STATE OF TENNESSEE

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Karen Johnson
Batch # 1350726
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Fees $42 00 Taxes $0 00
Davidson County
WILL
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20251125-0094063

IN RE: ***MARILYN SMITH***

Docket No: ***25P2193***

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 19, 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 November 21, 2025.

JOSEPH P. DAY
CIRCUIT COURT CLERK

JOSEPH P. DAY, Clerk,

By: _____
Deputy Clerk

FILED
NOV 18 2025
JOSEPH P. DAY, Clerk
By _____ Deputy

Last Will & Testament

Prepared by:

Kinslow Law Group

LAST WILL AND TESTAMENT

OF

MARILYN R. SMITH

Dated: November 29th, 2017

Prepared by:

Rhonda Scott Kinslow
Kinslow Law Group, PLLC
810 Dominican Drive
Nashville, TN 37228
(615) 256-3353 Office
(615) 256-3331 Fax

LAST WILL AND TESTAMENT

OF

MARILYN R. SMITH

I, Marilyn R. Smith, a resident of the State of Tennessee, make, publish, and declare this to be my Last Will and Testament, revoking all wills and codicils at any time heretofore made by me.

FIRST: I direct that the expenses of my last illness and funeral, the expenses of the administration of my estate, and all estate, inheritance and similar taxes payable with respect to property included in my estate, whether or not passing under this will, and any interest or penalties thereon, shall be paid out of my residuary estate, without apportionment and with no right of reimbursement from any recipient of any such property (including reimbursement under Section 2207B of the Internal Revenue Code).

SECOND: I give all real estate owned by me at the time of my death, and all rights that I have under any related insurance policies, to my living siblings, William Howse, Patricia Smith, Judith Alred, Sheila Brooks, Kevin Howse, and Helen Cunningham, in equal shares if they survive me.

THIRD: I give all the rest, residue and remainder of my property and estate, both real and personal, of whatever kind and wherever located, that I own or to which I shall be in any manner entitled at the time of my death (collectively referred to as my "residuary estate"), as follows:

(a) If my siblings, William Howse, Patricia Smith, Judith Alred, Sheila Brooks, Kevin Howse, and Helen Cunningham survive me, to my siblings, in equal shares, outright.

(b) If my siblings do not survive me, then I give my residuary estate to those who would take from me as if I were then to die without a will, unmarried and the absolute owner of my residuary estate, and a resident of the State of Tennessee.

FOURTH: The following provisions concern retirement benefits that become distributable to my Executor (whether directly or through my estate) by reason of my death. As used herein, "retirement benefits" means amounts held in or payable pursuant to a plan (of whatever type) qualified under Section 401 of the Internal Revenue Code, or an individual retirement arrangement under Section 408 or 408A of the Code, or a tax-sheltered annuity under Section 403 of the Code, or any other benefit plan subject to the minimum distribution rules of Section 401(a)(9) of the Code or the corresponding provisions of any subsequent federal tax law.

(a) My Executor may exercise any right to determine the manner and timing of payment of retirement benefits that is available to the recipient of the benefits.

(b) Any required minimum distributions from my pension plan or retirement account shall be treated as income for trust accounting purposes.

(c) My Executor shall be authorized to identify and designate the person who, pursuant to the regulations under Section 401(a)(9), is the "designated beneficiary" whose life expectancy may be used to determine required minimum distributions. The Executor may endeavor to minimize income taxes on retirement benefits for the maximum duration permitted by law.

(d) No retirement benefits shall be used to pay taxes, debts and expenses of my estate if doing so would be deemed to materially reduce the payout period of any pension plan or retirement account.

(e) If my siblings shall survive me and retirement benefits are distributable to my Executor either directly or through my estate, my Executor shall be authorized and directed, to distribute the right to all or part of such benefits outright to my living siblings equally, or to disclaim all or part of such benefits, and any benefits so disclaimed shall be payable to my siblings outright, and my siblings may exercise any right to determine the manner and timing of payment of such distributed or disclaimed benefits that is available to the recipient of the benefits. In exercising this discretionary power, my Executor may, but need not, consider solely the needs and desires of my siblings. It is my hope that my Executor will consider distributing or disclaiming if my siblings wish to "roll over" the benefits to an individual retirement arrangement and such distribution or disclaimer will help effectuate the rollover, but this precatory expression shall not limit the discretion of my Executor and it is not meant to direct a distribution or disclaimer even if my siblings wish to "roll over" the benefits.

