Karen Johnson Davidson County
Batch # 1410478 AFFIDAVITH
04/23/2026 01:56:21 PM 12 pgs
Fees: $62.00 Taxes: $0.00
20260423-0034396

This Instrument Prepared By:
Ivy Grizzle, Attorney
GRACEFUL AGING LEGAL SERVICES, PLLC.
Phone: 615-846-6201
Email: support@galsnashville.com
11205 Lebanon Rd. Ste. 511
Mt. Juliet, TN 37122

AFFIDAVIT OF HEIRSHIP

I, DAVID R. MARTIN, hereinafter referred to as Affiant, being first duly sworn, make oath as follows:

1. That Affiant presently resides at the following address:

   2057 Carolyn Way
   Novato, California 94945

2. That Affiant is the adult son of and personally knew JAMES E. MARTIN, JR. and ANN W. MARTIN, hereinafter referred to as Decedents, and has personal knowledge of the family of the Decedents.
3. That Affiant knows that Decedents jointly owned real estate located at **2505 Lumar Lane, Nashville, Tennessee 37214** which was purchased during their marriage.
4. JAMES E. MARTIN, JR., passed away on January 8, 2025, and was at that time a resident of DAVIDSON COUNTY, State of Tennessee, after which the real estate belonged to ANN W. MARTIN.
5. ANN W. MARTIN passed away on November 15, 2025, and was at that time a resident of DAVIDSON COUNTY, State of Tennessee.
6. That Decedents were MARRIED and had 2 children, David R. Martin and Stephen L. Martin.
7. ANN W. MARTIN died WITH a Last Will and Testament ("Will"). A copy of the Will has been attached to this affidavit showing those who inherit the property.
8. That the following persons are all known heirs of the Decedent:
   a. DAVID R. MARTIN
   b. STEPHEN L. MARTIN
9. That this real property passes to Decedent's legal heirs, who are the same as the beneficiaries named in her Will.

FURTHER AFFIANT SAITH NOT.

David R. Martin March 26, 2026

DAVID R. MARTIN

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared the within named Affiant, DAVID R. MARTIN, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), who made oath that the statements contained in the foregoing affidavit are true of Affiant's own knowledge.

WITNESS my hand and official seal this the 26th day of March, 2026.

ERINIE YOUSIEF
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON

Erinie Yousief
Notary Public
My commission expires: 09-05-2028

LAST WILL AND TESTAMENT
OF
ANN W. MARTIN

I, **ANN W. MARTIN**, a resident of Nashville, Davidson County, Tennessee, being of sound mind and disposing memory, do hereby make, publish and declare this as my Last Will and Testament, hereby revoking any and all wills and codicils previously made by me.

ARTICLE I
INTRODUCTORY PROVISIONS

1.1. I nominate and appoint my Spouse, **JAMES E. MARTIN, JR.**, as Personal Representative of my Estate. If my Spouse should predecease me or be unable or unwilling to serve as Personal Representative, then I nominate and appoint my sons, David R. Martin and Stephen L. Martin, as co-Personal Representatives of my Estate. In the event that either of my sons is unable or unwilling to serve, I intend that the other should serve individually. I direct that no bond shall be required of my Personal Representative.

1.2. The term "Internal Revenue Code" shall refer to the Internal Revenue Code of 1986, or its successor provisions.

1.3. The term "Spouse" as used in this Will shall refer to James E. Martin, Jr.

1.4. The terms "Child" or "Children" as used in this Will shall refer to the children of my Spouse and me. We have the following Children: David R. Martin and Stephen L. Martin.

1.5. I hereby authorize my Personal Representative to take such actions as he may deem to be appropriate in order to minimize the total tax payable by my estate, my Spouse and our family and their estates. I further authorize my Personal Representative to petition the appropriate court pursuant to Tennessee Code Annotated Section 32-3-114 in order to accomplish such result.

ARTICLE II
BEQUEST OF PERSONAL EFFECTS

2.1. I may leave a letter, designating my desires as to certain articles of personal property being given to certain persons. In such event, it is my request that my Personal Representative honor this letter, and that my Spouse and other family members abide by the designations set forth in such letter. However, such letter shall not constitute a testamentary devise, and my Personal Representative shall not be bound by such letter. Any items mentioned in such letter, and not treated as set forth in such letter, shall pass as provided below in this Article.

