time of my death to be distributed among her living issue, ***per stirpes.***

C. **PERSONAL EFFECTS AND PERSONAL PROPERTY.** I give and bequeath to my daughter, **SIDNEY MARIE GARMON**, if she shall survive me, all the tangible personal effects and personal property and any automobiles, books, pictures, jewelry, art objects, hobby equipment and collections, wearing apparel, and other articles of household or personal use or ornament (excluding cash, choses in action, stocks, bonds, or other incorporeal personal property), which I may own at the time of my death, along with any and all unexpired insurance thereon. In the event that my daughter shall not survive me, then I give and bequeath the aforesaid property in equal shares to the lineal descendants, ***per stirpes***, of such deceased child. If my daughter fails to survive me and there are no issue of my daughter living at the time of my death, then I give and bequeath the aforesaid property in equal shares to my sisters, with the share of any sister of mine not living at the time of my death to be distributed among her living issue, ***per stirpes.***

D. **DIVISION OF PROPERTY.** I direct that, if it becomes necessary to make a division of my personal effects and/or personal property among my children pursuant to this **ITEM III**, my Personal Representative shall have absolute discretion as to the amount or value of each share and as to which specific article or articles of property shall be included in each share, and as to which share each person shall be entitled to receive. In the event that a person entitled to receive property hereunder shall not have attained the age of eighteen (18) years, then my said Personal Representative shall deliver such property to the person having custody of him or her, and the receipt of such person shall constitute complete and final acquittance of my said Personal Representative with respect to such property.

E. **EXPENSES.** All costs of safeguarding, insuring, packing and storing my personal effects before its distribution and of delivering each item to the place of residence of the beneficiary of that item shall be deemed to be expenses of administration of my estate.

ITEM IV: USE OF LIFE INSURANCE PROCEEDS

Any insurance on my life or other similar insurance payable to my Personal Representative as such, or to my estate, shall be free from the claims of creditors and shall be governed by the provisions of this Will; provided, however, that my said Personal

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Representative may, in its discretion, pay any or all debts or liabilities of mine or of my estate from the proceeds of such insurance.

ITEM V: DISPOSITION OF RESIDUARY ESTATE

I give and bequeath all the rest, residue and remainder of my estate, of whatsoever kind and wheresoever situated (provided, however, that such shall not include any property over which I have a power of appointment unless otherwise specifically indicated herein), which I may own or be entitled to at the time of my death, sometimes referred to in this Will as my "residuary estate," IN TRUST, to that person or persons who are at the time of my death serving as the Trustee or Trustees under a certain instrument of revocable trust executed by me on the 16th day of January, 2008, and otherwise known as **THE DELORES D. HOBBS REVOCABLE LIVING TRUST**, as amended and restated, to be added to the property then held in trust by said Trustee or Trustees thereunder and to be held, administered and distributed in accordance with the terms and conditions thereof as set forth in said instrument of revocable trust as from time to time may have been amended. However, if **THE DELORES D. HOBBS REVOCABLE LIVING TRUST** is not in existence at the time of my death, then my residuary estate shall be distributed to the person or persons who would have been serving as Trustee or Trustees of **THE DELORES D. HOBBS REVOCABLE LIVING TRUST** at the time of my death, to be administered and distributed in accordance with those same provisions set forth in **THE DELORES D. HOBBS REVOCABLE LIVING TRUST** dated January 16, 2008, as amended and restated, as if **THE DELORES D. HOBBS REVOCABLE LIVING TRUST** was in existence at the time of my death.

ITEM VI: APPOINTMENT OF PERSONAL REPRESENTATIVE; PERSONAL REPRESENTATIVE RIGHTS, POWERS, DUTIES, AUTHORITY, DISCRETION AND IMMUNITIES; SUCCESSOR PERSONAL REPRESENTATIVE

A. APPOINTMENT OF PERSONAL REPRESENTATIVE AND GENERAL POWERS. I hereby nominate and appoint my daughter, **SIDNEY MARIE GARMON**, as Personal Representative of this my Last Will and Testament (referred to herein as the "Personal Representative"), and I direct that my said Personal Representative shall not be required to give bond as such Personal Representative or to file an inventory, accounting or appraisal of my estate in any court.

During the administration of my estate, I hereby vest in my said Personal Representative full power to sell, convey, exchange, lease for a period beyond the termination of the administration of my estate, or for a lesser period, improve, borrow on the security of, encumber, or otherwise dispose of all or any part of my estate, in such manner and upon such terms and conditions as my Personal Representative may approve, and to invest and reinvest my estate and the proceeds of sale or any portion thereof as it

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may consider suitable, and to change such investments, and to make such new investments from time to time as it may seem necessary or desirable.

In addition, I incorporate herein by reference all of the fiduciary powers contained in Section 35-50-110, Tennessee Code Annotated, as fully as if set out verbatim herein, except as may be specifically indicated otherwise by the terms of this Will. When required to make a distribution or transfer of all or part of the assets of my estate, my Personal Representative may retain therefrom assets sufficient in its judgment to cover any liability which may then or later be imposed upon my estate including, but not limited to, liability for taxes, including any penalties and/or interest that may become due and payable with respect thereto, until such liability shall have been finally determined.

