EFILED 05/02/25 09:25 AM CASE NO. 25P763 Joseph P. Day, Clerk

FILED
MAY - 2 2025
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By _____ Deputy

# LAST WILL AND TESTAMENT

# OF

# LINDA G. BLACKIE

Karen Johnson Davidson County
Batch# 1267693 WILL
05/02/2025 12:24:30 PM 15 pgs
Fees: $77.00 Taxes: $0.00
20250502-0034176

This Instrument Prepared By
William L. Harbison
Sherrard & Roe, PLC
424 Church Street, Suite 2000
Nashville, Tennessee 37219
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# LAST WILL AND TESTAMENT
# OF
# LINDA G. BLACKIE

I, LINDA G. BLACKIE, a resident of Nashville, Davidson County, Tennessee, and a citizen of the United States, make, publish and declare this to be my Last Will and Testament, revoking all former Wills and Codicils made by me.

I am married to William M. Blackie, referred to hereafter as my "husband," and we have one daughter, Elizabeth Van Lynn Blackie.

## ARTICLE I.
## APPOINTMENT OF EXECUTOR

I appoint my husband, William M. Blackie, to be the Executor of this my Last Will and Testament, and direct that no bond shall be required of my Executor in any jurisdiction. If my husband shall be unwilling or unable to serve for any reason, then in such event I appoint my daughter, Elizabeth, to serve as alternate Executor of this Will, without bond. Should an ancillary administration of my estate be necessary, I authorize my Executor to appoint an ancillary administrator who shall be vested with all of the powers granted to my fiduciaries in my Will and shall also serve without bond, unless any named Executor should determine bond to be desirable.

## ARTICLE II.
## DISPOSITION OF ESTATE

1. Household Furnishings and Personal Effects.

I give and bequeath certain items of my personal and household effects to those persons designated in a separate writing that may be in existence at the time of my death, which will be written entirely in my own handwriting and signed and dated by me, and which will describe the items and the legatees with reasonable certainty. If no separate writing or list is found and properly identified by my Executor within sixty (60) days after my Executor's qualification as such, it shall be presumed that no such separate writing exists, and any subsequently discovered separate writing or list shall be ignored. In the event any person named in such separate writing shall predecease me, then the bequest made to such person shall lapse and become null and void.

I give and bequeath all of my personal and household effects that are not specifically bequeathed pursuant to the aforesaid separate writing, including all jewelry and other articles of personal use, automobiles and their accessories, and any and all interests that I may have in furniture, furnishings, art, and household goods and equipment, together with any insurance policies thereon, to my husband, William M. Blackie. If my husband does not survive me, then the aforesaid property shall be distributed to my daughter.

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2. Distribution of Residuary Estate if Husband Survives.

If my husband survives me, then I give, devise and bequeath outright to my husband, without condition or limitation, all of the rest, residue and remainder of my property of every kind and description, and wherever located, including any lapsed or void legacy or devise (but not including any property over which I may have power of disposition or appointment).

3. Distribution of Residuary Estate if Husband Does Not Survive.

If my husband does not survive me, I give and bequeath all of the rest, residue and remainder of my property of every kind and description, and wherever located, including any lapsed or void legacy or devise (but not including any property over which I may have power of disposition or appointment) to my daughter, Elizabeth Van Lynn Blackie, if living. If my daughter is not living and has issue, then I leave such property to her issue *per stirpes*; provided the share of any beneficiary who is then under thirty (30) years of age shall be held in trust for such beneficiary as provided in Article III of this Will.

## ARTICLE III.
## TRUSTS FOR BENEFICIARIES UNDER THIRTY (30) YEARS OF AGE

Whenever money or property under this Will is to be distributed to a beneficiary who is then under thirty (30) years of age, such money or property shall be held in trust for that beneficiary, by his or her surviving parent or a Trustee appointed by a court of competent jurisdiction, until he or she becomes thirty (30) years of age, and in the meantime the Trustee may use such part of the income and principal of the share of such person as the Trustee may deem necessary to provide for his or her health, education, maintenance and support. If such person should die before becoming thirty (30) years of age, the property held in trust shall be distributed *per stirpes* among his or her issue, if any, and if such person leaves no issue, his or her share shall be distributed among the other beneficiaries of my Will as if such person had not survived his or her parent's death, provided that this trust shall be subject to the provisions in Article VIII of this Will regarding the Rule Against Perpetuities.

