Map & Parcel No. 146-1-16.

NEW OWNER:

CLYDE F. HAMMER, JR.
904 Oak Valley Lane, Nashville, TN 37220

E 12163

IDENTIF. REFERENCE

JUL 1 9 48 AM '77

FEE

DAVIDSON COUNTY, TENN.

SEND TAX BILLS TO:

FIRST FEDERAL SAVINGS & LOAN ASSOCIATION
UNION AT FOURTH
NASHVILLE, TN 37219

State of Tennessee

County of Davidson

The actual consideration or value whichever is greater, for this transfer is $ 52,000.00. Subscribed and sworn to before me, this the 9 day of June, 1977.

Terry R Moore
Affiant

H. A. Badger
Notary Public

NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires Sept 7-1977

JUL-17	CONV	52,000.00			
JUL-17	S'TAX		B*	135.20	
JUL-17	PR'FEE		B*	.50	
JUL-17	W'DEED		B*	16.00	* 151.70

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

DECREE ENTERED JUNE 2, 1977, IN MINUTE BOOK 2, PAGE 582.

THIRD NATIONAL BANK IN NASHVILLE, as Administrator Pendente Lite of the Estate of John Bradley Dicks, Deceased, et al

VS.

MARGARET L. KNOX, et al

BOOK 5166 PAGE 70

NO. 77-787-III

FINAL DECREE

This cause came on to be heard before the Honorable Robert S. Brandt, Chancellor, upon the original complaint of the Third National Bank in Nashville, Administrator pendente lite of the estate of John Bradley Dicks, deceased and the other plaintiffs; the answer of the defendants; the answer and report of all unknown heirs or persons, if any, claiming any interest in the estate of lands of John Bradley Dicks, deceased, as filed by Henry A. Martin, Guardian Ad Litem; testimony of the witnesses in open court; statement of counsel; and upon the entire record.

The Court finds:

1. That John Bradley Dicks died on September 19, 1976, in Nashville, Davidson County, Tennessee, leaving three paper writings which purported to be his last will and testament as of the date each was signed and dated, to wit: June 14, 1976, June 25, 1975, and August 14, 1966. That petitions to probate the paper writings dated June 14, 1976, and June 25, 1975, have been filed in the Probate Court for Davidson County, Tennessee, as well as a petition to contest before probate the paper writing dated June 14, 1976. That the paper writing dated August 14, 1966, has been presented to said Probate Court but has not been offered for probate at this time. That said petitions and proceedings are pending in the Probate Court for Davidson County, Tennessee. In addition, there has been filed in the Chancery Court for Davidson County a complaint styled William R. Metcalf, et al vs. Benjamin W. Dicks, et al, No. 77-471-III, wherein the plaintiffs are seeking to establish a paper writing dated June 25, 1975, as a mutual and reciprocal will of said John Bradley Dicks, deceased, and Jimmie Little Dicks, deceased, the former wife of said John Bradley Dicks. That Jimmie Little Dicks predeceased her husband, John Bradley Dicks, and that her estate is being administered in the Probate Court for Davidson County, Tennessee. That due to these petitions and proceedings

just referred to above the administration and settlement of the estate of John Bradley Dicks, deceased, is being delayed and will probably continue for several months and perhaps years before the estate is closed.

2. That said John Bradley Dicks died seized and possessed of real property consisting of a house and lot known as 904 Oak Valley Lane, Nashville, Davidson County, Tennessee, and more fully described as follows:

A certain tract or parcel of land in Davidson County, State of Tennessee, described as follows to wit:

BEING Lot No. 23 on the unrecorded Map known as Oakhill Valley Subdivision, and described according to a preliminary survey made by S. E. Davis, Surveyor, March 22, 1950, as follows:

BEGINNING at a point in the north margin of Oak Valley Lane at the corner of Lots Nos. 22 and 23; thence with the line between said lots, northerly 253.48 feet to a point; thence westerly 182.3 feet to the corner of Lots Nos. 23 and 24; thence with the line between said lots, southerly 242.88 feet to the north margin of Oak Valley Lane; thence with the margin of the same easterly 182 feet to the beginning.

