STATE OF TENNESSEE

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Karen Johnson Davidson County
Batch # 1478148 WILL
09/28/2026 09:54:22 AM 8 pgs
Fees: $42.00 Taxes: $0.00
20260928-0089406

IN RE: ***CAROLE R BENE'***

Docket No: ***26P1398***

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 27, 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 August 31, 2026.

JOSEPH P. DAY CIRCUIT COURT CLERK

JOSEPH P. DAY, Clerk,

By: Meachelle Canon
Deputy Clerk

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26P1398

AUG 26 2026

JOSEPH P. DAY

By

LAST WILL AND TESTAMENT
OF
CAROLE R. BENE'

I, **CAROLE R. BENE'**, being a resident of Davidson County, Tennessee, do make, declare and publish this my Last Will and Testament, hereby revoking all former Wills and Codicils.

ITEM I

I direct that all my lawful debts, including my funeral expenses and the costs of administration of my estate, be paid by my Executor as soon as practicable after my death. I further direct that my Executor 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.

ITEM II

I hereby devise and bequeath all of my property, real, personal and mixed, in fee simple and absolutely, including any bonds or insurance on my life, not payable to any specific beneficiary to my son, **DEVIN X. BENE'**. I further devise and bequeath the rest, residue and remainder of my estate to my son, **DEVIN X. BENE'**. If my son, **DEVIN X. BENE'**, should predecease me, I direct that any real property I own at the time of my passing shall be brought into my Estate, sold and the net proceeds divided equally

Carole R. Bene

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between my two (2) grandsons, **DEVANTE BENE'** and **DOMINIC BENE'**, equal shares per stirpes. If my son, **DEVIN X. BENE'**, should predecease me, I devise and bequeath the rest, residue and remainder of my Estate to my two (2) grandsons, **DEVANTE BENE'** and **DOMINIC BENE'**, in equal shares per stirpes.

ITEM III

I hereby authorize my Executor to make deeds or bills of sale to the purchaser conveying titles to any and all property without the necessity of Court approval, and further authorize that my Executor perform without the necessity of placing a bond.

I direct pursuant to Tenn. Code Ann. § 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 shall have full power to grant, bargain, sell, convey, lease, encumber, manage, and otherwise deal in any lawful manner with said real property at any time during the administration of the estate, in the sole discretion of my personal representative, 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.

Any real property I own at the time of my death is to be administered as a part of my probate estate subject to the control of the Executor for purposes of administration,

Carolee K. Bene

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as authorized by Tennessee Code Annotated 31-2-103(a). So long as the Executor serves, the Executor shall have the 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.

ITEM IV

I authorize my Executor or any alternate personal representative, in the exercise of a reasonable discretion with respect to all property, real and personal, at any time forming a part of my estate, to exercise any and all 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 fully as if copied herein verbatim. These powers (as set out in said statute on the date of the execution of this will) are granted even should said statute be amended or repealed at the time of my death.

ITEM VI

I appoint my son, **DEVIN X. BENE'**, to be the Executor of this my Last Will and Testament. If my son, **DEVIN X. BENE'**, is unable or unwilling to serve, I appoint my niece, **KIMBERLY PENNINGTON**, to be the Executrix of this my Last Will and Testament. I direct that no bond or other security be required of my said Executrix for the faithful performances of their duty as such. I also hereby waive the requirement of inventory and accountings.

Devin X Bene'

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IN WITNESS WHEREOF, I have hereunto subscribed my name to this my last will and testament, consisting of five (5) 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, on this the 13th day of December, 2022, at Nashville, Tennessee.

Carole R Bene'

CAROLE R. BENE'

Signed, sealed, published and declared by the Testatrix, **CAROLE R. BENE'**, 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:

Signature

Chase Moore

Written Name

4205 CALLATIN RD.

Address

NASHVILLE, TN 37216

City, ST

Signature

Amanda Pedigo

Written Name

4205 Gallatin RD

Address

Nashville, TN 37216

City, ST

Carole R Bene'

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AFFIDAVIT

STATE OF TENNESSEE
COUNTY OF DAVIDSON

We, the undersigned, being first duly sworn, make Oath; that the Testatrix, **CAROLE R. BENE'**, on this the 13th day of December, 2022, declared and signified to us the foregoing signed said instrument to be her Last Will and Testament; that she then signed said instrument in our sight and presence; that we at her request and in her sight and presence and the sight and presence of each other, then subscribed our names thereto as attesting witnesses; that at the time of her execution of the foregoing instrument; **CAROLE R. BENE'**, was more than 18 years of age and we believed her to be of sound mind; that we, the undersigned, each being more than 18 years of age and under no legal disability now make and sign this Affidavit at the request of the Testatrix on the day and date above written.

This Affidavit is made and written under the provisions of TCA 32-2-100, for the purpose of attaching the same to the Last Will and Testament of said Testatrix for proof as to the execution of said Will.

AFFIANT **AFFIANT**

Sworn to and subscribed before, me this the 13th day of December, 2022.

NOTARY PUBLIC

My Comm. Exp. 5-5-2025

JEFF SHOULDERS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 5-5-2025

THIS DOCUMENT WAS PREPARED BY:
Law Office of Chase Moore
4205 Gallatin Road
Nashville, TN 37216
(615) 226-9000

Carole R Bene'

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CERTIFICATE OF SERVICE

I hereby certify that on July 28, 2026, I electronically filed the foregoing document with the Circuit Court Clerk using the efiling system. I certify that the following parties or their counsel of record are registered as efiling filers and that they will be served by the efiling system or via traditional means of service (US Mail, postage prepaid, Fax or Hand-Delivery) to:

Devin X. Bene'
117 Ginger's Way
McDonough, Georgia 30252

Devante Bene'
15865 La Prenda Ct.
Morgan Hill, CA 95037

Dominic Bene'
177 Ginger's Way
McDonough, Georgia 30252

/s/ Donielle M. Beaty
Donielle M. Beaty

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Case Title: BENE' V BENE'
Case Number: 26P1398
Type: FINAL ORDER

So Ordered

Judith Lojek, Probate Special Master