STATE OF TENNESSEE

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Karen Johnson Davidson County
Batch # 1311335 WILL
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Fees $52 00 Taxes $0 00
20250818-0065696

IN RE: ***BARBARA J SCALES***

Docket No: ***25P1276***

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 July 31, 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 August 5, 2025.

JOSEPH P. DAY CIRCUIT COURT CLERK

JOSEPH P. DAY, Clerk,

By: _____
Deputy Clerk

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25P1276

Last Will & Testament of Barbara J Scales

FILED
JUL 31 2025
JOSEPH P. DAY, Clerk
By Deputy

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I, Barbara J Scales, being of sound mind and memory, presently residing in the State of Tennessee, declare the following instrument as my Last Will and Testament (this "Will"). I hereby revoke all Wills and codicils previously made by me

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JUL 31 2025
By JOSEPH P DAY, Clerk

Family Information

I was previously married, but my spouse has predeceased me.

I have four children. They are Willie JW Scales, Brian Scales, Sharon Massey and Dennis Scales.

All references in my Will to "my children" are references to my living children listed above, as well as to any children subsequently born to me or adopted by me in a legal proceeding valid in the jurisdiction (domestic or foreign) in which it occurred References to "my descendants" are to my children and their descendants, including descendants of any deceased child

Specific Gifts

I leave the following specific item(s) to the person(s) or organization(s) named below, if I own such property at the time of my death.

To Brigette Franklin-Massey, I give the real estate with the following descriptive information:

The real property commonly known as 905 Sunvalley Dr, Madison, TN 37115.

To Brigette Franklin-Massey, I give the Stove with the following descriptive information:

The Stove .

If any of the named beneficiaries do not survive me, the gift to that beneficiary shall be made to the heirs-at-law of the predeceased beneficiary. If the predeceased beneficiary has no heirs-at-law, or if any specific gift fails for any reason, then the gift to that predeceased beneficiary shall lapse and become part of and distributed with my residuary estate

Distribution of Estate

Except for the gifts listed above, my Executor shall distribute my estate according to the following:

I give my residuary estate in equal shares to my descendants, *per stirpes*

Contingent Distribution
If any gift or distribution provided above fails or lapses in any way so that there is no beneficiary designated and qualified to receive such gift or distribution, then such portion of my estate shall be distributed as follows:

100% to Brigette Franklin-Massey

If any beneficiary listed above does not survive me, the distribution to that beneficiary shall lapse and be distributed pro rata to those named beneficiaries that do survive me.

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Disinheritance
I intentionally and with full knowledge of the consequences omit and do not provide in this Will for any persons, descendants, or heirs that are not named or described in this Will, whether known or unknown to me. I have made no contract or agreement obligating me to leave any gifts to any person and I expressly disinherit anyone who claims otherwise.

Estate Details
My entire estate is everything I own at my death that is subject to this Will and that remains after paying all debts, administration expenses, and taxes.

Remote Contingent Distribution
If, at any time, there is no person or entity qualified to receive final distribution of my estate or any part of it, then the portion of my estate with respect to which the failure of qualified recipients has occurred shall be distributed to those persons who would inherit it had I then died intestate owning the property, as determined and in the proportions provided by the laws then in effect.

Survivorship
A beneficiary must survive me for at least 120 hours to receive property under this Will. As used in this Will, to "survive" me means to be alive or in existence as an organization 120 hours after my death.

Executor of Estate

I nominate Brigette Franklin-Massey to act as my Executor and Personal Representative ("Executor"). If Brigette Franklin-Massey fails or ceases to act as my Executor, I nominate the following Backup Executor to act as my successor Executor:

Backup Executor: Dennis Scales

My Executor may perform every act reasonably necessary to administer my estate and any trust established under my Will. In addition to all powers and authority given by law or other provision of this Will, my Executor has the power and is specifically authorized to:

1. collect, hold, retain, invest, reinvest, sell, and manage any real or personal property, including interests in any form of business entity including limited partnerships and limited liability companies, and life, health, and disability insurance policies, without diversification as to kind, amount, or risk of non-productivity and without limitation by statute or rule of law;
2. partition, sell, exchange, grant, convey, deliver, assign, transfer, lease, option, mortgage, pledge, abandon, borrow, loan, encumber, insure, manage, control, divide, improve, and contract with respect to any property;
3. determine the nature and value of distributions and distribute assets of my estate in cash or in kind, or partly in each, at fair market value on the distribution date, without requiring pro rata distribution of specific assets and without requiring pro rata allocation of the tax bases of those assets;
4. hold any interest in nominee form, continue businesses, carry out agreements, participate in business, vote shares, exercise shareholder rights, and deal with itself, other fiduciaries, and business organizations in which my Executor may have an interest;
5. establish reserves, release powers, and prosecute, defend, abandon, pay, settle, or contest claims related to my estate or any property held by me or my estate;
6. employ attorneys, accountants, custodians for trust assets, and other agents or assistants as my Executor deems advisable to act with or without discretionary powers, and compensate them and pay their expenses from income or principal;

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7. execute and deliver any instruments needed to carry out the powers of my Executor;
8. establish, create, and fund trusts to receive property distributable to any beneficiary of this Will, in the discretion of my Executor; and
9. act as my Executor or Personal Representative in any ancillary administration that may be required or desired, or to designate, compensate, remove, and transfer or pay property to any natural person or corporation to act as my Executor or Personal Representative in any such ancillary administration, and delegate any or all of the powers held by my Executor to the Executor or Personal Representative in any such ancillary administration, including the right to serve without bond or surety.

