Karen Johnson
Batch # 1206683
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Fees: $72.00 Taxes: $0.00
Davidson County
AFFIDAVITH
14 pgs
20241119-0089791

This instrument prepared by:
Chapman & Rosenthal Title, Inc.
10 Burton Hills Blvd, Ste 130
Nashville, TN 37215

AFFIDAVIT OF HEIRSHIP IN FURTHERANCE OF TITLE

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this 18th day of November, 2024 personally appeared Anne Wynne Empson, hereinafter referred to as Affiant, being first duly sworn, deposes, and makes oath as follows:

1. That Affiant is at least eighteen (18) years of age.

2. That Affiant was personally acquainted with Gussie B. Empson also known as Gussie R. Empson, deceased, hereinafter referred to as Decedent, during the decedent's lifetime.

3. That Decedent died testate on December 5, 2017, and was at the time a resident of Davidson County. See Last Will and Testament attached as Exhibit A for reference.

4. That Decedent was survived by the following persons (*please include name and address*) If the answer is NONE, state "NONE":

I. **Surviving Spouse**
None

Surviving Children (adopted, legitimate or illegitimate)

Ann Wynne Empson

637 Hidden Acres Dr

Madison, TN 37115

Deceased Children (adopted, deceased, legitimate or illegitimate)
None

Children of Deceased Children (adopted, deceased, legitimate or illegitimate)
None

II. **Surviving Parent or Parents**

None

III. **Surviving Brother(s)/Sister(s)**
None

Deceased Brother(s)/Sister(s)
None

Children of Deceased Brother(s)/Sister(s)

None

IV. Surviving Paternal Grandparent(s)
None

5. That all persons above named are at least eighteen (18) years of age, except: N/A.

6. That this Affidavit of Heirship is being prepared for the purposes established in Tenn. Code Ann. 30-2-712, and the Affiants acknowledge that their execution of the same is subject to and governed by the penalties set forth in Section (f) of the same statute, and that this Affidavit is not made for any fraudulent purpose.

7. That the Affiants acknowledge that this Affidavit of Heirship may be relied upon by third parties in order to establish chain of title by descent and distribution.

FURTHER AFFIANT SAYETH NOT.

Anne Wynne Empson

SUBSCRIBED AND SWORN TO before me this 18th day of November, 2024.

J Anderson

(seal)

NOTARY PUBLIC

My Commission Expires: _____

J ANDERSON STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY My Commission Expires 09-07-2026

STATE OF Tennessee
COUNTY OF Davidson

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Anne Wynne Empson the within named Affiant, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 18th day of November, 2024.

J Anderson

(seal)

NOTARY PUBLIC

My Commission Expires: _____

J ANDERSON STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY My Commission Expires 09-07-2026

CASTLES
ATTORNEY AT LAW
L & C TOWER
NASHVILLE, TENNESSEE 37219

EXHIBIT A

LAST WILL AND TESTAMENT

OF

GUSSIE B. EMPSON

I, GUSSIE B. EMPSON, a resident of Davidson County, Tennessee, declare this to be my Last Will and Testament. I revoke all other wills and codicils that I may previously have made.

ARTICLE I

All of my just debts, my funeral expenses (including the cost of a suitable monument at my grave), unpaid charitable pledges (whether or not the same are enforceable obligations of my estate) and the costs of administration of my estate are to be paid as soon as practicable after my death. My Executor, in its sole discretion, may pay from my domiciliary estate all or any portion of the costs of ancillary administration and similar proceedings in other jurisdictions.

If any property or interest in property passing under this will, by operation of law, or otherwise by reason of my death (other than as a part of my residuary estate) is encumbered by mortgage or lien or pledged to secure any obligation (whether the property or interest in property so encumbered or pledged is owned by me jointly or individually), such indebtedness shall not be charged to or paid from my estate; but, the devisee, legatee, joint owner taking by survivorship, or beneficiary receiving such property or interest

in property shall take it subject to all encumbrances existing at the time of my death.

ARTICLE II

I direct that there shall be paid out of that portion of my residuary estate which is not included in the share qualifying for the marital deduction, without apportionment, all estate, inheritance, succession and other taxes (together with any 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 required to be included in my gross 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 taxable power of appointment, without contribution by any recipient of any such property.

