



SMITH GILLIAM  
WILLIAMS & MILES

July 23, 2024

*VIA ELECTRONIC MAIL*

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Gainesville, GA 30503

Beth Garmon

Assistant Director of Planning and

Development Hall County, Georgia

[bgarmon@hallcounty.org](mailto:bgarmon@hallcounty.org)

**RE: J M Turk Road Assemblage; HZON24-0020; Applicant: Steven P. Gilliam; Randy N. Jones and Tammy L. Jones (Deceased) Tract**

Dear Beth,

I am the applicant for the above referred to rezoning. Shortly before the filing of the rezoning, Tammy L. Jones passed away on June 14, 2024. I am attaching herewith a copy of her Death Certificate along with a copy of her Last Will and Testament, where in the third paragraph, she leaves all real estate that she owned at the time of her death to her husband Randy Nathaniel Jones. In the seventh paragraph of her Last Will and Testament, she appoints Randy Nathaniel Jones to be her personal representative. The Will needs to be probated in North Carolina for the actual property to be conveyed to Randy Jones, but he can sign as her personal representative, as named on her Will for the authority to have the property rezoned.

We will upload this into the portal. If you have any questions, please do not hesitate to call. Please let me know if you need anything further regarding this issue.

With cordial regards, I remain,

Sincerely,

  
Steven P. Gilliam

Cc: Katie Greenway, Hall County Planning and Zoning Administrator

Street Address: Kristie Turner, Hall County Principal Planner

Smith Gilliam Williams & Miles, P.A.  
340 Jesse Jewell Parkway, Suite 300  
Gainesville, GA 30501

In Your Community. In Your Corner.



CERTIFICATE OF VITAL RECORD

VERIFY PRESENCE OF WATERMARK HOLD TO LIGHT TO VIEW

5212279 COMMONWEALTH OF VIRGINIA DEPARTMENT OF HEALTH - OFFICE OF VITAL RECORDS

COMMONWEALTH OF VIRGINIA - CERTIFICATE OF DEATH DEPARTMENT OF HEALTH - DIVISION OF VITAL RECORDS - RICHMOND

Form with fields for decedent name (TAMMY LANE JONES), date of death (JUNE 14, 2024), date of birth (DECEMBER 10, 1963), residence (204 BEECHNUT AVENUE, SOUTH MILLS, CAMDEN, NORTH CAROLINA), cause of death (TRANSFUSION DEPENDENT PANCYTOPENIA), and funeral home (BRIGGS FUNERAL HOME AND CREMATORY).

VOID IF ALTERED OR ERASED

VOID IF ALTERED OR ERASED



This is to certify that this is a true and correct reproduction or abstract of the official record filed with the Virginia Department of Health, Richmond, Virginia

DATE ISSUED June 18, 2024

Do not accept unless on security paper with the seal of Virginia Department of Health, Vital Statistics in the lower left hand corner. Section 32.1-272, Code of Virginia, as amended.

Seth Austin, Director and State Registrar

VS 15C

VOID WITHOUT WATERMARK OR IF ALTERED OR ERASED



COPY

**LAST WILL AND TESTAMENT**

**OF**

**TAMMY LANE JONES**

Dated: March 1, 2017

Prepared by:

James B. Nicholson Esq., Military Legal Assistance Attorney  
300 E. Main St., Ste 400  
Norfolk, VA 23510  
(757) 295-2308

COPY

MILITARY TESTAMENTARY PREAMBLE: This is a MILITARY TESTAMENTARY INSTRUMENT prepared pursuant to Title 10 United States Code, Section 1044d, and executed by a person authorized to receive legal assistance from the military services. Federal law exempts this document from any requirement of form, formality, or recording that is prescribed for testamentary instruments under the laws of a state, the District of Columbia, or a territory, commonwealth or possession of the United States. Federal law specifies that this document shall be given the same legal effect as a testamentary instrument prepared and executed in accordance with the laws of the jurisdiction in which it is presented for probate. It shall remain valid unless and until the Testatrix revokes it.

## LAST WILL AND TESTAMENT

OF

**TAMMY LANE JONES**

I, **TAMMY LANE JONES**, a resident of the State of North Carolina, make, publish and declare this to be my Last Will and Testament, revoking all wills and codicils at any time heretofore made by me. I live with my husband who is in the military service of the United States.

**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:** It is my desire that, upon my death, I be buried alongside those remains of my husband, if he shall predecease me, at Arlington National Cemetery, Arlington, VA, and if my husband does not predecease me, at a location to be determined by my husband or my heirs. I have not contracted for or paid for any funeral arrangements.

**THIRD:** 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 husband **RANDY NATHANIEL JONES**, if he survives me. The devise of real property under this Article THIRD is subject to any mortgages, deeds of trust or similar liens evidencing indebtedness which may exist upon my death.

**FOURTH:** I give all tangible personal property owned by me at the time of my death, including without limitation personal effects, clothing, jewelry, furniture, furnishings, household goods, automobiles and other vehicles, and all rights that I have under any related



insurance policies, to my husband RANDY NATHANIEL JONES, if he survives me, or if he does not survive me, to those of my children (LESLIE DIANE OVERBY, KELLY SUZANNE JONES and SAMANTHA MICHELLE MERRITT) who survive me, in substantially equal shares, to be divided among them as they shall agree, or if they cannot agree, as my personal representative shall determine.

**FIFTH:** 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 husband RANDY NATHANIEL JONES survives me, to my husband outright.
- (b) If my husband does not survive me, then to those of my children who survive me and to the issue who survive me of those of my children who shall not survive me, per stirpes.
- (c) If my husband does not survive me and there shall be no issue of mine then living, 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 North Carolina.