2.2. I devise to my son, Stephen L. Martin, my 1997 red Jeep Wrangler if it is still in my possession at the time of my death.

2.3 I devise to my Spouse, James E. Martin, Jr., all other items of tangible personal property, personal effects, household contents, and automobiles as I own at the time of my death. If my Spouse does not survive me, then those properties shall go to our Children, as part of my Residuary Estate, as defined below in **Article IV**.

ARTICLE III
OUTRIGHT GIFT TO SPOUSE

3.1. If my Spouse, James E. Martin, Jr., shall survive me, then I hereby give, devise and bequeath to my Spouse all the rest, residue and remainder of my property, real, personal, and mixed, tangible and intangible, of whatever kind and character, and wheresoever located, including the proceeds of any insurance policies payable to my estate (in this Will referred to as "Residuary Estate").

ARTICLE IV
CONTINGENT BEQUEST OF RESIDUARY ESTATE

4.1. Should my Spouse, James E. Martin, Jr., not survive me or should my Spouse

disclaim any amount passing to my Spouse under this will, then, to the extent not otherwise disposed of under this Will, I hereby give, bequeath and devise all of my Residuary Estate as follows:

Sixty percent (60%) of my estate to my son, David R. Martin.

Forty percent (40%) of my estate to my son, Stephen L. Martin.

While I have equal love and affection for both my children, my Spouse and I have decided these percentages in accordance with the needs of our sons and their families.

Should any beneficiary not survive me, then their share shall be divided *per stirpes* among my surviving descendants.

4.2. Should no person survive to take any share as above provided in this Article, then such share shall pass as though I had died intestate, unmarried, a resident of Tennessee, possessed of such share, immediately after the death of the last such beneficiary.

ARTICLE IV
POWERS OF FIDUCIARIES

5.1. My Personal Representative shall have all the powers enumerated in Tennessee Code Annotated Section 35-50-110, and the introductory paragraph and all subparagraphs thereof, which to the extent not inconsistent with the express provisions hereof are hereby incorporated herein by reference as fully as though copied herein verbatim.

5.2. I hereby authorize my Personal Representative, in their sole and reasonable discretion, within nine (9) months after the date of the transfer which created an interest in me, to disclaim in whole or in part any bequest or devise or any interest in any bequest, or any Trust provided for my benefit under the Will of any person or under any trust established for my benefit at any time.

5.3. I hereby authorize my Personal Representative to create accounts such as those

allowed under the Uniform Transfers to Minors Act, as now or hereafter in effect in Tennessee, or successor or similar statutes allowing creation of accounts.

5.4. My Personal Representative shall have all the powers enumerated in Tennessee Code Annotated Section 35-8-101 *et. seq.* and have any and all rights I may have to access and control my digital assets, including but not limited to any documents, photographs, music, videos, memoranda, electronic communications and other data which I may have stored on any device, database or server anywhere, as well as any electronic devises owned or used by me. By granting my Personal Representative this authority, power and access over my digital estate and any device, I expressly provide that my Personal Representative (1) has the same authority, power and access as I had during my lifetime, (2) has my lawful consent as an account holder and authorized user, and (3) is authorized as a user of any account or other repository of my digital assets.

5.5. My Personal Representative shall be authorized to maintain funds on deposit, whether as checking or savings accounts, certificates of deposit, money market accounts, or otherwise, in any banking institution, the deposits of which are insured by the Federal Deposit Insurance Corporation, or similar government-sponsored insurance in the future, regardless of whether the amount of such funds so deposited may exceed the amount of such insurance available at such banking institution.

5.6. If I am engaged in any business activity as of the date of my death, I expressly grant my Personal Representative the authority to continue, expand, contract, sell or close such business in their sole and reasonable discretion, and to take all actions reasonable or necessary to do so. I further waive any requirements on the Personal Representative as to diversification of investments to the extent that they may elect to continue any such business.

