IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

IN THE MATTER OF: JAMES ROBERT MOSS, CONSERVATORSHIP

NO. 93P-161

MB-370-408

ORDER

This cause came on to be heard on the 2nd day of March, 1993, before the Honorable James R. Everett, Jr., Judge of the Probate Court for Davidson County, Tennessee, upon the Petition of Florence M. Moss for the appointment of a Conservator for her husband, James Robert Moss, the report of Paul T. Housch, Guardian ad Litem, the statement of counsel for the Petitioner, the medical reports attached to the Petition, and the entire record in the cause. From all of the foregoing, the Court finds that James Robert Moss is incapable of managing his estate and is in need of a Conservator, and that Florence M. Moss should be appointed Conservator of the person and estate of James Robert Moss.

The Court is of the opinion that the interests of James Robert Moss would best be served by the transfer of all assets into the name of the Petitioner, Florence M. Moss, to facilitate the preservation of the assets and the use of the income therefrom for the support of James Robert Moss and Florence M. Moss and the maintenance of the household where they reside.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that James Robert Moss is incapable of managing his own estate due to advanced age, physical incapacity and mental weakness, and is in need of a Conservator. The Petitioner, Florence M. Moss, is hereby appointed Conservator of the person and of the estate of James Robert Moss, without the necessity of making bond.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Ward, James Robert Moss, be deprived of the right to dispose of property, to execute legal instruments, including the writing and signing of checks, to make purchases, to enter into contractual relationships, to hold a

valid Tennessee Driver's License, to vote, and to give consent to ordinary and necessary medical or mental examinations and treatment. The Conservator is hereby empowered to perform these necessities for and in behalf of the Ward.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Conservator be authorized to transfer all bank accounts and certificates of deposit into her own name, whether previously held in the joint names of James Robert Moss and Florence M. Moss or held in the sole name of James Robert Moss.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Installment Deed Note from David G. Knoble, Jr., and wife, Suzanne E. Knoble, to James R. Moss and Florence M. Moss, in the principal sum of $122,000.00, executed on the 8th day of July, 1992, and secured by an Installment Deed upon property at 1008 Woodland Street, Nashville, Tennessee 37206, be, and the same is hereby, transferred into the sole name of Florence M. Moss. The said Florence M. Moss shall be authorized to accept and receipt for each monthly payment upon the said Installment Deed Note and to execute a Release of the Installment Deed when the said note has been paid in full.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the real estate at 442 Moss Trail Road, Goodlettsville, Tennessee 37072, be, and the same is hereby transferred to Florence M. Moss, her heirs and assigns; and all right, title and interest of James Robert Moss in the same property is hereby divested out of him. Florence M. Moss is hereby authorized to record a certified copy of this Order in the Office of the Register for Davidson County, Tennessee, as evidence of the transfer of title to the said property. The legal description of the property is as follows:

> Land in Davidson County, Tennessee, being Lot No. 35 on the Map of Goodlettsville Heights, Section No. 2, as of record in Book 142, pages 120 and 121, Register's Office for said County.
>
> Said Lot No. 35 fronts 115 feet on the westerly side of Moss Trail Road and runs back between parallel lines 350 feet to a dead line.

Being the same property conveyed to James R. Moss by deed from W. D. Tidwell, Sr., and wife, Ella Mai Tidwell, of record in Book 4929, page 951, said Register's Office. This is improved property, known as 442 Moss Trail Road, Goodlettsville, Tennessee 37072, and is Parcel No. 45, Map No. 26-9, on the official property maps for Davidson County, Tennessee.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Conservator be authorized to pay all reasonable expenses required for the Ward's care, comfort, maintenance, support, medical care, and physical and mental well-being, utilizing the monthly social security payments to James Robert Moss, together with the assets of James Robert Moss being hereby transferred into her name, as may be required. The Conservator is hereby excused from filing annual reports and accountings with the Probate Clerk.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Paul T. Housch be awarded a reasonable fee for services as Guardian ad Litem in the amount of $ 667.00, and that George H. Cate, Jr., be awarded a reasonable attorney's fee for services rendered in this cause in the amount of $ 1,085.00.

ENTER this _____ day of March, 1993.

JAMES R. EVERETT, JR., JUDGE

Approved for entry:

CATE & SETZER, ATTORNEYS

By: George H. Cate, Jr.
GEORGE H. CATE, JR. (#2775)
1101 Stahlman Building
Nashville, TN 37201
615/255-0354
Attorney for Petitioner

By: Paul T. Housch
PAUL T. HOUSCH (#11538)
211 Third Ave., North
Nashville, TN 37201
615/256-2111
Guardian ad Litem

CERTIFICATE

I, George H. Cate, Jr., do hereby certify that a true and correct copy of this Order has been mailed, postage prepaid, to Paul T. Housch, Guardian ad Litem, 211 Third Ave., North, Nashville, TN 37201, this 2nd day of March, 1993.

George H. Cate, Jr.

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STATE OF TENNESSEE, DAVIDSON COUNTY
RICHARD R. ROOKER

I ~~George L. Rooker, Clerk~~ of the Probate Court of Davidson County, State aforesaid, do certify that the foregoing is a full, true and complete copy of the original on file in my office. Minute Book 370 Page 408
Given under my hand and official seal at office, in Nashville, this 17 day of March 19 93

RICHARD R. ROOKER
~~GEORGE L. ROOKER~~ CLERK

By Betty Weatherly
Deputy Clerk

0257.6

IDENTIFICATION REFERENCE

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DAVIDSON COUNTY, TN

PICK-UP