STATE OF TENNESSEE

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Karen Johnson
Batch # 1316610
08/29/2025 12 14.06 PM
Fees $52 00 Taxes $0 00
Davidson County
WILL
10 pgs
20250829-0069444

IN RE: ***JAMES HENRY SEARCY SR.***

Docket No: ***25P1404***

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 August 8, 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 29, 2025.

JOSEPH P. DAY CIRCUIT COURT CLERK

JOSEPH P. DAY, Clerk,

By: C. Hafner

Deputy Clerk

LAST WILL AND TESTAMENT

OF

JAMES SEARCY

FILED
AUG - 8 2025
JOSEPH P. DAY, Clerk
By Deputy

I, James Searcy, a resident of Davidson, County, Tennessee, being of sound and disposing mind and recognizing the uncertainty of this mortal life, do hereby make, publish and declare this to be my Last Will and Testament hereby revoking any and all Wills and Codicils by or for me anytime heretofore made. If any of the provisions of this document are deemed ambiguous or subject to contest, Tennessee Law applies.

I. APPOINTMENT

I do hereby appoint **Janis Hinton** to be the Executor of this my Last Will and Testament and direct that no bond be required of her or any successors for their duties. I vest my said Executor will have full power and authority to sell, transfer, and convey any property (real, personal, or otherwise) which I may own at the time of my death at such price and upon such terms as they may determine and to do every other act and thing necessary or appropriate to complete the administration of this Will.

I specifically request that **Cynthia Rogan** assist my Executor to the extent my Executor wants assistance in the performance of her duties. In the event that the above-named Executor does not survive me or for any reason shall fail to qualify or agree to be my Executor (or having qualified or agreed, shall die or resign), then **Cynthia Rogan** shall serve as the Executor and **Tamika Hinton** shall assist Executor to the extent the Executor wants assistance in the performance of her duties.

Any Successor Executor serving hereunder shall not be required to inquire into or audit the acts or doings of my Executor or to make any claim against (him/her) or (his/her) estate. Any Successor Executor shall have and may exercise any and all of the power, privileges, immunities, and exemptions herein conferred on my Executor as fully and to the same extent as of such Successor Executor had originally been named Executor herein.

II. DIRECTION

I direct that all just and proper debts that constitute enforceable claims against my estate (except debts secured by mortgages or other security instruments which may be paid or retained in the discretion of my Executor), including all funeral and testamentary expenses, the costs of a suitable coffin and a suitable monument at my grave, the expense of my last illness, unpaid charitable pledges (whether or not the same are enforceable obligations of my estate), and the cost of administration of my estate, be paid as soon as practicably possible after my death. My Executor will pay just debts and funeral expenses, all debts owed, from my estate as soon after my death as is practicable.

I direct my Executor to pay, as an expense of administration, all estate, inheritance, succession, and any other taxes (together with any interest or penalty theron), assessed by reason of any death, imposed by any governmental or other entity, in respect of all property included in my estate for estate or like tax purposes by any such governmental or other entity, whether the property passes under this Will or otherwise including property over which I have power of appointment. The proceeds of any life insurance payable to my estate may be used for the payment of debts or taxes. I further direct that any taxes so paid shall be charged against my residuary estate, which passes in accordance to this Will.

III. ADMINISTRATIVE COSTS

I hereby declare that the Executor will be compensated from my estate of reasonable services associated with the administration of my estate. Any Executor serving hereunder shall be entitled to reasonable compensation for services rendered and may be reimbursed for their expenses. Any such expenses may be charged, in the Executor's discretion, to either income or principle. Any person serving as Executor hereunder will render valuable services for which payment of a reasonable fee will be deserved. If any such person desires to be paid a fee, then I do not want any individual Executor to seek approval of a fee from any Court of legatee of this Will. Accordingly, I authorize any individual person serving as Executor to receive and be paid a fee not to exceed three-fourths (3/4) of the fee that would be charged by SunTrust Bank (DB Todd Jr. Blvd, Nashville, Tennessee), in accordance with its fee schedule in the effect at the time

the fee is charged. If two or more individuals serve at the same time, they shall each receive in equal share of the fee as determined above, unless they agree to divide the fee otherwise.

IV. ADDITIONAL POWERS

In addition to any powers or duties provided by other provisions of this Will or by law, my Executor shall have the following powers:

A. The powers enumerated in Tennessee Law, including the introductory paragraph and all subparagraphs thereof to the extent applicable. Said provisions (as in force on the date of execution of this Will) are hereby incorporated herein by reference as fully as though copied herein verbatim, notwithstanding that said statute may be amended hereafter or repealed.

B. The power to exercise any election available to my estate with regard to claiming any administrative expense either as a deduction for any death tax or income tax purpose. Said elections may be made in such manner as will minimize the total tax burden, if any, on my estate and shall not require adjustments as between the income and principle accounts of my estate. I hereby relieve my Executor of any liability to any beneficiary by reason or making or finding to make any such election.