My Personal Representative may, in its discretion, cause the securities which it shall acquire from time to time, constituting my estate or any part thereof, to be registered in its name as Personal Representative hereunder or to take and keep the same unregistered and retain them, or any part thereof, in such condition that they will pass by delivery. Furthermore, my Personal Representative may freely act under all or any of the powers of this Will given to it in all matters concerning my estate after forming its judgment based upon all circumstances of any particular situation as to the wisest and best course to pursue in the interest of my estate and the beneficiaries thereof, without necessity of obtaining the consent or permission of any persons interested therein, and notwithstanding that it may also be acting individually, or as fiduciary of trusts or estates, or as agent for other persons or corporations interested in the same matters, or may be interested in connection with the same matters as a shareholder, director or otherwise; provided, however, that it shall exercise such powers at all times in a fiduciary capacity primarily in the interest of the beneficiaries of my estate.

B. DISCLAIMERS. In the event of my death within the time allowed for the disclaimer of an interest in a transfer of less than value, bequest or devise of any property to me by Section 2046 and Section 2518 of the Internal Revenue Code of 1986, as amended, and in the event I have not accepted such interest or any benefits from such interest prior to the time of death, my Personal Representative, in its discretion, is hereby authorized to disclaim all or any part of an interest which I may have in any such property so transferred, bequeathed or devised in accordance with said Sections of the Internal Revenue Code of 1986, as amended.

C. SUCCESSOR PERSONAL REPRESENTATIVE. In the event of the death, disability, resignation, disqualification, unwillingness or inability of my daughter, **SIDNEY MARIE GARMON**, to act as Personal Representative hereunder, then I nominate and appoint my sister, **DENISE BEATY**, to serve as successor sole Personal Representative hereunder with all the rights, powers, duties, discretion, authority and immunities vested in the original Personal Representative hereunder.

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I direct that any successor Personal Representative/Co-Personal Representative shall not be required to give bond or to file an inventory, accounting or appraisal of my estate in any court.

D. EMPLOYMENT OF AGENTS. My Personal Representative shall be specifically authorized, in its sole discretion, to employ and to pay the compensation of such agents, accountants, custodians, experts and counsel, legal, investment or otherwise, as my Personal Representative shall deem advisable, and to delegate discretionary powers to, and rely upon information furnished by, such individuals or entities. Compensation paid for such services, as well as other administrative expenses and compensation paid to my Personal Representative for its services, shall be paid out of estate or trust assets in such manner as my Personal Representative shall deem advisable.

ITEM VII: QUALIFIED DISCLAIMER

Any person entitled to receive property under the terms of my Will may disclaim all or any portion of the property otherwise passing to him or her by complying with the statutory requirements of Section 2518 of the Code, and the federal regulations thereunder, and Tennessee Code Annotated, Section 31-1-103, as these statutory provisions presently exist or may subsequently be amended. Unless otherwise provided in my Will, such disclaimed property shall be distributed pursuant to the terms of my Will as if the disclaiming person had predeceased me.

ITEM VIII: LAPSED DEVISE OR BEQUEST

Where a devise or bequest is conditioned upon the beneficiary surviving me, or being in existence on the date of my death, and such beneficiary does not survive me or disclaims said devise or bequest, or said devise or bequest is not in existence on the date of my death, the devise or bequest to such beneficiary shall lapse and shall become a part of my Residuary Estate, unless otherwise indicated in this Will.

ITEM IX: GENDER AND NUMBER

All words in this Will referring to the masculine, feminine, or the neuter shall include all genders, and all words used in the singular or the plural shall include the singular or the plural, unless the context therein specifically requires otherwise.

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TESTIMONIUM

IN WITNESS WHEREOF, I, **DELORES D. HOBBS**, set my name to this instrument this 15th day of June, 2018, at Brentwood, Tennessee, and do hereby declare that I sign and execute this instrument as my Last Will and Testament, and affix my initials on the bottom of each page thereof for better identification, all in the presence of the persons witnessing it at my request, and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen (18) years of age or older.

Delores D Hobbs
DELORES D. HOBBS

SIGNED, PUBLISHED AND DECLARED by the above-named Testatrix, **DELORES D. HOBBS**, as and for her Last Will and Testament, in the presence of us, who at her request, in her presence, and in the presence of each other, all being present at the same time, have hereunto subscribed our names as witnesses and do hereby certify that we believe the Testatrix to be of sound and disposing mind and memory.

211 Franklin Road #300
Brentwood TN 37027
ADDRESS

211 Franklin Rd, Ste 300
Brentwood TN 37027
ADDRESS

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STATE OF TENNESSEE)

COUNTY OF WILLIAMSON)

AFFIDAVIT BY WITNESSES TO WILL

Robert Bryan Bell and Steven Boles after being first duly sworn or affirming, make oath or affirm that the foregoing Last Will and Testament was signed by **DELORES D. HOBBS**, as and for, and at that time acknowledged, published and declared by her to be her Last Will and Testament, in the sight and presence of us, the undersigned, who at her request and in her sight and presence, and in the presence of each other, have subscribed our names as attesting witnesses on the 15th day of June, 2018; and we further make oath and affirm that the Testatrix was of sound mind and disposing memory, and not acting under the fraud, menace or undue influence of any person, and was more than eighteen (18) years of age; and that each of the attesting witnesses is more than eighteen (18) years of age.

Sworn to and subscribed before me, this 15th day of June, 2018.

Elizabeth Ryder Sykes
NOTARY PUBLIC

My Commission Expires:

ELIZABETH RYDER SYKES
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 11-5-2018

STATE OF TENNESSEE

****

IN RE: ***DELORES D HOBBS***

Docket No: ***24P1923***

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 September 30, 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 September 30, 2024.

JOSEPH P. DAY CIRCUIT COURT CLERK

JOSEPH P. DAY, Clerk,

By: _____
Deputy Clerk