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TESTATE

Memorandum of Facts to be Furnished by Counsel for Person Moving for PROBATE OF A WILL, *and the Qualification of the* EXECUTOR *or Appointment of an* ADMINISTRATOR *c. t. a.*

Date September 23, , 19 63

1. Full name and age of decedent Eliza Cleveland Tate - 79
2. Color of decedent, and whether married or single White - Widow
3. His last place of residence 2114 Nelson Street
4. Date and place of his death September 20, 1963 - Glen-Arnold Nursing Home 1830 Monument Avenue
5. Date of will and how to be proven April 24, 1961 - By 2 of attesting witnesses: Jean C. Willingham and Mrs. James E. Tribble
6. Number and dates of any codicils and how to be proven
7. Are these all the testamentary papers? Yes
8. In whose possession were the testamentary papers at testator's death? Safe Deposit Box
9. Name of Executor appointed by will Nelson Hall Tate Sharpless Road - Hockessin, Delaware
10. Full name of Administrator c. t. a., nominated and by whom nominated? Nelson Hall Tate, Sharpless Road, Hockessin, Del. and Elizabeth Tate Attkisson 603 Beecham Drive, Richmond
11. Has Executor power to sell real estate? ----
12. Value of decedent's personal estate - - - - - - - - $15,000.
13. Value of decedent's real estate - - - - - - - - - - 10,950.
14. Total value of decedent's real and personal estate - - - $ 25,950.
15. Is the ~~Executor~~ Admr. c. t. a. relieved from giving security? No
16. Full name and residence of surety offered Fidelity and Deposit Company of Maryland
17. Bond of Executor or Administrator c. t. a. (to be fixed by {Clerk / Court} - - $ 20,000.00
18. Names of five appraisers:
    1. Waived by Will
    2.
    3.
    4.
    5.

TAX 26.00
FEES 22.50
TRANSFER 1.00
$49.50

19. Name of person making motion and grounds of being entitled to make it Executor named

Miss Clevenger, I wish to decline to qualify as Executor of my mother's estate, as I am a non-resident of the State of Virginia, and wish to qualify with my sister as Admr. c. t. a.

Nelson Hall Tate
Elizabeth Tate Attkisson
Signature.

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

I, Eliza Cleveland Tate, of the County of Henrico, State of Virginia, being of sound mind and disposing memory, do make, publish and declare this to be my last will and testament, hereby revoking all wills or codicils by me at any time heretofore made.

ARTICLE I

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I direct my Executor, hereinafter named, to pay as soon after my death as is practicable, all of my just debts, due and owing at the time of my death, if any, and funeral expenses.

ARTICLE II

To my faithful and loyal nurse, Mrs. Mae Seay, of Richmond, Virginia, I do hereby give, devise and bequeath the sum of $500.00 cash, absolutely and in fee simple.

ARTICLE III

To my beloved sister, Francis Cleveland, of Nashville, Tennessee, I do hereby give, devise and bequeath all shares of stock I may own in the Monsanto Chemical Company, with the fond hope that they may provide her with additional income.

ARTICLE IV

I do hereby give, devise and bequeath all of any right, title and interest I may have in the residence located at 1702 Linden Avenue, Davidson County, Nashville, Tennessee, to which I may be entitled under the will of my deceased sister, Martha W. Cleveland, to Francis Cleveland, my beloved sister, of Nashville, Tennessee, absolutely and in fee simple.

ARTICLE V

All the rest and residue of my estate, real, personal and mixed, wheresoever situate, I do hereby give, devise and bequeath unto my son, Nelson Hall Tate, of Wilmington, Delaware, and to my

daughter, Elizabeth Tate Attkisson, of Henrico County, Virginia, in equal shares, share and share alike, absolutely and in fee simple.

ARTICLE VI

I do hereby nominate and appoint my son, Nelson Hall Tate, to be the Executor of this my last will and testament, and I desire that he be permitted to qualify as Executor without giving security, and I do hereby waive the requirement of an appraisement of my estate.

ARTICLE VII BOOK 8570 PAGE 324

I do hereby authorize and empower my Executor to borrow money, to renew existing obligations, if any, to mortgage and pledge any and all securities, to enter into leases, mortgages or other dispositions of real estate, for any length of time he may, in his sole and absolute discretion, deem advisable. I do further authorize and empower my said Executor to keep my estate coming into his hands invested as at the time of its receipt regardless of the character of said investment, or whether it be such as is authorized by law for investment by fiduciaries, and to sell, mortgage, exchange, or otherwise dispose of all or any part thereof, real, personal and mixed, and within his sole and absolute discretion, to invest, and re-invest all of the funds in his hands as he may deem best, in his sole and absolute discretion, without being restricted to those securities expressly approved by law for investment by fiduciaries, and to change investments from realty to personalty, and vice versa.

ARTICLE VIII

I do also empower my said Executor to execute any instrument necessary to carry out the provisions conferred by this will.

IN WITNESS WHEREOF, I have hereunto set my hand and seal

to this, my last will and testament, consisting of three pages, without any interlineation, all on this 21st day of April, 1961, at Henrico County, Virginia.

Eliza Cleveland Tate (SEAL)
Eliza Cleveland Tate

We, the undersigned, do hereby certify that Eliza Cleveland Tate has signed, sealed, published, declared and acknowledged the foregoing as and for her last will and testament in the presence of us, three competent witnesses, who, in her presence, and at her request, and in the presence of each other, all present together at the same time, have hereunto subscribed our names as attesting witnesses, this _____ day of _____, 1961.

2116 Nelson Street - Jesse C. Willingham

2110 Nelson Street James E. Tibble

Mrs James E. Tibble

VIRGINIA:

IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT
OF THE COUNTY OF HENRICO

On The 23rd Day Of September, 1963

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A paper writing bearing date the 24th day of April, 1961, purporting to be the last will and testament of Eliza Cleveland Tate, late of the County of Henrico deceased, who died on the 20th day of September, 1963, was this day produced in the office aforesaid for proof, and proved by the oaths of Jean C. Willingham and Mrs. James E. Tribble, two of the subscribing witnesses thereto; whereupon, it is ordered that said writing be established as the true last will and testament of the said testator and that the same be recorded as such.

Thereupon, appeared Nelson Hall Tate, the executor in said will named, a non-resident of the State of Virginia, and declined to qualify as such; and on his motion, administration on this estate, with the will annexed, is granted Nelson Hall Tate and Elizabeth Tate Attkisson.

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Thereupon, the said Nelson Hall Tate and Elizabeth Tate Attkisson made oath according to law, and with Fidelity and Deposit Company of Maryland, their surety, entered into and acknowledged a bond in the penalty of Twenty Thousand ($20,000.00) Dollars, conditioned according to law, which said bond is ordered to be recorded. The said surety, acting by C. R. Branch, its duly authorized attorney-in-fact, executed said bond by signing thereto its corporate name and affixing thereto its corporate seal and duly acknowledged the same. Certificate is granted the said Nelson Hall Tate and Elizabeth Tate Attkisson for obtaining letters of administration on this estate, with the will annexed, in due form.

It being the wish of the testator that no appraisement of her estate be made, the appointment of appraisers is dispensed with.

Given under my hand this 23rd day of September, 1963.

Helen S. Clevenger

Clerk

Form C-44

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A LIST OF ALL THE HEIRS OF Eliza Cleveland Tate, deceased, to be filed with the Clerk of the Circuit Court of the County of Henrico.

Name	Relationship	Age	Last Known Address
Nelson Hall Tate	Son	51	Sharpless Road Hockessin, Del.
Elizabeth Tate Attkisson	Daughter	49	603 Beechum Drive Richmond, Va.

I hereby certify that the foregoing list is complete and true to the best of my knowledge and belief.

Nelson Hall Tate

Elizabeth Tate Attkisson

Personal Representative.

Sworn to and subscribed before me this 23rd day of September, 19 63.

Margaret B. Baker

Notary Public

The foregoing list of heirs was presented to the Clerk of the Circuit Court of the County of Henrico on the 23rd day of September, 19 63, and admitted to record as the law directs.

Helen D. Clemenger

Clerk.

RECORDER'S MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

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COMMONWEALTH OF VIRGINIA:
COUNTY OF HENRICO, To-wit:

I, Yvonne G. Smith, Clerk of the Circuit of the County of Henrico, in the Commonwealth of Virginia, do hereby certify that the foregoing is a true copy of the Last Will and Testament of **ELIZA CLEVELAND TATE,** deceased, which was probated in the Clerk's Office on the **23rd** day of **September,** 19 **63** , together with the probate order and List of Heirs thereto attached.

Given under my hand this **3rd** day of **February,** , 19 **92.** .

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YVONNE G. SMITH, Clerk

By: Carol Anne M. Jenkins
Deputy Clerk

90905

IDENTIFICATION REFERENCE

MAR 9 3 29 PM '92

DAVIDSON COUNTY, TN

7743 03/09 0101 03CHECK 24.00

Commonwealth of Virginia — to-wit:

In the Clerk's Office of the Circuit Court of the County of Henrico:

I, Yvonne G. Smith, *Clerk of the circuit Court of the County of Henrico, in the State of Virginia, do hereby certify that the foregoing is a true transcript from the records of said Court.*

In testimony whereof, *I have hereto set my hand and affixed the Seal of the said Court, this* 3rd *day of* February, *19* 92.

Yvonne G. Smith *Clerk.*

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Commonwealth of Virginia — to-wit:

I, James E. Kulp, *one of the Judges of the Circuit Court of the County of Henrico, in the State of Virginia, do hereby certify that* Yvonne G. Smith, *whose name is signed to the foregoing certificate, is, and was at the time of signing the same, Clerk of said Court, duly qualified; that her attestation is in due form of law; that her signature is genuine, and that all her official acts are entitled to full faith and credit.*

Given under my hand this 3rd *day of* February, *19* 92.

James E. Kulp, *Judge.*

Commonwealth of Virginia — to-wit:

In the Clerk's Office of the Circuit Court of the County of Henrico:

I, Yvonne G. Smith, *Clerk of the Circuit Court of the County of Henrico, in the State of Virginia, do hereby certify that the* **Honorable** James E. Kulp, *whose name is signed to the foregoing certificate, is, and was at the time of signing the same, one of the Judges of the said Court duly qualified.*

Given under my hand this 3rd *day of* February, *19*92.

Yvonne G. Smith *Clerk.*