## ARTICLE IV.
## DEBTS, ADMINISTRATION EXPENSES AND TAXES

1. Payment of Debts and Administration Expenses.

My Executor in the Executor's sole discretion may pay my legal debts, including funeral expenses, the cost of a suitable monument, unpaid charitable pledges (whether or not they are enforceable obligations of my estate), and costs of administration of my estate, and I hereby authorize my Executor, in case of any claim made against my estate, to settle and discharge the same in the absolute discretion of my Executor. I direct that the proceeds of any life insurance

payable to my estate or my Executor may, in the sole discretion of the Executor, be used for the payment of debts or taxes.

In the event any property or interest in property passing under this Will, or by operation of law, or otherwise by reason of my death shall be encumbered by a mortgage or a lien, or shall be pledged to secure any obligation (whether the property or interest in property so encumbered or pledged shall be owned by me jointly or individually), it is my intention that such indebtedness shall not mandatorily be charged to or paid by my estate, but that my Executor shall have absolute discretion as to whether said indebtedness shall be paid either in whole or in part.

2. Payment of Taxes.

I direct that my Executor pay out of my residuary estate, as an expense of administration, without apportionment against the share of any beneficiary, all transfer, estate, inheritance, succession and other death taxes, together with any interest or penalty thereon, payable by reason of my death, whether in respect of property passing under this Will or otherwise.

3. Allocation of Non-Deductible Expenses and Taxes.

As herein provided, all administration expenses that are not an allowable deduction for federal estate tax purposes or are not deducted for federal estate tax purposes and all death taxes payable from my estate shall be charged against the principal of my residuary estate. Notwithstanding the above, I authorize, but do not direct, that administrative expenses of my estate may be paid from the income of the estate and allocated thereto instead of to the principal of the estate as provided above so long as such is permitted by then prevailing law.

## ARTICLE V.
## POWERS AND DUTIES OF EXECUTOR AND TRUSTEE

1. General Powers.

I authorize my Executor and Trustee (collectively, "the fiduciaries") in the exercise of all 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 of the powers set forth in Tennessee Code Annotated Section 35-50-110, as amended, to the extent applicable, all of the provisions and powers of which are incorporated herein by reference as fully as if copied herein verbatim; provided, however, that the fiduciaries shall not exercise any power in a manner inconsistent with the right to the beneficial enjoyment of the trust property accorded to a beneficiary of a trust under the general principles of the law of trusts. These powers (as set out in said statute on the date of execution of this Will) are granted, notwithstanding that said statute may be amended hereafter or repealed at the time of my death. The Trustee of any trust created by this Will shall have and may exercise any and all powers, privileges, immunities and exemptions conferred on my Executor under any Article of this Will, including the waiver of bond.

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2. Authority to Administer Real Property.

My Executor shall have full authority and discretion to convey, improve, lease, encumber, or in any other manner deal with and administer any real property comprising an asset of my estate, without the approval of any court, the joinder of any beneficiary, or the disclosure of the identity of any beneficiary of my estate. Furthermore, for purposes of Tennessee Code Annotated Section 31-2-103, all such real property shall be deemed to be personal property following my death, subject to sale by my Executor, acting without joinder of any beneficiary, for the purpose of facilitating the distribution of my estate among the beneficiaries of this Will, as well as for the purpose of paying taxes, administrative expenses, and any other expenses or debts of my estate, without first being required to exhaust all other personal property of my estate.

