STATE OF TENNESSEE

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IN RE: ***DELORES ANN WILLOUGHBY***

Docket No: ***25P947***

Karen Johnson Davidson County
Batch # 1377040 WILL
02/06/2026 02:09:21 PM 7 pgs
Fees: $37.00 Taxes: $0.00
20260206-0008811

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 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 February 6, 2026.

JOSEPH P. DAY CIRCUIT COURT CLERK

JOSEPH P. DAY, Clerk,

By: _____ ***Deputy Clerk***

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Last Will and Testament Of Delores Ann Willoughby

I, **Delores Ann Willoughby** of Hermitage, Davidson County, Tennessee, being of sound mind and disposing memory, do make, declare and publish this my Last Will and Testament, hereby revoking all former wills and codicils.

ITEM I
REFERENCES

1.1. *Fiduciaries.* For convenience, the fiduciaries (including any alternates) hereinafter appointed are sometimes referred to as the Personal Representative, and the Trustee, regardless of the gender or the number of the parties serving in each capacity.

1.2. *Heirs.* All references to my children, heirs or issue, refer to my son, **Kenneth Taylor Willoughby, Jr.** of Mount Juliet, Wilson County, Tennessee; and my son, **John Malcolm Lance Willoughby** of Hermitage, Davidson County, Tennessee.

ITEM II
DEBTS, ADMINISTRATION EXPENSES AND TAXES

I direct that all my lawful debts, including my funeral expenses and the costs of administration of my estate, be paid by my Personal Representative as soon as practicable after my death. I further direct that my Personal Representative pay all the estate, inheritance, succession and other death taxes which shall become payable by reason of my death, whether in respect of property passing under this will or otherwise, as an expense of administration, without apportionment.

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ITEM III
REAL PROPERTY

I hereby vest title to all my interest in real estate in my Personal Representative and all real estate which I own or in which I have an interest as of the date of my death shall be considered a part of my probate estate and treated as personalty for the purposes of administration of my estate.

ITEM IV
DISPOSITION OF PERSONAL EFFECTS

I bequeath to my sons, **Kenneth Taylor Willoughby, Jr.** and **John Malcolm Lance Willoughby** any personal property owned by me at the time of my death, including any household furnishings, vehicles, and other personal effects, in equal shares, share and share alike, *per stirpes*.

ITEM V
RESIDUARY ESTATE

All of the rest and residue of the property owned by me at the time of my death, including any monies and real property, I devise and bequeath absolutely and in fee simple to my sons, **Kenneth Taylor Willoughby, Jr.** and **John Malcolm Lance Willoughby,** in equal shares, share and share alike, *per stirpes*.

ITEM VI
POWERS OF PERSONAL REPRESENTATIVE

The following general provision shall apply to my personal representative in addition to any others contained in the Will.

6.1. *Dealing with Personal Representatives.* No person dealing with the personal representative in any capacity shall be bound to inquire into the capacity to act on the part of the personal representative or into the authority for, or propriety of, any act or to see to the application or disposition of any money or other property paid, delivered or loaned to the personal representative.

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6.2. Waiver of Inventory, Reports, Accounting and Appraisal. I authorize my personal representative to administer and settle my estate without the necessity of filing an inventory or making any report or final settlement or accounting with any court to the extent permitted by law. I expressly waive appraisal of my estate.

6.3. Powers. My personal representative has each power set forth in *Tennessee Code Annotated* §35-50-110, which I incorporated by reference into this Will. Further, my personal representative shall exercise, in general, all power with respect to the property included in my estate which any individual would exercise in the management of similar property owned in his own right and not to be responsible for losses, if any, resulting from honest mistakes of judgment.

6.4. Income During Administration. During the period of administration of my estate, the personal representative shall be authorized to make distributions of the income of the estate to the same persons, and in the same proportions, as might be made if the administration were completed.