ARTICLE III

All of the property which I may own at the time of my death, real, personal and mixed, tangible and intangible, of whatsoever nature and wherever situated, including all property which I may acquire or become entitled to after the execution of this will, including all lapsed legacies and devises and all life insurance payable to my estate, I bequeath and devise in fee to my husband, DUNCAN B. EMPSON. If my husband, DUNCAN B. EMPSON, shall not survive me, then I bequeath and devise the said property, in fee, to my daughter, ANN WYNNE EMPSON.

ARTICLE IV

I authorize my Executor, including any substitute or successor personal representative, in the exercise of a reasonable discretion with respect to all property, real and personal, at any time forming part of my estate or any trust, to exercise any or all the powers set forth in Section 3 of Chapter 110 of the Tennessee General Assembly of 1963, T.C.A. § 35-618, to the extent applicable, all of which provisions and powers are incorporated herein by reference as fully as if copied herein verbatim. These powers (as set out in said statute on the date of the execution of this will) are granted, notwithstanding that said statute may be amended hereafter or repealed at the time of my death.

ARTICLE V

If my husband, DUNCAN B. EMPSON, and I shall die under such circumstances that there is not sufficient evidence to determine the order of our deaths, or if he shall die within a period of six months after the date of my death, then all the bequests, devises, and provisions made under this will to or for his benefit shall be void, and my estate shall be administered and distributed as though my said husband, DUNCAN B. EMPSON, had not survived me.

ARTICLE VI

Notwithstanding anything to the contrary hereinabove contained, my spouse may disclaim his rights and those of his estate to receive such part or all of the bequests set forth hereinbefore, as he may specify in an instrument in writing deposited with my personal representative designated herein, within nine (9) months after my death, in accordance with

Section 2518 of the 1954 Internal Revenue Code as amended, and further in conformity with Section 31-103 of the Tennessee Code Annotated, and, in such event, my personal representative, Executor or Trustee, shall distribute the property affected thereby or any interest therein to my daughter, ANN WYNNE EMPSON. In the event my spouse dies within nine (9) months after my death without having disclaimed any rights as described above, the Executor or Administrator of my spouse's estate may file a disclaimer on his behalf by depositing an instrument of disclaimer in writing with the appropriate fiduciary of my estate within nine (9) months after my death and otherwise complying with Section 2518 of the 1954 Internal Revenue Code as amended and Section 31-103 of the Tennessee Code Annotated, referred to above, and in such event, my personal representative, Executor or Trustee shall distribute the property affected or any interest therein to my daughter, ANN WYNNE EMPSON.

ARTICLE VII

I appoint my husband, DUNCAN B. EMPSON, as Executor of this will. If he shall be unable or unwilling to serve, or if he predeceases me or dies before the termination of administration, I appoint my daughter, ANN WYNNE EMPSON, as substitute Executrix with the same powers as named herein.

My Executor or the substitute Executrix xhall serve without bond.

ARTICLE VIII

My Executor shall have the power to exercise any election he may have as to whether to claim any expense of administration of my estate as a deduction for any death tax

or any income tax in such manner as he believes will minimize the total tax burden on my estate, irrespective of the effect any such decision would have upon the value of any share and without any adjustments as between income and principal accounts of my estate resulting from deduction for income tax purposes of a principal charge therefrom. My Executor shall incur no liability to any beneficiary by reason of making or failing to make any such election.

My Executor is authorized to file with my husband or his Executor or Administrator, a joint Federal income tax return for the year in which my death occurs and for any previous year for which a return has not been filed prior to my death. My Executor is directed to do so if such is possible and will result in a lesser tax than separate returns would do. My Executor is also authorized to consent for gift tax purposes to having gifts made by either of us during my life considered as made one-half by each of us. My Executor is authorized to pay in full, as a debt of mine, any tax shown on any such return and any additional tax and interest that may be assessed as a result of the audit of any such return. My Executor shall not be liable to any beneficiary of this will for reimbursement for any tax or interest not (but for this Article) payable to him which he may pay in carrying out the instructions of this Article.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of this and four preceding typewritten pages, and for the purpose of identification I have initialed each such page, all in the

presence of the persons witnessing it at my request on this 9TH day of AUGUST, 1979, at Nashville, Tennessee.

Gussie B. Empson
GUSSIE B. EMPSON

The foregoing instrument, consisting of this and five preceding typewritten pages, was signed, sealed, published and declared by GUSSIE B. EMPSON, the testatrix, to be her Last Will and Testament, in our presence, and we, at her request and in her presence and in the presence of each other, have hereunto subscribed our names as witnesses, this 9TH day of AUGUST, 1979, at Nashville, Tennessee.

