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IN THE COUNTY COURT OF DAVIDSON COUNTY, TENNESSEE

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IN RE: ESTATE OF HENRY D. BLACK, DECEASED )
( NO. 38470
MATTIE G. BLACK, ADMINISTRATRIX )

F I N A L D E C R E E

This cause comes on to be heard this day, November 17, 1959, before the Honorable Judge Beverly Briley, on the pleadings and the proof and especially upon the Clerk's Report, which Report is in words and figures as follows:

"IN THE COUNTY COURT OF DAVIDSON COUNTY, TENNESSEE

IN RE: ESTATE OF HENRY D. BLACK, DECEASED )
( NO. 38470
MATTIE G. BLACK, ADMINISTRATRIX )
SEP 19 MISC
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CLERK'S REPORT

In obedience to an Order of Reference entered in this cause in Minute Book 161, Page 321, directing the Clerk to consider proof and report, the following is respectfully submitted:

I.

What personal assets of the estate of Henry Black, Deceased, came or ought by due diligence to have come to the hands of the Complainant as Administratrix of said estate, showing in the report of total gross amount, and specifying the amount from each principal source.

No personal assets have come into the hands of the Administratrix, Mattie G. Black.
(See Deposition of Mattie G. Black).

II.

What bona fide debts and charges against said estate have been paid by the Administratrix, specifying the principal expenditures

and giving the total amount.



In addition to Court Costs, there is a balance due on the funeral bill of $70.20, the widow, Mattie D. Black, having paid $129.80 on the total funeral bill of $200.00

(See Deposition of Mattie G. Black and assignment of Patton Bros. to John W. Smith and wife, Fannie Smith).

III.

Whether the personal assets of said estate have been duly exhausted in the payment of bona fide debts and charges.

There were no personal assets belonging to the deceased for payment of debts and charges.

(See Deposition of Mattie G. Black).

IV.

Whether any bona fide debts and charges against said estate remain outstanding and unpaid; and if so, the amount and nature thereof, and to whom owing.

There remains outstanding against the estate the unpaid balance of $70.20 due on the funeral bill.

(See Deposition of Mattie G. Black).

V.

What real estate the said Henry Black died seized and possessed of, who are the owners thereof and their rights, titles and interests, and what is its reasonable minimum value.

The deceased, Henry D. Black, died seized and possessed of the following realty:

> Being Lot No. 9 in Block 27 of Fisk University place Plan of North Nashville which is unrecorded. Said Lot 9 fronts 25 feet on the West side of Homes Street, now 31st Avenue, North, and extends back Westerly between parallel lines 150 feet to an alley. Being the same property conveyed to Fannie Richardson, Trustee for Henry D. Black by deed from Realty Savings Bank & Trust Company of record in Book 409, page 464, R. O. D.C. Tennessee.

The said realty being held by Fannie Richardson as Trustee for Henry D. Black.

The owners of said realty are:

1. Jossie Black Atkinson - 1/3
2. Fannie Black Smith - 1/3
3. Gloria Black Avery - 1/3

The above interests being subject to homestead and dower of the widow, Mattie G. Black.

The reasonable minimum value of the realty is between $165.00 and $175.00.

(See Deposition of Mattie G. Black, Deposition of Theodore Lewis and Harrison Kendall, Original Petition, Order entered in this cause in Minute Book 160, Page 268).

VI.

Whether it will be necessary to sell any or all of said real estate to pay said outstanding debts or charges; and if not necessary to sell all, the sale of what part will prove least injurious to the heirs and legal representatives.

It will be necessary to sell the entire tract to pay outstanding debts and charges.

(See Deposition of Mattie G. Black).

VII.

Whether the offer made by John W. Smith, Jr., and wife, Fannie C. Smith, is a fair offer for the property described in the offer.

The offer of John W. Smith, Jr., and wife, Fannie C. Smith to purchase the property for $175.00 is a fair and reasonable offer and should be accepted.

(See Offer of John W. Smith, et ux, Deposition of Theodore Lewis and Harrison Kendall).

VIII.

