EFILED 11/27/24 10 34 AM CASE NO. 24P2329 Joseph P Day, Clerk

24P2329

Karen Johnson
Batch # 1216551
12/16/2024 10 56 49 AM
Fees $47 00 Taxes $0 00
Davidson County
WILL
9 pgs
20241216-0097346

LAST WILL AND TESTAMENT OF

ELIZABETH MOORE STALEY

FILED
NOV 26 2024
JOSEPH P DAY, Clerk
By _____ Deputy

I, ELIZABETH MOORE STALEY, a resident of Davidson County, Tennessee, being of sound and disposing mind, memory and understanding, do hereby make, publish and declare this to be my Last Will and Testament and do hereby revoke all other Wills, Codicils and testamentary instruments heretofore made by me.

FIRST

Payment of Debts and Taxes

I direct that all my lawful debts (except debts secured by mortgages or other security instruments, which may be paid or retained in the discretion of my Personal Representative, and if paid shall be without right of contribution from my husband), my funeral expenses, the expenses of administration of my estate, and inheritance, estate or other death taxes that may be imposed upon my estate, including interest and penalties thereon, be paid by my Personal Representative as soon as possible after my death.

I direct that my Personal Representative pay out of the property which would otherwise become part of my residuary estate, without apportionment, all estate, inheritance or other death taxes, including interest and penalties thereon, which may be lawfully assessed by reason of my death.

I direct pursuant to Section 31-2-103 of Tennessee Code Annotated ("T.C.A.") that any interests in real property which I may own at my death be administered as part of my estate subject to the control of my Personal Representative who shall have full power to grant, bargain, sell, convey, lease, encumber, manage, and otherwise deal in any lawful manner with said real property at any time during the administration of the estate, in the sole discretion of my Personal Representative, without the approval or joinder of any beneficiary and without the necessity of any person or entity looking to the application of

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any proceeds that may or might result from any acts of any Personal Representative with respect to the premises.

SECOND

Specific Bequests; Personal Effects

I give and bequeath to my husband, GEORGE M. STALEY, all of my effects of a strictly personal nature for household use, furnishings, clothing, jewelry, automobiles and the like (and all policies of insurance on such property) which I own at the time of my death. I have no children at the time of the execution of this Will. I may leave a memorandum (which is not to be a part of this Will) listing some of the items described in this paragraph which I wish certain persons to have and request (but do not require) that my wishes as set forth in this memorandum be observed.

THIRD

Residuary Estate

I give, devise, and bequeath all the rest, residue, and remainder of my estate, of every kind and description to my husband, GEORGE M. STALEY, outright and free of trust, if my said husband survives me by thirty (30) days. In the event my husband does not survive me by thirty (30) days, I give, devise and bequeath all of my above mentioned estate to the following charities and in the following percentages:

1. Twenty-five percent (25%) of my residuary estate to St. Jude Children Research Hospital, Inc, or its successor organization, whose national office is currently in Memphis, TN, in support of its full mission. Tax ID #62-0646012;
2. Twenty-five percent (25%) of my residuary estate to the Nashville Humane Association, or its successor organization, whose national office is currently in Nashville, TN, in support of its full mission. Tax ID #62-0672999;
3. Twenty-five percent (25%) of my residuary estate to the American Society for the Prevention of Cruelty to Animals (ASPCA), or its successor organization, whose

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national office is currently in New York City, NY, in support of its full mission. Tax ID #13-1623829; and

4. Twenty-five percent (25%) of my residuary estate to the American Cancer Society, or its successor organization, whose national office is currently in Atlanta, GA, in support of its full mission. Tax ID #13-1788491.

FOURTH

Personal Representative

A. I appoint my husband, GEORGE M. STALEY, as the Personal Representative (hereinafter "Personal Representative") of my Last Will and Testament. I direct that my Personal Representative shall not be required to furnish a bond for the faithful performance of its duties in any jurisdiction, any provision of the law to the contrary notwithstanding. If any bond is required by law, no surety shall be required on such bond. If GEORGE M. STALEY is unable or unwilling to serve as Personal Representative, I appoint JOHN KITCH, ESQ. as successor Personal Representative without bond.

B My Personal Representative shall be excused from the statutory requirement of making and filing an inventory of my estate with the court exercising probate jurisdiction unless such filing is demanded by any of the residuary distributees or legatees of my estate. Further, my Personal Representative shall also be excused from the statutory requirement of making and filing an accounting of the administration of my estate to such court.

FIFTH

Personal Representative Powers and Duties

My Personal Representative shall have the following powers, duties and discretions in addition to those now or hereafter conferred by law:

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A. I incorporate by reference all of the fiduciary powers contained in section 35-50-110, Tennessee Code Annotated as amended as fully as if set out verbatim herein.

B. 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 it, including, but not limited to, its liability for estate, income or other taxes, until such liability shall have been finally determined.

C. My Personal Representative shall be charged with the duty of good faith and reasonable care in the management of the estate, but shall not be responsible for losses, if any, resulting from honest mistakes of judgment.