5.7 I recognize that my Personal Representative may not be a professional fiduciary and in order to induce such person to serve in such capacity, I hereby direct that the assets of the Estate be used to indemnify and hold my Personal Representative harmless with respect to any and all acts, except for fraud or bad faith of such person, in connection with: (i) the administration of my Estate or (ii) the investment of the assets with respect to my Estate.

5.8. My Personal Representative shall have the power to hire persons, including accountants, attorneys, auditors, investment advisors, or other agents, even if they are associated or affiliated with my Personal Representative, to advise or assist my Personal Representative in the performance of administrative duties This power shall include, but not be limited to, attorneys, accountants or other professionals who may be partners of or associates with my Personal Representative in the practice of law, accounting or other professions.

5.9. It is my intention that my Personal Representative may be properly compensated for their service, if they desire to do so. Any corporate fiduciary shall be entitled to charge for fees and expenses in amounts consistent with those generally charged by reputable corporate fiduciaries for such services in the area where such corporate fiduciary is located. Any individual fiduciary shall be entitled to charge for fees and expenses in amounts consistent with those generally approved by the Court.

5.10. Whenever under this Will, my Personal Representative is granted the right to take action in their "discretion," then such "discretion" shall mean the discretion of my Personal Representative, except as limited by the specific language of this Will and specific provisions of law applicable to such decisions. It is my intention that the term "discretion" as used herein shall be interpreted as broadly as possible, except as limited by the specific language of this Will and specific provisions of law applicable to such decisions.

5.11. If at any time my Personal Representative is uncertain as to the interpretation of this document, as to their authority under this document, as to the appropriate actions to take or any other matter arising in the administration (whether or not involving the Personal Representative's discretion), they shall have the authority to file appropriate pleadings in the court having jurisdiction of such estates or trusts to obtain a decision by such court as to any such matter.

5.12. Anything in this Will to the contrary notwithstanding, no provision of this Will shall be interpreted so as to defeat or impair an otherwise available marital deduction under the Internal Revenue Code or under the laws of the state of Tennessee, as now or hereafter in effect; any provision of this Will which would have the effect of defeating or impairing an otherwise available marital deduction under the Internal Revenue Code or under the laws of the state of Tennessee, as now or hereafter in effect, shall be void and of no effect to the extent of such defeat or impairment; and no Personal Representative shall have the right, power or authority to act in any way (or to refrain from acting) so as to defeat or impair an otherwise available marital deduction under the Internal Revenue Code or under the laws of the state of Tennessee, as now or hereafter in effect. The provisions and intentions of Tennessee Code Annotated Section 35-50-112 are expressly incorporated into this Will.

5.13. If my Spouse is serving as Personal Representative, he may make gifts of tangible, personal property from my estate to as he deems appropriate. However, if Stephen L. Martin and David R. Martin are serving as co-Personal Representatives, it is my intention that all property, including real estate and personal property, shall be sold and the proceeds added to the Residuary Estate for distribution as described in **Article IV**.

ARTICLE VI
PAYMENT OF DEBTS, EXPENSES AND TAXES

6.1. I direct that all of my legally enforceable debts, including funeral and testamentary expenses and expenses of my last illness, be paid as soon as may be convenient after my death. I further direct that all estate, inheritance and other taxes of the same nature (except any generation-skipping taxes imposed by the Internal Revenue Code or by any state) which are payable because of my death, including any interest or penalties thereon, with respect to the property comprising my estate for such tax purposes, whether or not such property passes under this Will and whether such taxes are payable by my estate or by any recipient or beneficiary of any such property, shall be paid entirely out of my Residuary Estate as an expense of administration and without apportionment, and with no right of reimbursement from any recipient or beneficiary of any such property. No part of said debts, expenses and taxes shall be charged against or paid out of any part of my estate so as to render taxable any amounts which otherwise qualify for the marital and charitable deductions.

6.2. My Personal Representative is specifically authorized, in his sole and reasonable discretion, to apply the proceeds from any insurance policies on my life which are payable to my estate in paying debts, expenses of administration and taxes, notwithstanding the provisions of any state law to the contrary; provided, however, that this provision shall not be construed so as to make the proceeds of any insurance subject to debts, taxes or expenses, or to waive the exemption as provided in Tennessee Code Annotated Section 56-7-201, or successor provisions.