Bruce L. Fly

William T Castles

AFFADIVIT OF WITNESSES TO PROVE WILL

WILLIAM T. CASTLES and BRUCE L. FLY

after being duly sworn according to law, depose and say:

1. That they are adult citizens of _____, DAVIDSON County, Tennessee.

2. That they witnessed the execution of the Last Will and Testament of GUSSIE B. EMPSON, dated AUG. 9, 1979, to which this affidavit is attached, and that this affidavit is being made at the request of the Testator, and in accordance with Tennessee Code Annotated, sub-paragraph 32-211.

3. 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 Testator 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.

4. That the Testator signed said paper writing as and for her Last Will and Testament in their sight and presence.

5. That at the time they witnessed said will, the Testator was, in their opinion, of sound mind.

William T Castles

Bruce L. Fly

STATE OF TENNESSEE)
COUNTY OF Davidson)

Subscribed and sworn to before me this 9 day of August, 1979.

My commission expires:

My Commission Expires JAN. 15, 1983

Sherry Zorn
Notary Public

FIRST CODICIL

TO THE

Last Will and Testament

OF GUSSIE B. EMPSON

I, GUSSIE B. EMPSON, of Madison, Davidson County, Tennessee, being of sound mind and disposing memory and realizing the uncertainty of life, having heretofore made and published my Last Will and Testament, which bears date of August 9, 1979, do hereby make, declare and publish this as a First Codicil, thereto, to-wit:

FIRST: I hereby amend Articles III of my said Will by adding the following provisions to said Articles of my Will, to-wit:

A. In the event my Husband, Duncan B. Empson, and my daughter, Ann Wynn Empson Lane, shall not survive me, then I bequeath and devise all my property, real, personal and mixed, wheresoever located, or whenever acquired, to my Grandsons, Jack Harold Lane, III, and Brandon Reed Lane, and to any children born to, or adopted by, my said Daughter after the due execution of this Codicil, share and share alike, and per stirpes.

B. In the event my said Grandson, Jack Harold Lane, III, Brandon Reed Lane, and/or any of my said grandchildren aforesaid, should not have attained the age of twenty-five (25) years at the time of my death, their shares of my said estate shall be held in Trust by my Trustees, Major and Mrs. David Jones, P.O. Box 654, Gatlinburg, TN 37738, to be managed, controlled, invested, re-invested and distributed by said Trustees upon the following terms and conditions.

1. The net income of said shares, or so much as is necessary, shall be utilized primarily for the education of said grandchild, secondarily for their support, maintenance and necessary health of said grandchild, all in the sole discretion of said Trustees. For this purpose, I direct my Trustees to accumulate the income from the Trust, if possible, and any accumulated income shall be added to the corpus, at least annually.

Gussie B. Empson
GUSSIE B. EMPSON

2. In the event any of my said grandchildren should desire to engage in business enterprise prior to their twenty-fifth (25) birthday, my said Trustees shall be authorized, within their sole discretion, to make said grandchild a loan using the usual conditions for the making of any commercial business loans in order to finance said business venture, and to enable said grandchild to own and to operate his or her own business.

3. If at any time the Trustees, in their sole and unlimited discretion, shall be of the opinion that it is necessary or desirable to encroach upon the corpus of the Trust as aforesaid, to provide for the education of my grandchild, and/or business loan, primarily or secondarily for the support, maintenance and necessary health of my grandchild; the Trustees are hereby authorized to encroach upon the corpus of the Trust to whatever extent it may be necesary, proper or desirable. Said power of encroachment upon the corpus of this Trust is a continuing power for the duration of this Trust.

4. Neither the principal nor income of this Trust shall be pledged, assigned, transferred, sold, or in any manner whatsoever accelerated, anticipated, or encumbered by any beneficiary, nor shall any income or principal of said Trust estate be in any manner subject or liable in the hands of the Trustees for the debts, contracts, or engagements of any beneficiary, or be subject to any assignment, or any other voluntary or involuntary alienation or disposition whatever.

5. When any beneficiary of this Trust has attained the age of Twenty-Five (25) years, I direct that the Trustees distribute the corpus and the income then remaining of the share of said grandchild, then living, to said grandchild. In the event of the death of said beneficiary prior to his or her Twenty-Fifth (25) birthday, said share shall thereafter be distributed to the heir of said deceased grandchild per stirpes.