3. Power to Allocate Assets.

The fiduciaries shall, in their sole discretion, make reasonable allocations of the property comprising my estate without apportioning each individual asset in order to satisfy any bequest made herein, to fund any trust created herein, or to divide any trust into separate trusts or shares.

4. Power to Move Situs of Trust.

If at any time it appears that it would be in the best interest of a beneficiary to have the situs of a trust established under this Will transferred to a different jurisdiction, I authorize that said transfer be made. I further direct that the guardians of the person of any minor beneficiary be authorized to instruct the Trustee to make application for removal to another jurisdiction on behalf of such beneficiary, pursuant to the procedure set forth in Tennessee Code Annotated Section 34-1-117 et seq. (transfer of fiduciary relationship).

5. Administration of Trust by Executor.

During the period of administration of my estate, my Executor shall be fully authorized and empowered to exercise all of the powers and duties of the Trustee; and I direct that my Executor shall do so in order that payments of income or principal for the benefit of the beneficiaries of my Will shall not be delayed pending the administration of my estate.

6. Distributions to Incapacitated Beneficiaries.

If, pursuant to this Will, or the trusts established herein, any property shall be payable outright to a person who is a minor, or is under any other legal, mental or physical disability (an "incapacitated beneficiary"), the fiduciaries shall have the power, exercisable in their sole discretion and without court approval, either to defer payment of such property, or to pay such property, in whole or in part, to an incapacitated beneficiary, to a parent, guardian, or conservator of an incapacitated beneficiary, to a custodian for an incapacitated beneficiary under a Transfers

to Minors Act, or to any adult with whom an incapacitated beneficiary may reside. The recipient of such property, on behalf of an incapacitated beneficiary, shall not be required to furnish bond or file any accountings with respect to such property, unless the fiduciaries should direct otherwise; and the receipt of such property by the recipient shall discharge my fiduciaries from any further responsibility or liability with respect to such property. If the fiduciaries shall elect to defer payment of any such property, I authorize the fiduciaries to hold such property as trustees for the benefit of an incapacitated beneficiary, with all the powers given to the fiduciaries in this Will and by law, and to pay or apply so much, all, or none of the income and principal of such property for the benefit of an incapacitated beneficiary as the fiduciaries shall deem advisable. When an incapacitated beneficiary attains capacity, whether legal, mental or physical, the balance of such property then remaining shall be distributed to him or her. If an incapacitated beneficiary should die before attaining capacity, the balance of such property remaining at his or her death shall be distributed to his or her estate.

7. Administrative Powers and Duties.

(a) Inventory and Accountings.

I relieve the fiduciaries from the duty to file any inventory or accountings with any court. However, my Executor, upon the request of one or more residuary beneficiaries of my estate, shall prepare an inventory of estate assets and an accounting of their disposition. The Trustee shall make reports from time to time to the beneficiaries of any trust created in this Will, showing in reasonable detail the assets of the trust estate which constitute principal, and the income therefrom, and amounts paid to or expended for each such beneficiary.

(b) Compensation of Fiduciaries.

The fiduciaries shall be entitled to reasonable compensation for their services.

(c) Merger of Trusts.

The Trustee is authorized to commingle the corpus of any trust estates herein created with the corpus of any other trust established by me or my husband for any of our children or their issue solely for the purpose of convenience and economy with respect to administration and investment of trust assets.

(d) Additional Property.

The Trustee is authorized, but not required, to receive additional property from any source and to hold and administer such property as an integral part of any of the trust estates herein created. Notwithstanding the foregoing, if the inclusion ratio for federal generation-skipping transfer tax purposes of the property to be added is different from the inclusion ratio of the trust estate, the Trustee shall be authorized to hold and administer

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the additional property as a separate trust with provisions identical to the trust established under this Will. In addition, the Trustee may, in the Trustee's sole discretion, decline to accept or accept and administer as a separate trust with provisions identical to the trust established under this Will, any property for which liability under the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) or any similar federal or state law may be attributed in any manner.

(e) Employment of Agents.