D. If my Personal Representative determines that any distribution shall be paid to a minor, or to a person under a legal disability, or to a person not adjudicated incompetent, but who, by reason of illness or mental or physical disability is, in the opinion of my Personal Representative, unable to properly administer such funds. then such funds may be paid out by my Personal Representative in any of the following ways as he deems best: (1) directly to such beneficiary; (2) to the legally appointed guardian or conservator of such beneficiary; (3) by my Personal Representative using such amounts directly for the benefit of such beneficiary; or (4) to some relative or friend for the care, support, education and welfare of such beneficiary. The receipt of any such person shall discharge my Personal Representative from any further responsibility with respect to such funds. No recipient shall be required to furnish bond with respect to any such funds, nor make report as to the disposition of the same.

E. My Personal Representative may begin making payments to the beneficiaries of my estate after the beginning of the administration of my estate. My Personal Representative shall be given credit on his settlement for all disbursements made to the beneficiaries under the provisions of this power.

F. Any insurance on my life or other similar insurance payable to the Personal Representative or Administrator of my estate, or to my estate, shall be free from the

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claims of creditors and shall be governed by the provisions of my Will; provided, however, that my Personal Representative may in its sole discretion pay my personal debts from the proceeds of such policies, but my Personal Representative shall, in its sole discretion, determine which, if any, of my debts shall be so paid.

G. My Personal Representative may exercise all powers that an absolute owner would have and any other powers appropriate to achieve the proper investment, management, and distribution of: (1) any kind of computing device of mine; (2) any kind of data storage device or medium of mine; (3) any electronically stored information of mine; (4) any user account of mine; and (5) any domain name of mine. My Personal Representative may obtain copies of any electronically stored information of mine from any individual or entity that possesses, custodies or controls that information. I hereby authorize any individual or entity that possesses, custodies or controls any electronically stored information of mine or that provides to me an electronic communication service or remote computing service, whether public or private, to divulge to the Personal Representative: (1) any electronically stored information of mine; (2) the contents of any communication that is in electronic storage by that service or that is carried or maintained on that service; and (3) any record or other information pertaining to me with respect to that service. This authorization is to be construed to be my lawful consent under the Revised Uniform Fiduciary Access to Digital Assets Act; the Electronic Communications Privacy Act of 1986, as amended; the Computer Fraud and Abuse Act of 1986, as amended; and any other applicable federal or state data privacy law or criminal law. My Personal Representative may employ any consultants or agents to advise or assist the Personal Representative in decrypting any encrypted electronically stored information of mine or in bypassing, resetting, or recovering any password or other kind of authentication or authorization, and I hereby authorize the Personal Representative to take any of these actions to access; (1) any kind of computing device of mine; (2) any kind of data storage device or medium of mine; (3) any electronically stored information of mine; and (4) any user account of mine. The terms used in this paragraph are to be construed as

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broadly as possible, including as contemplated in the Revised Uniform Fiduciaries Access To Digital Assets Act, and the term "user account" includes without limitation an established relationship between a user and a computing device or between a user and a provider of Internet or other network access, electronic communication services, or remote computing services, whether public or private.

SIXTH

Governing Law

Except where otherwise specifically stated, this Will is to be administered, construed and governed in all respects by the laws of the State of Tennessee.

IN WITNESS WHEREOF, I have hereunto subscribed my name to this the sixth (6th) page of my Last Will and Testament, consisting of seven (7) 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 the 12 day of October, 2018, at Nashville, Tennessee.

(City)

Elizabeth Moore Staley

ELIZABETH MOORE STALEY

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SIGNED, PUBLISHED AND DECLARED by the above-named Testatrix, ELIZABETH MOORE STALEY, 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.

_____ Address BRENTWOOD, TN
WITNESS (Signature)

_____

Nicole Halweg Address BRENTWOOD, TN
WITNESS (Signature)

_____

This Instrument Prepared By:
Tommy C. Estes
MANIER & HEROD,
A Tennessee Professional Corporation
1201 Demonbreun Street, Suite 900
Nashville, Tennessee 37203

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AFFIDAVIT BY WITNESSES TO WILL

CHRISTOPHER GOFF and NICOLE HALWEG

WITNESS (Printed Name) **WITNESS** (Printed Name)

after first being duly sworn or affirming, make oath or affirm that the foregoing Last Will and Testament was signed by ELIZABETH MOORE STALEY 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 sight and presence of each other, have subscribed our names as attesting witnesses on the 17 day of October, 2018; and we further make oath or 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.

WITNESS (Signature)

Nicole Halweg

WITNESS (Signature)

Sworn to and subscribed to before me, Mary Clapp, this 17 day of October, 2018.

(Printed Name of Notary)

MARY CLAPP
STATE OF TENNESSEE
NOTARY PUBLIC
WILLIAMSON COUNTY

Notary Public

My Commission Expires: MY COMMISSION EXPIRES APRIL 28, 2019

STATE OF TENNESSEE

****

IN RE: ***ELIZABETH MOORE STALEY***

Docket No: ***24P2329***

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 November 27, 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 November 27, 2024.

JOSEPH P. DAY CIRCUIT COURT CLERK

JOSEPH P. DAY, Clerk,

By: _____ ***Deputy Clerk***