Gussie B. Empson
GUSSIE B. EMPSON

6. I authorize my Trustees, including any successor Trustee, in the exercise of a reasonable discretion with respect to all property, real, personal and mixed, at any time forming part of my Trust to exercise any or all powers set forth in Tennessee Code Annotated, Section 35-5-110, to the extent applicable, all of which provisions and powers are incorporated herein by reference as fully as if copied herein verbatim.

7. In the event, Major and Mrs. David Jones, shall not survive me or shall fail to qualify, shall die, resign, or cease to act as Co-Trustees, for any reason, then Mark Dorr, of 2413 - 12th Street, Moline, Illinois 61265, shall act as Trustee, and in such capacity he shall possess and exercise all powers herein conferred.

SECOND: I hereby amend Article VII of my Will by adding the following provision to said Article, to-wit:

In the event both my Husband, Duncan B. Empson and my daughter, Ann Wynne Empson Lane, does not survive me, I nominate and appoint Major and Mrs. David Jones, Co-Executors of my said Last Will and Testament and of this First Codicil. In the event, Major and Mrs. David Jones shall not survie me or shall fail to qualify, or shall die, resign, or cease to act as Co-Executors for any reason, then the said Mark Dorr shall act as Executor and in such capacity, he shall possess and exercise all powers herein conferred, I direct that no bond or other security shall be required of Major and Mrs. David Jones and/or Mark Dorr, for their faithful performance as such Executors and/or Trustees.

THIRD: I hereby ratify, republish and reaffirm my said Will, dated August 9, 1979, in all respects, except as modified by this First Codicil thereto.

IN TESTIMONY WHEREOF, I have hereunto set my hand to this my First Codicil to my Last Will and Testament at Nashville, Tennessee, this 10 day of February, 1992.

Gussie B. Empson
GUSSIE B. EMPSON

Page Three of my First Codicil of Four Pages, dated February 10, 1992

Gussie B. Empson
GUSSIE B. EMPSON

Signed, published and declared by the Testatrix, Gussie B. Empson, to be a First Codicil to her Last Will and Testament, dated August 9, 1979, said Codicil consisting of four (4) pages, including this page, in the 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 as the day and date heretofore written.

Nashville, Tn. — ADDRESS
Patricia Mayes — WITNESS

Nashville, TN — ADDRESS
Marjorie Kindall — WITNESS

Madison, Tenn. — ADDRESS
Spiller Campbell Jr — WITNESS

Page Four of my First Codicil of Four Pages, dated February 10, 19

Gussie B. Empson
GUSSIE B. EMPSON

AFFIDAVIT TO THE FIRST CODICIL TO THE WILL OF GUSSIE B. EMPSON

STATE OF TENNESSEE
COUNTY OF DAVIDSON

WE, Patricia MAYES, MARJORIE KINDALL, and SPILLER CAMPBELL upon being first duly sworn, according to law, upon their respective oaths, state that they are and have been residents of Davidson County, Tennessee, and that they are persons of lawful age, and further depose and state;

That, on this date and at the request of Gussie B. Empson, the Testatrix, and pursuant to the provision of Tennessee Code Annotate 32-2-110, Affiants were presented with a paper writing, dated the 10 day of February, 1992, purporting to be a First Codicil to the Last Will and Testament of Gussie B. Empson, dated August 9, 1979, to which Codicil this Affidavit is attached; that said Affiants recognize their respective signatures affixed to said paper writing as well as the signature of the Testatrix and of the other attesting witnesses; that on the 10 day of February, 1992, Affiants were requested by said Testatrix to attest or witness this said paper writing as and for a First Codicil to the Last Will and Testament of Gussie B. Empson, that on said occasion, the said Gussie B. Empson declared said paper writing to be a First Codicil to her Last Will and Testament and did affix her signature to same in Affiant's sight and presence; that, on that occasion, Affiants did subscribe their signatures to said paper writing in the sight and presence of each other as such attesting witnesses; and that, on or about the 10 day of February, 1992, the said Gussie B. Empson appeared to be a person of sound mind and disposing memory and of more than 18 years of age.

Patricia Mayes

Marjorie Kindall

Spiller Campbell

Sworn and subscribed to before me this 10 day of February, 1992.

Patricia [illegible]
NOTARY PUBLIC

My Commission Expires: May 28, 1995