The fiduciaries shall be authorized, in the fiduciaries' discretion, to employ accountants, attorneys, investment advisors, or other institutions or persons, to assist in the administration and investment decisions for any trust created in this Will, or to enter into a custodial arrangement with a bank or other financial institution of the fiduciaries' choosing. The fees of any person or institution employed by the fiduciaries in accordance with this paragraph may be paid from the income or principal of the trusts created hereunder, as the fiduciaries shall determine.

8. Termination of Trust.

Irrespective of any provision in this Will to the contrary, the Trustee may terminate any trust created under this Will if the trust estate, in the Trustee's sole opinion, shall be of an insufficient amount to justify its continuance. The Trustee may distribute the trust estate among the then income beneficiaries according to their respective shares, or the Trustee may purchase for and deliver to them such annuity policy or policies as the Trustee deems advisable, thereby terminating the trust. No beneficiary or remainderman shall question the action of the Trustee in terminating or failing to terminate the trust or any separate trust created hereunder, or the amount or manner of distribution. No Trustee who is a beneficiary shall have the right to participate in any decision to so terminate a trust or trust share.

9. Tax Elections and Consents.

(a) Tax Returns.

I specifically authorize my Executor to execute and file joint income tax returns with my husband for the year in which my death occurs and for any years prior thereto. I also authorize and empower my Executor to execute and file gift tax returns and to consent to split gifts with my husband, if any gift tax return is required of either of us for the year in which my death occurs or for any year prior thereto. My Executor shall incur no personal liability for any action taken in good faith in accordance with either of the foregoing authorizations.

(b) Deductions.

I am cognizant of the fact that the provisions of the Internal Revenue Code (and other applicable laws) in force at the time of my death, and applicable to my estate, may permit my Executor to elect to claim certain administration and other expenses as deductions, either in the income tax returns of my estate or in the estate tax return. It is my desire that my Executor elect to claim from time to time such expenses as deductions on the particular tax returns which, in my Executor's opinion, should result in the smallest combined taxes being paid, irrespective of whether such expenses shall be payable from income or corpus; and my Executor is directed not to make adjustments between income or principal, or between property interests passing to beneficiaries under my Will which may be substantially affected as a result of any election under this Article. It is my wish that such property interests as may be determined as a result of my Executor's election under this Article shall be the interest such beneficiary shall receive. I exonerate my Executor from all liability for any such election and direct that no beneficiary shall have any claim against my Executor or my estate by reason of the exercise of my Executor's judgment in this respect.

(c) GST Tax Exemption.

My Executor shall also be authorized, in my Executor's sole discretion and without court approval, to allocate any federal exemptions from the federal generation-skipping transfer tax to any property with respect to which I am the transferor for purposes of this tax, regardless of whether such property is included in my probate estate, or to exclude any such property from such allocation. In this regard, I authorize, but do not direct, the fiduciaries to divide at any time any trust created under my Will into separate trusts, in order that the federal generation-skipping transfer tax inclusion ratio for each such trust shall be either zero or one.

10. Limitation on Individual Trustee.

No individual Trustee shall have the right to participate in any decision regarding distributions of income or principal for his or her benefit, except as limited by an ascertainable standard as defined in the Code and the Regulations thereunder. Further, no individual Trustee shall have the right to participate in any decision regarding distributions for the benefit of any other individual to the extent that such distributions satisfy a support or other legal obligation of the Trustee to the distributee.

11. Marital Deduction Not To Be Reduced by Fiduciary's Power.

Any power granted to the fiduciaries shall be void to the extent that its existence or exercise shall cause my estate to lose all or any part of the tax benefit afforded by the marital deductions under Federal or state laws. In distributing assets to the beneficiaries hereunder, my fiduciaries are forbidden to use any basis for evaluation which, according to applicable laws and

regulations, would adversely affect the marital deduction status of the bequest for my *4A hereunder, anything to the contrary in this Will notwithstanding.

ARTICLE VI. MISCELLANEOUS PROVISIONS

1. References and Meaning of Terms.

(a) Code.

