EFILED 04/13/26 10:31 AM CASE NO. 26P475 Joseph P. Day, Clerk

# Last Will and Testament of Delton H. Payne

I, Delton H. Payne, currently residing in Nashville, Davidson County, Tennessee, and a citizen of the United States of America, make and declare this document as my Will. I revoke all former wills and codicils.

FILED
APR 13 2026
JOSEPH P. DAY, Clerk
By _____ Deputy

## ITEM 1
## FAMILY

**1.A. Spouse.** I am ~~widowed.~~ divorced DHP DHP

**1.B. Children.** I have Three (3) children, Delton H. Payne, III, Harry R. Payne, and Cynthia P. Casha. References in this Will to child or children shall refer to them.

## ITEM 2
## SPECIFIC BEQUESTS AND TANGIBLE PERSONAL PROPERTY

**2.A. Specific Bequests.** I bequeath to those persons listed below the item or items specified.

1. To Harry R. Payne and Denise N. Payne, the property at 1728 Nottingham Place, Nashville, TN 37221., as tenants by the entirety. If one does not survive me, then to the other. This property is subject to a mortgage, which they will be responsible for paying off.

## ITEM 3
## RESIDUARY ESTATE

I devise and bequeath all the rest of the property I own at my death to my children in equal shares. If a child does not survive me and leaves descendants, those descendants will receive the deceased child's share. If a child does not survive me and leaves no descendants, the deceased child's share shall be distributed to my child or children who survive me (or to the descendants of any other child who is also then-deceased but leaves descendants).

## ITEM 4
## EXECUTOR

I nominate Harry R. Payne to serve as Executor under this will. To the extent permitted by applicable law, no Executor shall be required to furnish bond, file any inventory or file any accountings with respect to the performance of the Executor's duties.

## ITEM 5
## ADMINISTRATIVE PROVISIONS

Karen Johnson
Batch # 1404992
04/14/2026 09:20:19 AM
Fees: $27.00 Taxes: $0.00
Davidson County
WILL
5 pgs
20260414-0030153

Initials DHP

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**5.A. Payment of Debts, Administration Expenses and Taxes.** All of my legally enforceable debts (except secured debts, which may be paid or retained in the discretion of the Executor, and if paid shall be without right of contribution from my spouse), my funeral expenses and the expenses of administration of my estate, both domiciliary and ancillary, shall be paid by my Executor as soon as practicable after my death. My Executor shall pay out of my residuary estate all estate, inheritance 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.

**5.B. Life Insurance.** The proceeds of any life insurance payable to my Executor or my estate are to be free from the claims of creditors, and are to be held and distributed as provided by the terms of this Will. My Executor may use (but shall not be required to use) any portion of such proceeds as my Executor deems advisable, exercising a reasonable discretion, for the payment of debts, expenses and taxes, but only if my Executor deems such use of the proceeds to be in the best interests of my legatees and beneficiaries hereunder.

**5.C. Real Property.** Any real property I own at my death is to be administered as a part of my probate estate subject to the control of the Executor for purposes of administration, as authorized by Tennessee Code Annotated Section 31-2-103(a). So long as the Executor serves, the Executor shall have the same power over the title to real property as an absolute owner would have, including but not limited to the power to sell, mortgage, lease or otherwise convey any interest in any real estate without the joinder, consent or approval of any heir, legatee, beneficiary, court or other person, provided that in exercising such power the Executor shall be acting in a fiduciary, not an individual, capacity.

**5.D. Powers of Executor.** The Executor, in the exercise of a reasonable discretion with respect to all property, real and personal, at any time forming a part of my estate, may exercise any and all of the powers set forth in Tennessee Code Annotated Section 35-50-110, to the extent applicable, all of which provisions and powers are incorporated herein by reference (as set out in this statute on the date I sign this Will), even if this statute is amended or repealed hereafter and even if my estate is administered in a state other than Tennessee. I grant to my Executor the power and authority to appoint a resident Co-Executor if applicable law so requires.

**5.E. References to Executor.** For convenience, the Executor named in this Will (including any alternates) is sometimes referred to in the singular person and masculine gender, regardless of the number or gender of those actually named herein.

**5.F. Distribution to Descendants.** Unless specifically provided otherwise herein, references to descendants shall include natural-born and adopted descendants. Distribution to the descendants of any deceased person under this Will shall be per stirpes.

**5.G. Captions.** The captions and headings of this Will are for convenience only and shall not define or limit the provisions contained herein.

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**IN WITNESS WHEREOF,** I sign this Will, consisting of Three (3) printed pages, and for the purpose of identification, I have signed or initialled each page, all in the presence of the persons witnessing it, at my request, on this the 11 day of April, 2022, at Nashville, Tennessee.

Delton H. Payne
**Delton H. Payne**

Signed and declared by Delton H. Payne, to be such person's Will in the presence of all of us at one and the same time, and we, at such person's request and in such person's presence and in the presence of each other, have subscribed our names as witnesses, and we do hereby attest to the sound and disposing mind of Delton H. Payne and to the performance of the aforesaid act of execution at the place and on the date hereinabove set out.

**WITNESSES:**

Signature — Nick Perenich (Print or Type Name)

237 Old Hickory Blvd Ste 102 Nashville TN 37221
Address

Signature — Debra Perenich (Print or Type Name)

237 Old Hickory Blvd Ste 102 Nashville TN 37221
Address

**THIS WILL PREPARED BY:**

**Nick Perenich**
**Attorney at Law**
**237 Old Hickory Blvd.**
**Nashville, TN 37221**
615/662-2889

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# AFFIDAVIT

STATE OF TENNESSEE )
)
COUNTY OF DAVIDSON )

The undersigned persons, after first being duly sworn according to law, depose and say:

1. They witnessed the execution of the Will of Delton H. Payne, dated the 17 day of April, 2022, to which this Affidavit is attached, and that this Affidavit is being made at the request of such person and in accordance with the provisions of Tennessee Code Annotated Section 32-2-110.

2. Their signatures are affixed to the Will, they signed the Will at the request of such person, and in the presence of such person, and in the presence of each other witness, at the place and on the date recited in said Will.

3. Delton H. Payne signed said paper writing as and for a Will in their sight and presence.

4. At the time they witnessed the Will, Delton H. Payne was, in their opinion, of sound mind.

Witness

Address 237 Old Hickory Blvd. #102, Nashville, TN 37221

Witness

Address 237 Old Hickory Blvd. #102, Nashville, TN 37221

Sworn to and subscribed before me by the two (2) persons whose signatures are affixed hereto on this 19 day of April, 2022.

Notary Public




My Commission Expires: 5/2/2022

**STATE OF TENNESSEE**

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**IN RE:** ***DELTON H. PAYNE***

**Docket No:** ***26P475***

***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 April 13, 2026 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 April 14, 2026.***

JOSEPH P. DAY
CIRCUIT COURT CLERK

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

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