FIFTH: I appoint my sister, Patricia Smith, to be my Executor. If my sister does not survive me, or shall fail to qualify for any reason as my Executor, or having qualified shall die, resign, or cease to act for any reason as my Executor, I appoint my sister, Helen Cunningham, as my Executor. I direct that no Executor shall be required to file or furnish any bond, surety, or other security in any jurisdiction.

SIXTH: I grant to my Executor all powers conferred on executors under Tennessee Code Annotated Section 35-50-110, as amended, or any successor thereto, and all powers conferred upon executors wherever my Executor may act. I also grant to my Executor power to retain, sell at public or private sale, exchange, grant options on, invest and reinvest, and otherwise deal with any kind of property, real or personal, for cash or on credit; to borrow money and encumber or pledge any property to secure loans; to hold property in bearer form or in the name of a nominee; to pay any legacy or distribute, divide or partition property in cash or in kind, or partly in kind, and to allocate different kinds of property, disproportionate amounts of property and undivided interests in property among any trusts, parts, funds or shares; to determine the fair

valuation of property, with or without regard to tax basis; to render liquid my estate or any trust in whole or in part, at any time and from time to time, and to hold cash or readily marketable securities of little or no yield for such periods as my Executor shall deem advisable; to exercise all powers of an absolute owner of property; to incorporate any business and form limited liability companies and hold any interests in corporations and limited liability companies; to vote stock or securities, in person or by proxy; to exercise subscription and conversion rights, and to participate or refuse to participate in any reorganization, recapitalization, merger, consolidation, liquidation, dissolution or other action with respect to any corporation; to transfer any business or property to a partnership and to be a general or limited partner; to compromise and release claims with or without consideration; to execute and deliver deeds and other instruments, including releases; to change the situs or governing law of any trust hereunder to any state my Executor from time to time may deem desirable; and to employ attorneys, accountants and other persons for services or advice.

The term "Executor" wherever used herein shall mean the executors, executor, executrix or administrator in office from time to time. Each Executor shall have the same rights, powers, duties, authority, and privileges, whether or not discretionary, as if originally appointed hereunder.

No fiduciary shall be liable for acts or omissions in administering my estate under this will, except for that fiduciary's own actual fraud, gross negligence, or willful misconduct.

SEVENTH: I direct that for purposes of this will a beneficiary shall be deemed to predecease me (or any other person upon whose death the interest of such beneficiary depends) unless such beneficiary survives me (or such other person) by more than thirty days. The terms "child," "children" and "issue" as used in this will include children and issue hereafter born.

EIGHTH: No disposition, charge or encumbrance on my estate by any beneficiary thereof shall be valid or binding upon my Executor. No beneficiary shall have the right to assign, sell, pledge, encumber, anticipate, dispose of, or otherwise transfer in any manner (voluntary or involuntary) any such income or principal until the same shall be paid to such beneficiary by my Executor. No such income or principal shall be subject in any manner to any claim of any voluntary or involuntary creditor of any beneficiary or liable to attachment, garnishment, execution or other legal or equitable process prior to its actual receipt by the beneficiary.

IN WITNESS WHEREOF, I, Marilyn R. Smith, sign my name and publish and declare this instrument as my last will and testament this 29 day of November, 2017.

Marilyn R. Smith

Marilyn R. Smith

The foregoing instrument was signed, published and declared by Marilyn R. Smith the above-named Testatrix, to be her last will and testament in our presence, all being present at the same time, and we, at her request and in her presence and in the presence of each other, have subscribed our names as witnesses on the date above written.

having an address at

810 Dominican DR
Nashville TN 37228

having an address at

2920 Nocturne Forest Drive
Nashville, TN 37207

AFFIDAVIT

STATE OF TENNESSEE, COUNTY OF DAVIDSON

We, the undersigned, being first duly sworn, do hereby declare to the undersigned authority that the Testatrix, Marilyn R. Smith, signed and executed said instrument as her last will and testament in the presence and hearing of the witnesses, and that she stated that said instrument was her last will and testament, and that she had signed willingly, and that she executed it as her free and voluntary act and deed for the purposes therein expressed, and that each of the witnesses at the request of the Testatrix, in the presence and hearing of the Testatrix and each other, signed the will as witness, and that to the best of his or her knowledge the Testatrix was at the time at least eighteen years of age or emancipated, of sound mind and under no constraint, duress, fraud or undue influence.

Marilyn R. Smith
Testatrix

print: Cathy Chapman
Witness

print: Tracey A. Kinslow
Witness

Subscribed, sworn to and acknowledged before me by the said Marilyn R. Smith, Testatrix, and subscribed and sworn to before me by the above-named witnesses, this 21st day of November, 2017.

Notary Public
My commission expires on

STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY