Map 144-14
Parcel 5

BOOK 5533 PAGE 774

FIRST AMERICAN NATIONAL BANK, CONSERVATOR OF RANDALL STANLEY STONE	§	NO. 61420
VS	§	IN THE PROBATE COURT OF
	§	DAVIDSON COUNTY, TENNESSEE
MARION STONE HALL and RANDALL STANLEY STONE, an Incompetent Person	§	

ORDER CONFIRMING SALE AND DIRECTING DISTRIBUTION OF FUNDS

This cause was heard before the Honorable Shelton Luton, Judge, on this November 9, 1979, upon motion of First American National Bank, Conservator of Randall Stanley Stone, to confirm the Report of the Probate Master as to the sale; to fix, allow and direct payment of reasonable fees for its attorney, the Guardian Ad Litem and the attorney for Marion Stone Hall; to direct that out of the proceeds of the sale Claude Callicott be reimbursed for expenses for having special advertising made, for the cost of depositions for which he has paid and for the payment to The Nashville Record for the advertisement of the sale; to order and direct payment out of Mrs. Marion Stone Hall's portion of the proceeds to said bank as Conservator in satisfaction of her indebtedness as specified in the previous Report of the Probate Master which was confirmed by the Court; to direct payment to the Attorneys Title Company for guaranties of title to be furnished the purchasers of the property; to pay all taxes owing on the property; and to pay the remaining Court costs; and to distribute the remaining funds to the parties thereunto entitled.

The Court finds that the Report of the Probate Master (Deputy County Court Clerk) was filed on the 1st day of November, 1979, and that no exceptions have been filed.

Said Report reads as follows:

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS
$ 36,500.00
Affiant
SUBSCRIBED AND SWORN TO BEFORE ME, THIS
THE 21st DAY OF November 1979.
Deputy Register

Burger + Gay Fields
Rec'd [illegible]
2417 [illegible]
[illegible]

CLERK'S REPORT OF SALE

First American National Bank, Conservator for
RANDALL STANLEY STONE
versus
Marion Stone Hall, et al

RULE No. 61420

To the HONORABLE SHELTON LUTON, *Judge:*

By a decree entered in this cause at the September *Term, 19*79*,* *at page* 78 *of Min. Book No.* 261, and as amended by degree of record in ~~the Clerk was ordered to~~ Minute Book 261, Page 639, the Clerk was ordered to *sell at public auction upon the terms hereinafter set out, the following described property, situated in Davidson County, Tennessee to wit:*

Said tract number 2 is described as follows:

Land in Davidson County, Tennessee, being Lot No. 116, on the Map of Victoria Place, as of record in Book 332, page 10, Register's Office for said County.

SAID Lot No. 116 fronts 70 feet on the northerly side of Cedar Lane, formerly Victoria Avenue, and runs back 181 feet on the westerly line and 185.3 feet on the easterly line to an alley, and measures 69.9 feet thereon.

BEING the same property conveyed to R. L. Gleaves and wife, Marjorie Goodrich Gleaves, by deed from Ollie Grigg Fulghum and husband, Edin L. Fulghum, of record in Book 1225, page 249, Register's Office for Davidson County, Tennessee. The said R. L. Gleaves and Marjorie Goodrich Gleaves having since died. The said R. L. Gleaves having predeceased Marjorie Goodrich Gleaves. Said property devised to Marion Hoobler Stone and Randall Stanley Stone, by will of Marjorie Goodrich Gleaves, deceased, under her will of record in Will Book 85, page 92, County Court Clerk's Office for Davidson County, Tennessee. Marione Hoobler Stone is the same person as Marion Stone Hall.

Said tract number 3 is described as follows:

Land in Davidson County, Tennessee, being Lot 1, on the Map of Forest Acres Subdivision, Section 1, a plan of which is recorded in Book 1130, page 104, Register's Office for said County, more particularly described as follows:

BEGINNING at a point in the northerly margin of Forest Acres Drive, said point being the common corner of Lots Nos. 1 and 2 on said plan; thence easterly along the north margin of said Drive, 367.78 feet to a point which is the beginning of a curve with a radius of 20 feet; thence along said curve 31.94 feet to a point in the westerly margin of Franklin Pike; thence continuing along the westerly margin of said Pike, North 204.46 feet to a point; thence westerly 388.32 feet to a point; thence southerly 225 feet to the point of beginning.

Being the same property conveyed to Marjorie Goodrich Gleaves by deed from Sylvia Sims Lance, of record in Book 2595, page 599, Register's Office for Davidson County, Tennessee. The said Marjorie Goodrich Gleaves having since died and devised said property to Marion Hoobler Stone and Randall Stanley Stone, under her will of record in Will Book 85, Page 92, Probate Court Clerk's Office for Davidson County, Tennessee. Marion Hoobler Stone is the same person as Marion Stone Hall.

RECORDER'S MEMO:
Legibility of Writing, Typing or Printing in This Document Unsatisfactory When Received.

In obedience to said order, I respectfully report that I advertised, for the required time, in the Nashville Record *a newspaper published in the City of Nashville, stating that* at the south door of the courthouse

in Nashville, at 12 o'clock noon *M., on* Tuesday, October 30, *196*79, *I would* sell for cash

said above described property upon said terms, at which time and place I attended and offered the same, when both tracts, *was fairly struck off and sold* tract No. 2 to Ruby C. Lynn and Richard B. Lynn for $27,600.00 cash to which bid the said Ruby C. Lynn has complied; and tract No. 3 to Roy Jones for Bill D. Saunders and wife, Linda Saunders for $36.500.00 cash to which bid the said Roy Jones has complied

R. E. Worrall *Clerk*

By P. Gillet Campbell Jr. *D. C.*

Since the hearing on the motion to confirm, the Court has been informed by the Probate Master as well as by the attorney for the plaintiff, that the check which Ruby C. Lynn gave for tract number 2 was returned unpaid by the bank upon which it was drawn, there being insufficient funds in the account out of which to pay said check. The Court has further been informed that the said Ruby C. Lynn has promised payment of said check not later than the end of the present week. The Court is further informed that the purchaser of tract number 3 is insisting on confirmation of the sale as to tract number 3. IT IS ACCORDINGLY ORDERED, ADJUDGED AND DECREED that the said Report be and hereby is approved and confirmed by the Court insofar as the sale of tract number 3 is concerned but it is not confirmed as to the sale of tract number 2.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all the right, title and interests of all the parties in this suit in and to said tract of land number 3 as hereinabove described be and hereby is divested out of them and is vested in Bill D. Saunders and wife, Linda Saunders, as an indefeasible inheritance in fee simple forever subject, however, to the following:

1. Restrictive covenants contained in instrument of record in Book 1540, page 426, Register's Office for Davidson County, Tennessee, containing a perpetual easement of 10 feet over the rear of the lot for utilities, clouded, however, by a provision in the instrument that covenants are binding for only 25 years from the date, February 6, 1946.

2. The Plan of record in Book 1130, page 104, said Register's Office, shows an Owner's Certificate, copy attached, a 125 foot minimum building setback line from Franklin Pike, and a 40 foot minimum building setback line from Forest Acres Drive, and a 10 foot easement for public utilities along the northerly line of said lot.

3. A 10 foot permanent easement granted Metropolitan Government of Nashville and Davidson County, Tennessee, of record in Book 5282, page 163, Register's Office for Davidson County, Tennessee, copy attached.

IT IS FURTHER ORDERED that the Clerk of this Court shall make, acknowledge for registration and deliver to the said Bill D. Saunders and wife, Linda Saunders, a deed conveying said tract of land number 3

to them as aforesaid or will give them a duly certified copy of this decree as a muniment of title, at their election, they paying the legal fees therefor. On application of the purchasers of said tract number 3 a writ of possession will be issued to put them in possession of said tract.