My Executor may make any payments under my Will:
1. directly to a beneficiary;
2. in any form allowed by applicable state or federal law for gifts or transfers to minors or persons under disability;
3. to a beneficiary's guardian, conservator, or caregiver for the beneficiary's benefit; or
4. by direct payment of the beneficiary's expenses.

If any property is distributable to a minor, my Executor may, in the sole discretion of my Executor, pay or transfer any or all of that property to another person for the use or benefit of the minor beneficiary, including a trustee of a trust for the minor beneficiary or a custodian that my Executor selects for the minor beneficiary under the Tennessee Uniform Transfers to Minors Act or a similar law of any other state, until the beneficiary reaches an age selected by my Executor, but not past the age 25 or the maximum age then allowed under the applicable Uniform Transfers to Minors Act or similar law.

In addition to the above powers, my Executor may, without prior authority from any court, exercise all powers conferred by my Will, by common law, or by the Tennessee law or any other jurisdiction whose law applies to my Will. Except as specifically limited by my Will these powers extend to all property held by my Executor until the actual distribution of the property.

To the extent possible, my Executor shall be authorized and empowered to exercise all powers independently, without limitation, and without seeking prior judicial approval for any authorized action.

Bond
To the extent permissible, my Executor is not required to give any bond, surety, or security to any court.

Compensation
My Executor is authorized and entitled to compensation as provided under the laws of any state or other jurisdiction that apply to my Will. In addition, my Executor is entitled to reimbursement for reasonable expenses incurred. A receipt by the recipient for any distribution will fully discharge my Executor if the distribution is consistent with the proper exercise of my Executor's duties under my Will.

Digital Executor

My Executor shall also be my Digital Executor.

My Digital Executor is authorized and empowered to manage, distribute, and/ or terminate my digital assets exercising the judgment and care, under the circumstances then prevailing, that persons of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation but in regard to the permanent disposition of their digital assets, considering the probable safety of their digital assets.

I authorize the custodian of any of my digital assets to disclose and give access to my digital assets to my Digital Executor. My Digital Executor shall have the right to administer my digital assets using informal, unsupervised, or independent probate or equivalent legislation designed to operate without unnecessary intervention by the probate court. No bond or other security of any kind will be required of any Digital Executor appointed in this Will.

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For the purposes of this Will, digital assets mean electronic assets that are stored on my computers, electronic devices, or on any online account. Online accounts include, but are not limited to, social-networking sites, online backup services, servers, email accounts, photo and document sharing sites, financial and business accounts, domain names, virtual property, websites, and blogs.

I grant to my Digital Executor the following powers:

1. The power to manage, distribute and/ or terminate my digital assets without order of court and without notice to anyone;
2. The power to access, download, and backup digital assets, to convert file formats, to access any and all devices as necessary to manage digital assets, to clear computer caches, and to delete files;
3. The power to employ and compensate counsel and other persons deemed necessary by the Digital Executor for proper administration of my digital assets;
4. The power to delegate authority when such delegation is advantageous to the estate or to the management, distribution and/ or termination of my digital assets;
5. The power to continue to exercise the powers provided in this Will notwithstanding the termination of my estate until all the digital assets of the estate have been distributed; and
6. Any additional powers conferred upon digital executors wherever my Digital Executor may act.

This authority is intended to constitute "lawful consent" to divulge the contents of any communication or record under the Stored Communications Act, the Computer Fraud and Abuse Act, and any other state or federal law relating to digital assets, data privacy, or computer fraud. My Digital Executor shall be considered an authorized user for purposes of applicable computer-fraud and unauthorized-computer-access laws. My grant of authority is intended to provide my Digital Executor full authority to access and manage my digital assets, digital devices of any type, and online accounts, to the maximum extent permitted under applicable state and federal law and does not limit any authority granted to my Digital Executor under such laws.

Taxes, Claims, Debts, and Expenses

I direct that my Executor pay the expenses of my last illness, of my funeral, of my just debts, and of my estate's administration from my residuary estate.

My Executor shall pay all estate, inheritance and similar taxes payable with respect to property included in my estate, whether or not passing under my Will, and any interest or penalties, from my residuary estate without apportionment and with no right of reimbursement from any recipient of any estate property.

My Executor may make any elections allowed by the Internal Revenue Code or the laws of any state or other jurisdiction. In making such elections regarding taxes, my Executor may make such decisions as my Executor deems appropriate considering all circumstances and my Executor shall have no liability and shall have no duty to make adjustments as a result of any such election. My Executor may also execute joint tax returns, pay taxes or interest, and deal with refunds, interest, or credits as my Executor deems necessary or advisable either in the interest of the other joint taxpayer or in the interest of my estate.