C. To the extent allowable under applicable Tennessee Law at the time of my death, I hereby relieve my Executor from any duty or responsibility to furnish a bond, title accountings, reports or inventories with any court having jurisdiction over my estate.

D. The power to sell, lease and deal with any and all real estate or real property which I may own at the time of my death, as authorized under Tennessee Law without the necessity of obtaining the consent of any court having jurisdiction over any estate or of any beneficiary.

1. I authorize my Executor(s) to sell/lease the property at 2713 Aspen Drive, Nashville, Tennessee 37208 and divide proceeds as follows:

a. Pay local, state and federal taxes, fees, penalties and other expenses associated with the property first.

2. **Janis Hinton** and **Cynthia Rogan** shall equally share 1/2 of the remaining estate sale proceeds with the remaining 1/2 to be divided by **Frank Darnell Searcy, Natasha Searcy, James H. Searcy III, and Daniel E. Searcy**, who are the children of my deceased children.

3. In the event **Janis Hinton** or **Cynthia Rogan** is deceased, their share shall go to their children in equal shares.

   a. Purchasers from lenders and other dealing with my Executor shall not be required to inquire as to the occasion of such sale, loan or other transaction, nor to see to the application of such purchase, loan or other money or property. Written receipts and or cancelled checks retained by my Executor shall be good and sufficient discharge for the sums therein stated to have been received Transfer agents and other persons dealing with my Executor may deal with as if he/she were the sole owner of the property dealt with.

   b. The property at 2713 Aspen Drive, Nashville, Tennessee 37208 is to be sold 60 – 90 days after my death with any and all personal property or any other mixed property which I may own at the time of my death, as authorized under Tennessee Law without the necessity of obtaining the consent of any court having jurisdiction over any estate or of any beneficiary. The house will be deeded to **Janis Hinton** and **Cynthia Rogan.**

   c. **Frank Darnell Searcy** will live in the home until the house is sold. **Frank Darnell Searcy** will be responsible for the utilities, property taxes, homeowner's insurance, and upkeep of the home at 2713 Aspen Drive, Nashville, Tennessee 37208. **Frank Darnell Searcy** cannot cohabitate with a mate before marriage in the home and no illegal activity is permitted. If **Frank Darnell Searcy** does not comply and meet the requirements listed in the Will, I direct the Executor to give him 30 days to vacate the home. The Executor does not have to seek approval from any Court to remove **Frank Darnell Searcy** if necessary.

1. I hereby give, devise, and bequest all of my personal property or mixed property of whatsoever nature and kind to **Janis Hinton** and **Cynthia Rogan** to divide all personal property which also includes all funds from any financial institution in my name.

   Currently, my immediate family members include:

   Children

   Cynthia Rogan

   Janis Hinton

   Frank L. Searcy (deceased)

   James H. Searcy, Jr. (deceased)

This Last Will and Testament is made after careful reflection, while I am of sound mind. I am fully informed as to all contents of this document and understand the full impact on my children and grandchildren.

TESTATOR'S SIGNATURE:

James H Leay Sr.

Name

Sept. 17-2020

Date

KARLITA ZIRKER
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

STATEMENT OF WITNESS

I declare under penalty of perjury under the laws of Tennessee that:

1. The person who signed this document, **James Searcy**, is personally known to me.
2. **James Searcy** signed this Last Will and Testament in my presence.
3. **James Searcy** appears to be of sound mind and under no duress, fraud, or undue influence.
4. I am not related to **James Searcy** by blood, marriage, or adoption.
5. To the best of my knowledge, I do not, at the present time, have a claim against any portion of the estate of **James Searcy** upon death; and
6. To the best of my knowledge, I am not entitled to any part of the estate upon the death of **James Searcy** under a will or codicil thereto now existing, or by operation of the law.

The foregoing instrument was signed as a **LAST WILL AND TESTAMENT** in the presence of all of us at one and the same time, and we, at his Request, and in his presence and in the presence of each other, have hereunto subscribed our names as witnesses this the 17 day of September, 2020, in NASHVILLE (DAVIDSON COUNTY), Tennessee.

WITNESSES:

Retra Jones
(print)

Retra Jones
(signature)

9-17-2020
(date)

ADDRESSES:

120 Williams Valley Ct.
Madison, TN. 37115

cell phone: 615-418-1379

Jerry L. Jones
(print)

Jerry L. Jones
(signature)

9-17-2020
(date)

120 Williams Valley Ct
Madison, TN 37115

cell phone: 615-418-0985

Diamond Zirker
(print)

(signature)

9-17-2020
(date)

930 Glass St.
Franklin, TN, 37064

cell phone: 615-573-1233

KARLITA ZIRKER
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

NOTARY ACKNOWLEDGEMENT

STATE OF TENNESSEE
COUNTY OF Davidson

On 17 (day), September (month), 2020,

James Searcy (Testator)

Retra Jones (Witness)

(Witness)

(Witness)

appeared before me to sign a **LAST WILL AND TESTAMENT** for James Searcy

Karlita Zirker
Notary Public

KARLITA ZIRKER
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

My commission expires: January 3, 2023