ARTICLE VII
PROVISIONS FOR COMMON DISASTER

7.1. In the event my Spouse and I shall die simultaneously or under circumstances which make it difficult to determine which of us died first, I direct that my Spouse shall be

deemed to have predeceased me for the purposes of this Will, and I direct further that my Spouse must survive me for a period of sixty (60) days as a condition of taking property by inheritance.

7.2. In the event any other legatee, devisee or other beneficiary under this Will and I shall die simultaneously or under circumstances which make it difficult to determine which of us died first, I direct that such beneficiary shall be deemed to have predeceased me for the purposes of this Will, and further I direct that each beneficiary must survive me for a period of sixty (60) days as a condition of taking property by inheritance.

ARTICLE VIII
WAIVER OF FILINGS

8.1. I hereby waive the requirement that my Personal Representative file an inventory or accounting of my estate with the court having probate jurisdiction over my estate. This waiver shall include, but not be limited to, the inventory as required by Tennessee Code Annotated Section 30-2-301, and the accounting as required by Tennessee Code Annotated Section 30-2-601, or any amendments or successors to such sections.

ARTICLE IX
ADMINISTRATION OF REAL PROPERTY

9.1. I direct pursuant to Tennessee Code Annotated Section 31-2-103 that any interests in real property which I may own at my death be administered as part of my estate subject to the control of my personal representative, who is directed to sell my real property at a commercially reasonable price and add all proceeds to my Residuary Estate. My Personal Representative shall have full power to grant, bargain, sell, convey, manage, and otherwise deal in any lawful manner with said real property at any time during the administration of the estate, without the approval or joinder of any beneficiary and without the necessity of any person or entity looking to the application of any proceeds that may or might result from any acts of my personal representative

in the premises; provided, however, that the provisions of this Article shall not have the effect of revoking or varying any written agreement entered into during my lifetime as to the ownership, use, descent or rights in or to, any real property.

ARTICLE X
DISCLAIMER BY SPOUSE

10.1. My Spouse, or my Spouse's personal representative, if my Spouse shall fail to survive me for the time period granted for disclaimers by Tennessee Code Annotated Section 31-1-103, is hereby authorized to disclaim all or any part of my Spouse's interest in my estate under this Will or otherwise. After any disclaimer or release, the interest disclaimed shall pass as provided in this Will and shall be held, administered and distributed according to the terms and conditions as set forth therein.

IN WITNESS WHEREOF, I have hereunto set my hand on this 14th day of March, 2019, to this my Last Will and Testament and have signed the foregoing eight (8) pages at the bottom thereof for the purpose of identification.

Ann W. Martin
ANN W. MARTIN

Signed, published and declared by the said ANN W. MARTIN, being of sound mind and disposing memory, as and for her Last Will and Testament in the presence and sight of us, present at the same time, who at her request, in her presence and sight, and in the presence and sight of each other, have subscribed our names as attesting witnesses on the day and year last written above.

Adrienne P. Bowling

Tracey Dixon

AFFIDAVIT

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Adrienne P. Bowling and Tracey Dixon being severally duly sworn, depose and say that:

We are acquainted with the said ANN W. MARTIN, who executed this annexed Last Will and Testament, consisting of nine (9) typewritten pages, dated the 14th day of March, 2019, on that date, at Nashville, Tennessee, by subscribing her name at the end thereof in the presence and sight of each of us.

At the time of subscribing said Will, ANN W. MARTIN, declared the instrument so subscribed by her to be her Last Will and Testament, and we thereupon signed our names as witnesses at the end of said instrument at her request and in her presence and sight, and in the presence and sight of each other.

At the time of executing said Last Will and Testament, ANN W. MARTIN, was over the age of eighteen (18) years and in our opinion was of sound mind, memory and understanding and not under restraint or in any respect incompetent to make a Last Will and Testament.

This Affidavit is made at the request of the said ANN W. MARTIN.

SWORN TO AND SUBSCRIBED before me on this the 14th day of March, 2019.

Notary Public
My Commission Expires: May 6, 2019

APRIL L. JACKSON
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY

_____ ANN W. MARTIN