6.5. Reasonable Discretion, Good Faith. I authorize the personal representative to exercise reasonable discretion with respect to all property, real and personal, at any time forming part of the estate. No personal representative serving hereunder shall be liable or responsible for any act or omission unless such act or omission shall have been done or omitted in bad faith. Any act or omission done or omitted by any personal representative serving hereunder upon the advice of legal counsel shall be conclusively presumed to have been done in good faith.

6.6. Realty. Except for real property specifically devised in this Will, I direct that all real property in my estate is to be administered as part of the estate subject to the control of the personal representative; specifically including the right to sell, mortgage and convey real estate.

6.7. Estate Liquidity. If my personal representative must dispose of an asset to provide funds for the payment of a tax, an administration expense, or claim of a creditor, my personal representative may dispose of the asset without liability to my estate or to a beneficiary for disposing of an asset which is more marketable but which will produce a higher income tax liability to my estate than another asset.

6.8. Income Tax Return. I authorize my personal representative to execute an income tax return on my behalf should my personal representative deem such action advisable.

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6.9. *Duties of Successor.* A successor personal representative has each duty, right and power given to the personal representative originally appointed. A successor is not liable for an act or default of a predecessor, nor for a loss or an expense from or occasioned by an act done or neglected to be done by a predecessor personal representative.

ITEM VII
PERSONAL REPRESENTATIVE

I appoint my son, **Kenneth Taylor Willoughby, Jr.** of Mount Juliet, Wilson County, Tennessee as Personal Representative of this my Last Will and Testament. If Kenneth Taylor Willoughby, Jr. should predecease me, become legally disabled, resign, refuse to serve, or be unable to serve as the Personal Representative for any reason, I appoint **John Malcolm Lance Willoughby** of Hermitage, Davidson County, Tennessee as alternate Personal Representative of this my Last Will and Testament. I direct that no bond, inventory or accounting be required of either my primary or alternate Personal Representative for the faithful performance of their duties.

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IN WITNESS WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of this and the preceding four (4) typewritten pages, and for the purpose of identification, I have signed each such page at the bottom thereof, all in the presence of the persons witnessing it, at my request, at 2306 North Mount Juliet Road, Mount Juliet, Tennessee on this the **13th** day of **November, 2023.**

Delores Ann Willoughby, Testatrix

Signed, sealed, published and declared by the Testatrix, **Delores Ann Willoughby**, to be her Last Will and Testament in the presence of all of us at one and the same time, and we, at her request and in her presence and in the presence of each other, have hereunto subscribed our names as witnesses, and we do hereby attest to the sound and disposing mind of said Testatrix and to the performance of the aforesaid act of execution at the place and on the date hereinabove set out.

WITNESSES:

Jacquie Burkhart, Witness
Mount Juliet, Tennessee

Stacey R. Barrett, Witness
Watertown, Tennessee

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Affidavit

STATE OF TENNESSEE
COUNTY OF WILSON

The undersigned, being first duly sworn, do hereby depose and say as follows:

1. The Testatrix, **Delores Ann Willoughby**, signed the foregoing paper writing, declaring it as and for her Last Will and Testament on this the **13th** day of **November, 2023** in our presence.

2. At the request of said Testatrix, we then each signed said paper writing as attesting witnesses thereto, in the presence of the Testatrix and in the presence of each other.

3. At the time she signed said paper writing, the Testatrix appeared to be over eighteen (18) years of age, of sound mind and disposing memory, and legally capable of making a Last Will and Testament.

WITNESSES:

Jacquie Burkhart, Witness
Mount Juliet, Tennessee

Stacey R. Barrett, Witness
Watertown, Tennessee

SWORN TO AND SUBSCRIBED before me on this the 13th day of November, 2023.

Notary Public
My Commission Expires: 06/03/2024

YANCY BELCHER
STATE OF TENNESSEE
NOTARY PUBLIC
WILSON COUNTY
My Commission Expires 06-03-2024

This Instrument Was Prepared By:

Yancy Belcher (#021158)
Attorney At Law
2306 N. Mount Juliet Road
Mount Juliet, Tennessee 37122
(615) 773-2889

Initials: DAW