**SIXTH:** If any property of my estate vests in absolute ownership in a minor or incompetent, my personal representative, at any time and without court authorization, may: distribute the whole or any part of such property to the beneficiary; or use the whole or any part for the health, education, maintenance and support of the beneficiary; or distribute the whole or any part to a guardian, committee or other legal representative of the beneficiary, or to a custodian for the beneficiary under any gifts to minors or transfers to minors act, or to the person or persons with whom the beneficiary resides. Evidence of any such distribution or the receipt therefor executed by the person to whom the distribution is made shall be a full discharge of my personal representative from any liability with respect thereto, even though my personal representative may be such person. If such beneficiary is a minor, my personal representative may defer the distribution of the whole or any part of such property until the beneficiary attains the age of eighteen (18) years, and may hold the same as a separate fund for the beneficiary with all of the powers described in Article EIGHTH hereof. If the beneficiary dies before attaining said age, any balance shall be paid and distributed to the estate of the beneficiary.

**SEVENTH:** I appoint my husband RANDY NATHANIEL JONES to be my personal representative. If my husband does not survive me, or shall fail to qualify for any reason as my personal representative, or having qualified shall die, resign or cease to act for any reason as my personal representative, I appoint SAMANTHA MICHELLE MERRITT as my personal representative. I direct that no personal representative shall be required to file or furnish any bond, surety or other security in any jurisdiction.

**EIGHTH:** I grant to my personal representative all powers conferred upon personal representatives and executors wherever my personal representative may act. I also grant to my personal representative 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 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 parts, funds or shares; to determine the fair valuation of property, with or without regard to tax basis; to exercise all powers of an absolute owner of property; to compromise and release claims with or without consideration; and to employ attorneys, accountants and other persons for services or advice. The term "personal representative" wherever used herein shall mean the personal representatives, executors, executor, executrix or administrator in office from time to time.

**NINTH:** I direct that for purposes of this will a beneficiary shall be deemed to predecease me unless such beneficiary survives me by more than thirty days. The terms "child" and "children" as used herein include not only the child and children of the person designated, but also the legally adopted child and children of such person. The term "issue" includes not only the children and other issue of the person designated, but also the legally adopted children and issue of such person or issue.

**TENTH:** My husband has served in the Armed Forces of the United States. I therefore request that my personal representative make appropriate inquiries to ascertain whether there are any benefits to which I, my dependents or my heirs may be entitled by virtue of any military affiliation. I specifically request that my personal representative consult with a retired affairs officer at the nearest military installation, the Department of Veterans Affairs, and the Social Security Administration.


SIGNATURES APPEAR ON THE NEXT PAGE

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COPY

IN WITNESS WHEREOF, I, TAMMY LANE JONES, sign my name and publish and declare this instrument as my last will and testament this 1 day of March 2017.

  
TAMMY LANE JONES

The foregoing instrument was signed, published and declared by TAMMY LANE JONES, 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.

  
Ervin Derr

having an address at

209 Small Dr.

Elizabeth City, NC  
27909

  
CHEYENNE SKY BURLEY

having an address at

206 Beechnut Ave

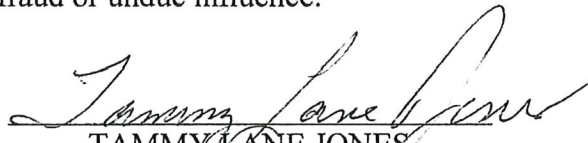
South Mills NC 27976

COPY

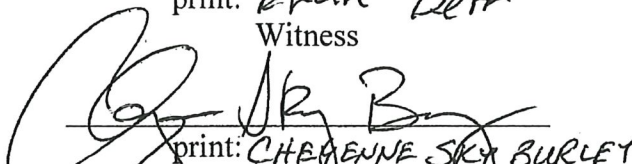
**MILITARY TESTAMENTARY INSTRUMENT SELF-PROVING AFFIDAVIT**

WITH THE UNITED STATES ARMED FORCES AT UNITED STATES COAST GUARD AIR STATION ELIZABETH CITY, ELIZABETH CITY, NC

We, the Testatrix and the witnesses, whose names are signed to the attached or foregoing instrument, being first duly sworn, do hereby declare to the undersigned authority that in the presence of the military legal counsel and the witnesses the Testatrix, TAMMY LANE JONES, signed and executed the instrument as her military testamentary instrument, that she had signed willingly, and that she executed it as her free and voluntary act and deed for the purposes therein expressed. It is further declared that each of the witnesses, at the request of the Testatrix, in the presence and hearing of the Testatrix, the military legal assistance counsel and each other, signed the military testamentary instrument 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.

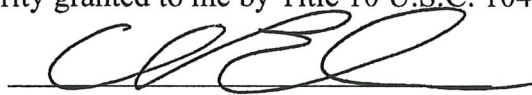
  
TAMMY LANE JONES  
Testatrix

  
print: Erin Derr  
Witness

  
print: CHARLENNE SKY BURLEY  
Witness

Subscribed, sworn to and acknowledged before me by the said TAMMY LANE JONES, Testatrix, and subscribed and sworn to before me by the above-named witnesses, this 01 day of March, 2017.

I, the undersigned officer, do hereby certify that I am, on the date of this certificate, a person with the power described in Title 10 U.S.C. 1044a of the grade, branch of service, and organization stated below in the active service of the United States Armed Forces, or an authorized civilian attorney under Title 10 U.S.C. 1044a, and that by statute no seal is required on this certificate, under authority granted to me by Title 10 U.S.C. 1044a.



Name of Officer and Position: Charles Brecken, Legal Assistance Team  
Grade and Branch of Service: E4 1YN3 United States Coast Guard  
Command or Organization: United States Coast Guard Fifth District (dl), Portsmouth, VA