The Court finds from the affidavit filed by Claude Callicott, Attorney for the plaintiff, and from his statement in open Court, that he has personally paid expenses of this litigation as follows:

to The Nashville Record	$ 96.00
to Newspaper Printing Corporation	273.28
to Jerry Wood - Signs	169.60
to Virginia Wells for depositions	58.60

a total of Five Hundred Ninety-Seven and 48/100 Dollars ($597.48). The Court finds that he was authorized to spend Three Hundred Dollars ($300.00) for special advertising but that he inadvertently and unintentionally spent Four Hundred Forty-Two and 88/100 Dollars ($442.88) for said advertising. The Court further finds that said expenditure was made in the interest of all the parties to this litigation and the Court hereby specifically approves and ratifies the action of Claude Callicott in exceeding by One Hundred Forty-Two and 88/100 Dollars ($142.88) the Three Hundred Dollars ($300.00) which the Court authorized him to spend for special advertising.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Clerk of this Court shall, out of the proceeds of the sale, pay unto Claude Callicott said sum of Five Hundred Ninety-Seven and 48/100 Dollars ($597.48) to reimburse him for expenses personally paid by him.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk of this Court shall, out of the proceeds of the sale, pay all taxes owing on the two tracts of land for the years 1979 and all previous years.

The Court has heretofore adjudicated that Marion Stone Hall and Randall Stanley Stone owned the two tracts of land as tenants in common, in equal shares. The Court has also heretofore adjudicated that there be paid out of the share of Marion Stone Hall in the proceeds of the sale the sum of Four Thousand Nine Hundred Forty-Six and 5/100 [illegible]rs ($4,946[illegible]) to First American National Bank, Conservator of

Randall Stanley Stone, to reimburse said bank for that portion of taxes which it had paid on the two tracts of land and on a third tract which was also owned by the said Marion Stone Hall and Randall Stanley Stone which should have been paid by Marion Stone Hall.

IT IS FURTHER ORDERED that, unless the said Ruby C. Lynn shall pay the amount of her said check to the Clerk of this Court either in cash or by certified check or by cashier's check not later than Monday, November 26, 1979, the Probate Clerk shall report such fact to the Court so that appropriate action may be taken.

All other matters are reserved

Judge

Approved for entry:

Claude Callicott

Claude Callicott

Attorney for First American Nation Bank,
Conservator of Randall Stanley Stone

I certify that on this November 19, 1979, I mailed a copy of the foregoing Order to Hon. Sam Wallace, Attorney for Marion Stone Hall, Stahlman Building, Nashville, Tennessee 37201; and to Hon. C. Edward Coomer, Guardian Ad Litem, 4015 Travis Drive, Nashville, Tennessee 37211.

Claude Callicott
Claude Callicott

RUSH
F 6 4 4 7 8
IDENTIF. REFERENCE
Nov 21 12 04 PM '79
FILED
DAVIDSON COUNTY, TENN.
79 NOV 19 PM 2 49
D.C.
PROBATE CT.
D.C.
11/21 116.40 - CHECK
7132

BOOK 5533 PAGE 780

STATE OF TENNESSEE, DAVIDSON COUNTY

I, ROBERT E. WORRALL, Clerk of the Probate Court of Davidson County, State aforesaid, do certify that the foregoing is a full, true and complete copy of Order confirming sale and directing distribution of Funds in re estate of RANDALL STANLEY STONE, Inc. Of Record in Minute Book 262.

which remains of record on file in said office.

Given under my hand and official seal, at office, in Nashville, this 21st *day of* November *19* 79

R. E. Worrall

Clerk of the County Court.

By Catherine Daisy

Deputy Clerk.

OFFICIAL RECEIPT
FELIX Z. WILSON, II
REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

BOOK 5533 PAGE 781

RECEIVED OF _____

FOR _____

CO - CONVEYANCE	CC - CERTIFIED COPY	MISC - MISCELLANEOUS
MO - MORTGAGE	REL - RELEASE	CO TX - STATE TAX CONVEY
WD - WARRANTY DEED	UCC - UNIFORM COMMERCIAL CODE	MO TX - STATE TAX MORT
TD - TRUST DEED		PRFEE - PROBATE FEE

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL PAID
			36500.00- CO	
			54.90 CO TX	
			.50 PRFEE	
			21.00 MISC.	
			CHECK 115.40-	
7133A	11/21/79		BAL .00	

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

F 64478

IDENTIF. REFERENCE

NOV 21 12 04 PM '79

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

No: 726972