BEING the property conveyed to Jimmie Little Dicks by deed from Oak Hill Land Company of record in Book 1846, page 579, Register's Office for Davidson County, Tennessee

Subject to restrictions contained in the following instruments: in Book 931, page 53, and in Book 1788, page 186, both of which were recorded prior to February 15, 1950, and such state of facts as the plan will show when recorded as to set back lines, utility easements, etc.

That said John Bradley Dicks, deceased, became the owner of said property by virtue of the last will and testament of his former wife, Jimmie Little Dicks, deceased, of record in Will Book 116, page 308, Probate Court Department of the County Court Clerk's Office for Davidson County, Tennessee.

That said property has been vacant since Mr. Dicks' demise and that it stands subject to deterioration, damage and waste; and that the insurance on said property is about to expire and that further insurance coverage, if obtainable at all, will be at an extremely high premium due to the vacant condition of said property.

3. That the only known next-of-kin and heirs-at-law of said John Bradley Dicks, deceased, are Ben W. Dicks, a brother; Alice Kent Moore, Anna Harriet Owens, and William Bradley Kent, nieces and nephew, respectively; and Stanley Kent, Merrily Kent and Carolyn Kent (now Carolyn Tousley), grandnephew and grandnieces, respectively.

That all of the legatees and devisees named under the various

paper writings purporting to be the last will and testament of said John Bradley Dicks, deceased, and the next-of-kin and heirs-at-law of said John Bradley Dicks, deceased, except Ben W. Dicks, whose estate is under the conservatorship of the Third National Bank in Nashville, are agreed that it is in the manifest interest of all of the beneficiaries of the estate that said real property should be sold. That the said Third National Bank in Nashville as Conservator of the estate of Ben W. Dicks has no interest in investing the assets of his estate in said real property since said Ben W. Dicks is in a nursing home with no prospect of ever leaving for the remainder of his days.

4. That said Administrator pendente lite has actively solicited offers on said real property through local real estate agents, but that during a period in excess of six months only two bona fide offers were received. The highest offer was from Clyde Franklin Hammer, Jr. and wife, Mary Bess Hammer, dated March 19, 1977, to purchase said property for and in consideration of the sum of $52,000.00. All of the legatees and devisees named under the various paper writings purporting to be the last will and testament of said John Bradley Dicks, deceased, and the known next-of-kin and heirs-at-law of said John Bradley Dicks, deceased, except Ben W. Dicks, have exhibited their written approval to accept said offer of $52,000.00. The Third National Bank in Nashville as Conservator of the estate of Ben W. Dicks has no objection to said sale.

5. That Henry A. Martin, Guardian Ad Litem for the unknown heirs or persons, if any, claiming any interest in the estate of John Bradley Dicks, deceased, investigated the facts alleged in the complaint and in his answer reports his belief that it would be in the manifest best interest of all the beneficiaries of the estate of John Bradley Dicks, deceased, that said real property be sold for a reasonable price and that the relief sought in the complaint should be granted.

6. That it appears to be in the manifest best interest of all of the beneficiaries of the estate of John Bradley Dicks, deceased, that said real property be sold and that the offer of Clyde Franklin Hammer, Jr. and wife, Mary Bess Hammer, for and in consideration of the sum of $52,000.00 represents the true and reasonable value of said property.

7. That the said Third National Bank in Nashville as Administrator pendente lite of the estate of said John Bradley Dicks,

deceased, Thomas I. Bottorff, James M. Doran, Henry A. Martin, and Floyd Adkinson, Jr. have rendered good and valuable services in this cause and should be compensated.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that it is in the manifest best interest of all of the beneficiaries of the estate of said John Bradley Dicks, deceased, that the said real property be sold, and the said offer of Clyde Franklin Hammer, Jr. and wife, Mary Bess Hammer, for and in consideration of the sum of $52,000.00, including the terms and conditions stated in the said offer dated March 19, 1977, is ratified, confirmed, consented to, and approved. Upon the said Clyde Franklin Hammer, Jr. and wife, Mary Bess Hammer, paying to the Third National Bank in Nashville as Administrator pendente lite of the estate of said John Bradley Dicks, deceased, the sum of $52,000.00 all of the right, title and interest of said John Bradley Dicks, deceased; the next-of-kin and heirs-at-law of said John Bradley Dicks, deceased; legatees and devisees named in all of the paper writings purporting to be the last will and testament of said John Bradley Dicks, deceased; and the unknwon heirs or persons, if any, claiming any interest in the estate of lands of John Bradley Dicks, deceased, in and to said real property known as 904 Oak Valley Lane, Nashville, Tennessee and more fully described as follows:

A certain tract or parcel of land in Davidson County, State of Tennessee, described as follows to wit:

BEING Lot No. 23 on the unrecorded Map known as Oakhill Valley Subdivision, and described according to a preliminary survey made by S. E. Davis, Surveyor, March 22, 1950, as follows:

BEGINNING at a point in the north margin of Oak Valley Lane at the corner of Lots Nos. 22 and 23; thence with the line between said lots, northerly 253.48 feet to a point; thence westerly 182.3 feet to the corner of Lots Nos. 23 and 24; thence with the line between said lots, southerly 242.88 feet to the north margin of Oak Valley Lane; thence with the margin of the same easterly 182 feet to the beginning.

BEING the property conveyed to Jimmie Little Dicks by deed from Oak Hill Land Company of record in Book 1846, page 579, Register's Office for Davidson County, Tennessee

Subject to restrictions contained in the following instruments: in Book 931, page 53, and in Book 1788, page 186, both of which were recorded prior to February 15, 1950, and such state of facts as the plan will show when recorded as to set back lines, utility easements, etc.

BEING the property conveyed to John Bradley Dicks by the last will and testament of his former wife, Jimmie Little Dicks, deceased, of record in Will Book 116, page 308, Probate Court Department of the County Court Clerk's Office for Davidson County, Tennessee.

be divested out of them and vested in Clyde Franklin Hammer, Jr. and wife, Mary Bess Hammer.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to the terms of said offer dated March 19, 1977, the Third National Bank in Nashville as Administrator pendente lite shall pay from the proceeds of said sale the costs and expenses of the sale, including, but not limited to, the title insurance expense, pro rated taxes, termite investigation report, and the sum of $1,560.00 real estate sales commission to the Folk Jordan Company.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Third National Bank in Nashville shall pay from the proceeds of said sale as compensation for the services rendered in regard to said sale the following persons in the amounts indicated:

1. Third National Bank in Nashville, Administrator pendente lite of the estate of John Bradley Dicks, deceased $1,560.00
2. Thomas I. Bottorff 1,250.00
3. James M. Doran 375.00
4. Henry Martin 200.00
5. Floyd Adkinson, Jr. 75.00

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the balance of said proceeds shall be held by the Third National Bank in Nashville pending the outcome of the proceedings in the Probate Court and Chancery Court for Davidson County, Tennessee, and shall be distributed by said bank in accordance with the mandate of said proceedings without further order of this Court in this matter.

Upon application by the purchaser and certification by the Third National Bank in Nashville that said purchase price has been received, the Clerk of this Court will furnish said purchasers a certified copy of this decree, ~~or execute a deed conveying said property to said purchasers~~. YCSB

The costs of this cause are taxed against the proceeds of the sale of said property and shall be paid by said Administrator pendente lite therefrom.

BOOK 5166 PAGE 75

Entered this _____ day of _____, 1977.

CHANCELLOR

APPROVED FOR ENTRY:

RUTHERFORD, CROCKETT & GUENTHER

BY: _____
Thomas I. Bottorff
Attorneys for Plaintiffs

MANIER, WHITE, HEROD, HOLLABAUGH & SMITH

BY: _____
James M. Doran
Attorneys for Defendants

_____
HENRY A. MARTIN
Guardian Ad Litem

CERTIFICATE OF THE CLERK AND MASTER

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

I, RAYMOND L. BARRETT, Clerk and Master of the Chancery Court of Davidson County, Tennessee, do hereby certify that the foregoing is a full, true and correct copy of the Decree entered the 2nd day of June, 19 77, in Minute Book 2, Page 582, in the cause wherein THIRD NATIONAL BANK IN NASHVILLE,ETC as Administrator Pendente Lite of the Estate of John Bradley Dicks,Dec'd the Plaintiff, and MARGARET L. KNOX,ET AL the Defendants, Rule Number 77-787-III, as the same appears of record and now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Court at my office in the Courthouse at Nashville, Tennessee, this the 2nd day of June, 19 77, and 201st year of American Independence.

RAYMOND L. BARRETT, Clerk and Master

BY: Dori Ann Wiles

Deputy Clerk and Master