Whether the assignment of Patton Brothers Funeral Home to John W. Smith, Jr., and wife, Fannie C. Smith, a copy of which is

filed in the cause, is a bona fide assignment and represents its full debt against said estate.

The assignment of Patton Brothers Funeral Home to John W. Smith, Jr., and wife, Fannie C. Smith appears to be regular and a bona fide legal assignment, and as stated therein, represents the entire debt due the assignor from the estate.

(See assignment of Patton Bros. Funeral Home to John W. Smith, Jr., and wife, Fannie C. Smith).

This 4 day of Nov., 1959.

R. E. Worrall CLERK

BY: Ramsey Leathers D. C."

And said report being on file for more than five days and unexcepted to, is by the Court in all things confirmed. IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED by the Court that all the rights, title and interest in said tract of land of Jossie Black Atkinson, Fannie Black Smith and Gloria Black Avery in and to the following described property located in Davidson County, Tennessee:

> Being Lot No. 9 in Block 27 of Fisk University place Plan of North Nashville which is unrecorded. Said Lot 9 fronts 25 feet on the West side of Homes Street, now 31st Avenue, North, and extends back Westerly between parallel lines 150 feet to an alley. Being the same property conveyed to Fannie Richardson, Trustee for Henry D. Black by deed from Realty Savings Bank & Trust Company of record in Book 409, page 464, R. O. D. C. Tennessee

be and the same is hereby divested out of them and each of them and vested in John W. Smith and wife, Fannie C. Smith in fee simple title forever; and upon the paying of the One Hundred and Seventy Five Dollars ($175.00) purchase price the clerk of this Court will execute and deliver to said John W. Smith and wife, Fannie C. Smith a deed conveying to them all the/rights, title and interest of all the parties to this suit in and to said tract of land, or he will give to him a certified copy of this decree for registration if he prefers the same.

It further appears that J. F. McClellan, Attorney at the Nashville Bar, filed this suit for the complainant and is entitled to a fee for his service; and that Jacob Doyle, Attorney for the defendant, Fannie M. Black, is entitled to a fee; that Theodore Lewis of the John T. Lewis Realty Company and Harrison Kendall of the Frierson McClellan Realty Company are entitled to a fee for appraising the property; that Lorene Harris, a stenogapher, is entitled to a fee for taking and transcribing a deposition; and that Attorney Frank Ennix is entitled to a fee for serving as Guardian Ad Litem for Gloria Black Avery.

Therefore, out of the proceeds of the sale, the clerk will first pay the cost of this cause and all claims against said property, and will pay fees to: J. F. McClellan, Attorney for complainant in the sum of $35.00; Jacob Doyle, Attorney for defendant, Fannie M. Black in the sum of $20.00; Theodore Lewis of the John T. Lewis Realty Company and Harrison M. Kendall of the Frierson McClellan Realty Company in the amount of $5.00 each for appraising said property; Lorene Harris in the amount of $5.00 for transcribing deposition; and Attorney Frank Ennix in the amount of $10.00 for serving as Guardian Ad Litem.

Whatever balance remaining if any, the clerk will first pay the funeral bill of Henry Black, will pay secondly any general creditors, and thirdly will distribute to the parties according to their interests, if there be any balance to distribute.

Beverly Briley
JUDGE

IDENTIF. REFERENCE
SEP 19 11 46 AM '75
REGISTER
DAVIDSON COUNTY, TENN.
D 16327

**STATE OF TENNESSEE, DAVIDSON COUNTY**

*I, ROBERT E. WORRALL, Clerk of the County Court of Davidson County, State aforesaid, do certify that the foregoing is a full, true, and complete copy of.* Final Decree in re: Sale of Realty in the Estate of Henry D. Black, Deceased, Mattie G. Black, Administratrix, filed November 17, 1959, recorded in Minute Book 161, Page 422 *which remains of record on file in said office.*

*Given under my hand and official seal, at office, in Nashville, this* 18th *day of* January *19*60.

R. E. Worrall
*Clerk of the County Court.*

*By* Elva L. Christopher
*Deputy Clerk.*