Unless specifically provided to the contrary, the term "Code" shall mean the federal Internal Revenue Code of 1986, as from time to time amended, or any successor federal laws thereto, and shall also include the Treasury regulations promulgated thereunder. Sectional references to the Code refer to the present sections, amendments thereto, and any successor sections.

(b) Construction.

Throughout this Will, the singular number shall be deemed to include the plural, the plural the singular, and the use of any gender shall be applicable to all genders, as the context may require. Paragraph headings are used for convenience only, and shall not be resorted to for interpretation of this Will. If any portion of this Will is held to be void or unenforceable, the remainder shall nevertheless be carried into effect.

(c) Education.

The term "education" shall be liberally construed and shall mean all forms of education including, but not limited to, public and private, primary and secondary, college and graduate, business and technical, preparatory, professional, artistic, commercial, and remedial for persons with learning disabilities. Education shall also include a variety of instructive opportunities, such as travel, camp, seminars, and other types of enrichment activities. Payments made for education are not limited to tuition only, but shall also include all reasonable and necessary expenses incident to education, such as books, supplies, housing, meals and travel for a reasonable number of trips between home and the educational institution or activity.

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(d) Family.

As used herein, the terms "child," "children" and "issue" are intended to include persons born after the execution of this Will as well as adopted persons. Unless specifically provided to the contrary, whenever a provision has been made for a child to take his or her deceased parent's share, in the event such child is also deceased, his or her share shall pass to his or her issue, *per stirpes*.

(e) Fiduciaries.

All references in this Will to the "Executor" and "Trustee" shall mean the Executor and Trustee, respectively, named herein or any alternate or successor thereto. The foregoing terms are used for convenience, regardless of the gender or number of parties serving in such capacities, and such terms shall be read as the context shall require.

2. Determination of Incapacity.

For purposes of this document, a person, whether Trustee or beneficiary, shall be deemed to be in a state of incapacity if:

(a) Such person is so declared, and a conservator for such person has been appointed, by a court of competent jurisdiction in the county in which such person resides;

(b) Upon presentation of a certificate executed by two physicians (preferably such person's personal physicians) stating that (i) each of them is unrelated to the person and is licensed and board certified to practice in the State in which such person resides or is hospitalized, (ii) each of them has made a personal mental and physical examination of such person within the preceding thirty (30) days of such certificate, and (iii) each of them is of the opinion that because of accident, illness (including, but not limited to, drug or alcohol abuse), age, mental or physical condition, or other infirmity, such person is unable to handle his or her own affairs; or

(c) Upon credible evidence, determined to be currently applicable to such person, that such person (i) has disappeared, (ii) is unaccountably absent, or (iii) is incarcerated or otherwise detained under duress so that such person is unable effectively and prudently to handle his or her own affairs.

Once determined, such incapacity shall be deemed to continue until such court order, certificate, and/or circumstances have been revoked or become inapplicable. A physician's certificate may be revoked by a similar certificate stating that such person is no longer incapacitated, executed either (a) by the original certifying physicians, or (b) by two other licensed, board certified, unrelated physicians. A Trustee shall be under no duty to institute an

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inquiry into a person's incapacity, but the expense of an inquiry reasonably instituted may be paid from the trust estate.

3. Qualified Disclaimer.

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

4. Spendthrift Provision.

No disposition, charge, or encumbrance of either the income or principal of any trust created under this Will by the beneficiary thereof by way of anticipation shall be of any validity or legal effect or be in any way regarded by the Trustee, and such income or principal, or any part, shall not be subject to any claim of any creditor of any beneficiary. No part of either principal or income shall be subject to attachment, garnishment, execution, receivership or trustee's process; and in the event that any such process shall be served upon the Trustee with respect to the interest of a beneficiary, the right of that beneficiary to receive either income or principal shall terminate until such process shall be released and discharged. Provided, however, that the Trustee may make advances from either principal or income for the support, maintenance, health and education of such beneficiary as the Trustee, in the Trustee's sole discretion, may deem wise and proper under the circumstances.

