Map. 119-5
Par. 389 pd

BOOK 482 PAGE 543

IN THE COUNTY COURT OF RUTHERFORD COUNTY, TENNESSEE

EDWARD PATTON, etc., et al,

Petitioners,

-VS-

JOE HYDE, JR., et al,

Defendants.

FILED
Time
FEB 18 1971
BEN HALL McFARLIN
COUNTY COURT CLERK
By Margaret D. Bugg D.C.

FEB265 . MISC . A* 6.00 * 6.00

JUDGEMENT AND DECREE

This cause came on for hearing on this the 18th day of February, 1971, before the Honorable James Threet, County Judge, holding the County Court for Rutherford County, Tennessee, at Murfreesboro, upon the original Petition, the exhibits thereto, the Order Pro Confesso heretofore taken against the Defendants, Joe Hyde, Jr., and William Brinkley Hyde, and upon oral testimony heard in open Court, from all of which the Court finds:

That Annie B. Jenkins died testate, a citizen and resident of Rutherford County, Tennessee, on December 12, 1968, and that her Last Will and Testament was duly probated and is duly of record in the office of the Clerk of this Court; that Edward Patton was appointed, and is now acting as Administrator-With-The-Will-Annexed of the estate of Annie B. Jenkins, deceased;

That no personal property has come into the hands of the Administrator and that he has no funds out of which to pay the taxes, inheritance taxes, and costs of administration;

That Emma Hyde has advanced that portion of the funeral bill not paid by Social Security and has paid the 1968 and 1969 taxes on the property

hereinafter described and that she is entitled to re-imbursement therefor;

And it further appearing to the Court that Annie B. Jenkins died seized and possessed of the following described real estate:

> Situated in the County of Davidson and State of Tennessee, to-wit:
>
> 1st: Lot No. 4 of Block No. 1, on the map of the subdivision of Lots Nos. 1 and 2 in Cumberland Nurseries of record in Book 161, page 35, Register's Office for Davidson County. Said Lot No. 4 begins at the northwest corner of said Lot No. 4 on Foster Avenue and runs eastwardly along the southern edge of an alley, which runs halfway between and parallel to Joiner Avenue and Whitsett Road (formerly Flat Rock Avenue), for 150 feet to another alley, which runs parallel to Foster Avenue; thence southwardly 45 feet, parallel to Foster Avenue; thence westwardly and parallel with the north boundary of said lot, 150 feet; thence northwardly along the eastern margin of said Foster Avenue, 45 feet to the point of origin.
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> 2nd: Lot No. 3 of Block No. 1 on the map of the subdivision of Lots Nos. 1 and 2, in Cumberland Nurseries, of record in Book 161, page 35, Register's Office for Davidson County. Said Lot No. 3 begins with the southwest corner of said Lot No. 4 above on Foster Avenue and runs eastwardly 150 feet along the southern edge of the above said Lot No. 4 to an alley, which runs parallel to Foster Avenue; thence southwardly 45 feet, parallel to Foster Avenue along the western margin of said alley; thence westwardly and parallel with the said north boundary of said Lot, 150 feet; thence northwardly with the eastern margin of said Foster Avenue, 45 feet to the point of origin.
>
> The said property was conveyed by James E. Covington, Clerk and Master, to Annie B. Jenkins by deed which now appears of record in Deed Book 1684, page 273, of the Register's Office of Davidson County, Tennessee.

And it further appearing that said property was devised by the Last Will and Testament of Annie B. Jenkins to Jesse Hyde for life, and at his death, to the survivors of the following: Mary Hyde, Emma Hyde, and Joe Hyde; and if any of these be dead leaving descendants, then the share of the deceased to go to such descendants; and that Mary Hyde died without descendants, and that Joe Hyde died prior to the death of Annie B. Jenkins, leaving the Defendants,

Joe Hyde, Jr., and William Brinkley Hyde, as his only children and descendants; and that Emma Hyde is still living and is a Patitioner hereto;

And it further appearing to the Court that the Executor has obtained an offer from Henry A. McClaron and wife, Georgia McClaron, to purchase the property hereinabove described for the sum of THREE THOUSAND ONE HUNDRED AND NO/100 ($3,100.00) DOLLARS, payable in cash; and that this is the full, fair, and reasonable market value of said property and that it is to the manifest interest of the estate of Annie B. Jenkins that this offer be accepted and the property be sold and conveyed to Mr. McClaron and wife;

IT IS, THEREFORE, HEREBY ORDERED, ADJUDGED, AND DECREED by the Court that said sale to Henry A. McClaron and wife be ratified and confirmed by the Court and that all of the right, title, claim and interest of all of the parties hereto be divested out of them and be vested in the said Henry A. McClaron, and wife, Georgia McClaron, as an indefeasible inheritance in fee simple, they having paid said purchase money into the hands of the Clerk of this Court. Ben Hall McFarlin, Clerk, will certify and deliver to Henry A. McClaron and wife, Georgia McClaron, a copy of this Decree for recordation in the Register's Office of Davidson County, Tennessee, as a muniment of their title. The purchasers will assume payment of the 1971 taxes on said property.

Out of the proceeds of sale, the Clerk of this Court will pay Emma Hyde the sum of $58.04 which she paid for the 1968 taxes, the sum of $59.63 which she paid as the 1969 taxes on said property, and the sum of $ 313.52 , which she paid upon the funeral expenses of the said Annie B. Jenkins. The Clerk will then pay the 1970 taxes on said property in the amount of $ 53.00 , and the inheritance taxes upon the estate of Annie B. Jenkins in the amount of $119.12. He will then pay the costs of this cause, including the sum of $310.00 which is hereby allowed Smith & Sellers, Attorneys, for their services and the sum of $155.00 to Edward Patton for his services as Executor; and also the

costs of the Final Settlement of the Executor. The remaining funds in the hands of the Clerk will be paid - one-half to the Petitioner, Emma Hyde, and the remaining one-half will be deposited to a savings account in some bank or savings and loan association, subject to withdrawal by the Defendants, Joe Hyde, Jr., and William Brinkley Hyde, or subject to the future Orders of this Court.

ENTER: S/ James Threet
Judge

CERTIFICATE OF CLERK
STATE OF TENNESSEE, RUTHERFORD COUNTY
I, the undersigned County Court Clerk for Rutherford County, Tennessee, hereby certify that the foregoing is a true, perfect and complete copy of Judgment & Decree to distribute funds in est. of Angie B. Jarrett, dec. entered in Minute Book 494 Page 2/18 1971 of the minutes of said Court.
Witness my hand and seal of Office at Murfreesboro, Tennessee, this the 18th day of February 1971
Margaret Bugg, Deputy
County Court Clerk

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IDENTIF. REFERENCE

FEB 26 2 56 PM '71
FELIX E. ... REGISTER
DAVIDSON COUNTY, TENN.