If payment would decrease the federal estate tax marital deduction available to my estate or violate the provisions of Treasury Regulation Section 20.2056(b)-4(d), my Executor may not pay any administrative expenses from the net income of property qualifying for the federal estate tax marital deduction.

General Provisions

The validity and construction of my Will will be determined by the laws of the State of Tennessee. I have not entered into any contract, actual or implied, to make a Will.

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Severability
If any part of this instrument is determined to be void or invalid, the remaining provisions will continue in full force and effect.

No-Contest Clause
If any beneficiary of my estate, alone or with any other persons, contests in court the validity of this Will or any trust receiving property under this Will, or seeks an adjudication in any proceeding in any court that this Will or any of its dispositive provisions are void, or otherwise seek to void, nullify, or set aside any of the provisions of this Will, then the right of that person to take any property, shall be revoked and shall be determined as if that contesting beneficiary had not survived me and left no heirs-at-law that could, in any case, receive the revoked share. My Executor is authorized to defend, at the expense of my estate, any contest or other attack on this Will or any of its provisions.

Gender and Grammatical Number
Unless a different construction is clearly required by the context, the masculine, feminine, and neuter genders shall each include the others, the singular and plural numbers shall include the other, and no distinction is to be drawn from the use of a particular gender or grammatical number.

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Final Arrangements

I direct that my body be buried.

I direct that a funeral be held.

In carrying out my wishes for my final arrangements, I provide the following special requests:

Just a funeral where any one is invited. I want a purple casket and pink inside lining. I want to wear a pink dress or any dress in the house that looks good on me. Songs: Coleman Sisters to sing 'Homegoing', and 'Don't worry about me'. Would like to be buried with my first husband, Willie JW Scales Jr., at the Veterans Cemetery in Madison, TN. Granddaughters as flower girls, Sons, grandsons and nephew as pallbearers. Wants every wear white, so we will light up the room. Jerry to preach and no other preachers that grandma doesn't know. If Dr. Snow and Dr. Dixon come and want to say a few words. It needs to done by 1pm to make sure to have burial timely by 2pm if at Veterans Cemetery. New Generation funeral home and have the funeral at the big church.

Any outstanding costs associated with my final arrangements shall be paid out of my estate by my Executor.

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Your Signature, Please

I, Barbara J Scales, sign my name to this instrument and attest and declare that I sign and execute this instrument as my Last Will and Testament, I sign it willingly, I execute it as my free and voluntary act for the purposes therein expressed, and I am eighteen years of age or older, of sound mind and memory, and under no duress, restraint, constraint, or undue influence I ask the persons who sign below to be my witnesses.

Barbara J Scales
Signature

1-03-25
Date

Witnesses

We, the undersigned witnesses to the Will of Barbara J Scales, the testator, under penalty for perjury, state that, on the date written below, the testator declared to us that this instrument was the testator's Will, the testator asked us to witness it, and the testator then signed this instrument in our sight and presence, all of us being present at the same time. We believe, to the best of our knowledge, the testator is now more than 18 years of age, of a sound and disposing mind and memory, competent in every respect to make a Will, acting freely and voluntarily and not under any restraint, duress, constraint, menace, fraud, misrepresentation, or undue influence. At the testator's request, in the testator's presence, and in the presence of one another, we subscribe our names as witnesses

Ginger Ledbetter
First Witness Signature

Curtis Taylor
Second Witness Signature

Ginger Ledbetter
First Witness Printed Name

Curtis Taylor
Second Witness Printed Name

1-3-2025
Date

1-3-2025
Date

2441 Q Old Fort Pkwy
First Witness Address

2441-Q Old Fort Pkwy
Second Witness Address

Murfreesboro, TN 37128
First Witness City, State, Zip

Murfreesboro, TN 37128
Second Witness City, State, Zip

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Notary & Self-Proving Affidavit

State of Tennessee

County of Rutherford

We, the undersigned witnesses to the Will of Barbara J Scales, the testator, having been sworn, declare under penalty for perjury that, on the date written above, the testator, in the presence of both witnesses, declared to us that this instrument was the testator's Will, the testator asked us to witness it, and the testator then signed this instrument in our presence, all of us being present at the same time We declare that we then, at the testator's request, in the presence of each other, and in the presence of the testator, all of us being present at the same time, signed the Will as witnesses. We declare that, to our best knowledge and belief, the testator is now more than eighteen years of age, of a sound and disposing mind and memory, competent in every respect to make a Will, acting freely and voluntarily, and not acting under any restraint, duress, constraint, menace, fraud, misrepresentation, or undue influence

Ginger Ledbetter
First Witness Signature

Curtis Taylor
Second Witness Signature

Ginger Ledbetter
First Witness Printed Name

Curtis Taylor
Second Witness Printed Name

Sworn to and subscribed before me, the 3rd **day of** January, **20**25.

Gwyneth Paige Powell
Notary Public for Tennessee

(Seal)

GWYNETH PAIGE POWELL
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF COFFEE
My Commission Expires May 21 2027

My Commission Expires: 11/21/2027