5. Rule Against Perpetuities.

No trust created hereunder shall remain unvested beyond twenty-one (21) years after the death of the last to die of all the beneficiaries in this Will who are living at the date of my death. At such time, any trust created hereunder that is still in existence shall vest in the then income beneficiaries, irrespective of their ages, in the same proportion as they are then receiving or will become entitled to receive income when it is distributed. The share vested in a beneficiary pursuant to this subparagraph shall be distributed to him or her upon such beneficiary attaining the age set forth pursuant to the terms of such trust. Provided, however, if any beneficiary should die prior to receiving the principal vested in such beneficiary, then such principal shall be immediately distributed to such beneficiary's estate. It is my intent that all trusts established under this Will shall vest within the period permitted by the Tennessee Uniform Statutory Rule Against Perpetuities, and the provisions of this Will shall be construed and interpreted accordingly.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of eleven (11) pages, and on each page I have affixed my initials or my signature for better identification, this 29 day of October, 2003.

Linda G. Blackie
LINDA G. BLACKIE

The foregoing instrument was signed, sealed, published and declared by LINDA G. BLACKIE (the "Testator"), to be the Testator's Last Will and Testament, in the presence of all of us at one and the same time, and we, at the request and in the presence of the Testator, and in the presence of each other, having hereunto subscribed our names as witnesses this 29 day of October, 2003.

WITNESSES:

Yolanda R. Tisdale

Traci O. Henry

ADDRESS:

160 N. Tinker Dr.
Nashville, TN 37214

152 Chippendale Dr.
Hendersonville TN 37075

L.G.B.

STATE OF TENNESSEE )
)
COUNTY OF DAVIDSON )

AFFIDAVIT

On this day Yabrinya R. Tisdale and Traci Henry personally appeared before me, the undersigned Notary Public, and after being duly sworn according to law, depose and say:

1. That they are more than eighteen (18) years of age.

2. That they witnessed the execution of the Last Will and Testament of LINDA G. BLACKIE (the "Testator"), dated October 29, 2003, to which this affidavit is attached, and that this affidavit is being made at the request of the Testator.

3. That the Testator signed said paper writing as and for the Testator's Last Will and Testament in their sight and presence at one and the same time.

4. 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 the Testator's presence, and in the presence of each other, at the place and on the date recited in said Last Will and Testament.

5. That at the time they witnessed said Will, the Testator was, in their opinion, more than eighteen (18) years of age, of sound mind and disposing memory, and did not appear under any undue influence.

Yabrinya R. Tisdale

Traci Henry

Subscribed and sworn to before me, this 29 day of October, 2003.

Sarah Gwaltney
NOTARY PUBLIC

SARAH GWALTNEY NOTARY PUBLIC DAVIDSON COUNTY, TENN.

NOTARY PUBLIC AT LARGE
Sarah Gwaltney
My Commission Expires
May 2nd, 2006
STATE OF TENNESSEE

My Commission Expires:

288616.01 6396-0001

**STATE OF TENNESSEE**

**********

**IN RE:** ***LINDA G. BLACKIE***

**Docket No:** ***25P763***

***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 May 2, 2025 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 May 2, 2025.***

JOSEPH P. DAY CIRCUIT COURT CLERK

***JOSEPH P. DAY, Clerk,***

***By:*** _____ ***Deputy Clerk***

## CERTIFICATE OF AUTHENTICITY

I, William L. Harbison, hereby make oath that I am a licensed attorney and/or the custodian of the original version of the electronic document tendered for registration herewith and that this electronic document is a true and exact copy of the original document executed and authenticated according to law on October 29, 2003.

William L. Harbison

May 2, 2025
Date

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Sworn to and subscribed before me this 2nd day of May, 2025.

Notary Public

My Commission Expires: 7/7/25

BEVERLY SEBASTIAN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires July 07, 2025

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