IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE

RICHARD MANSON,
PUBLIC ADMINISTRATOR

Plaintiff,

vs.

ARTHUR MASON, JESSE MASON, JR., JAMES MASON,
BETTY MASON CARDEN, GEORGIA MASON TATE
SARAH MASON VAUGHN, HERMAN MASON,
LOUISE MASON BRANNON, KATHERINE MASON UPCHURCH,
HENRIETTA MASON LEWIS, BARBARA MASON LANDRY,
THE ESTATE OF JESSE MURPHY, and

JOY SIMS - GUARDIAN AD LITEM FOR THE UNKNOWN HEIRS

Defendants.

No. 99869

'93 MAY -3 P1:08

GEORG

TC

IN THE MATTER OF:
THE ESTATE OF VIRGINIA M. PAYNE,
Deceased.

3058 06/03 0101 03CHECK 12.00

ORDER

This cause came to be heard on the 21st day of April, 1993, before the Honorable James Everett, upon the Petition for Instructions and Advice filed by the Plaintiff, Richard Manson, Public Administrator. Based upon the Petition, the Court finds the following:

A. The defendants have been properly notified of this proceeding and were represented by counsel at the hearing;

B. The decedent died on August 16, 1992, without leaving a will;

C. The decedent was an only child, adopted by Robert and Bettie Mason (both deceased). The decedent died without any children or living spouse;

D. There has been one claim filed against the estate in the amount of $30,000.00. Petitioner filed an exception to said claim;

E. The decedent's personal property has an estimated value of $25,000.00. In addition to said personal property, there is $107,000.00 cash on deposit for decedent's estate;

F. The decedent owned the following real estate located in Davidson County, Tennessee, known as 2122 Meharry Boulevard, Nashville, Tennessee:

> Land in Davidson County, Tennessee, being the westerly forty feet of lot No. 27 in Jowett's subdivision of lot No. 3 of the Elizabeth Harding Plan, which is of record in Book 57, Page 67, of the Register's Office for Davidson County Tennessee.
>
> Said part of lot fronts forty feet on the northerly side of Heffernan Street and runs back northerly between parallel lines 182 feet, more or less, to an alley being the same property conveyed to Robert Mason and wife, Bettie Mason by deed from Bransford Realty Company, recorded in Book 917, Page 168, Register's Office for Davidson County, Tennessee.
>
> Being the same property conveyed to Virginia Mai Mason (Payne) by deed from Robert Mason and wife, Bettie Mason, as of record in Book 2708, Page 241, Register's Office for Davidson County, Tennessee, the said Virginia Mai Mason (Payne) having since died and property now vested in the heirs at law of Virginia Mai Mason (Payne).

The real property is vacant and located in an area that subjects the property to destruction, damage and theft;

G. Based on the average of two independent appraisals, the fair market value of the property is $38,500.00;

H. The Plaintiff has obtained liability insurance on the real and personal property, however, due to the fact that the Plaintiff has been unable to secure a reliable tenant, the real property has remained vacant. Plaintiff will be unable to secure additional insurance once the current policy expires because the property is vacant. Liability will then rest upon Plaintiff for all damages upon the property;

I. To preserve the best interests of the estate, the real estate and the personal property should be sold, so that the real and personal property will no longer be subjected to destruction, damage and theft. Furthermore, because of the current number of heirs at law and the possibility of the class of heirs at law increasing, it will be extremely difficult for the Plaintiff to secure title insurance to transfer the real property, without court authorization.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the personal property of the decedent shall be sold at public auction.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the following described parcel of real estate owned by the decedent is to be sold:

> Land in Davidson County, Tennessee, being the westerly forty feet of lot No. 27 in Jowett's subdivision of lot No. 3 of the Elizabeth Harding Plan, which is of record in Book 57, Page 67, of the Register's Office for Davidson County Tennessee.
>
> Said part of lot fronts forty feet on the northerly side of Heffernan Street and runs back northerly between parallel lines 182 feet, more or less, to an alley being the same property conveyed to Robert Mason and wife, Bettie Mason by deed from Bransford Realty Company, recorded in Book 917, Page 168, Register's Office for Davidson County, Tennessee.
>
> Being the same property conveyed to Virginia Mai Mason (Payne) by deed from Robert Mason and wife, Bettie Mason, as of record in Book 2708, Page 241, Register's Office for Davidson County, Tennessee, the said Virginia Mai Mason (Payne) having since died and property now vested in the heirs at law of Virginia Mai Mason (Payne).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Bill Colson Realty and Auction Company be authorized to immediately list, advertise, sale and/or auction the property at 2122 Meharry Boulevard, Nashville, Tennessee, in order to prevent further deterioration of the asset;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that if the property is auctioned at public sale the bidding shall start at $35,000.00;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED all contracts for sale obtained before said public auction shall be presented to this Court for approval.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Public Administrator can sign, execute, acknowledge and agree to such documents, closing statements, lien, waivers, contract affidavits and any and all necessary papers or instruments which may be

necessary for the sale and closing of the subject property herein described.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Public Administrator will sign, execute, acknowledge the deed conveying title of the subject property herein described.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all costs shall be charged to the Estate of Virginia M. Payne.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that such additional relief as the Court deems proper under the circumstances be granted.

Entered this 3 day of June 1993.

JUDGE EVERETT

APPROVED FOR ENTRY:

THE LAW OFFICE OF RICHARD MANSON

RICHARD MANSON
Public Administrator
S. Ct. Reg. No. 4351
1314 Fifth Avenue North
Germantown Center, Suite 300
Nashville, Tennessee 37208-2726
(615) 254-1600

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

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Order has been sent by first class mail, postage prepaid to the parties listed below on the 26th day of April, 1993.

Richard Manson
Attorney at Law

Mr. Arthur Mason
818 East 82nd Street
Los Angeles, CA 90001

Mr. James Mason
480 Scheck Street
Akron, OH 44307

Mrs. Henrietta Mason Lewis
2025 West Jefferson Street
Phoenix, AZ 85009

Mrs. Barbara Mason Landry
1881 West 93rd. Street
Los Angeles, CA 90047

J. Allen Reynolds, III
Attorney for Sherry A. Watkins
EVANS, JONES & REYNOLDS
1810 Dominion Tower
150 5th. Avenue North
Nashville, TN 37219-2424

Mr. Jesse Mason, Jr.
18600 Colima Road, Apt. H-212
Rowland Heights, CA 91748

Mr. Jerre M. Hood, Esq.
124 1st Avenue, NW
Winchester, TN 37398

Mrs. Betty Mason Carden
213 Homeward Avenue
Winchester, TN 37398

Mrs. Sarah Mason Vaughn
305 8th Avenue Northwest
Winchester, TN 37398

Mr. Herman Mason
313 Hooper Road
Winchester, TN 37398

Joy M. Sims, Esq.
912 Stahlman Building
Nashville, TN 37201

STATE OF TENNESSEE, DAVIDSON COUNTY
I, RICHARD R. ROOKER, Clerk of the Circuit Court of Davidson County, Tennessee, do hereby certify that the foregoing is a true and correct copy of the original on file in my office. Book 8571 Page 635
Witness my hand and official seal, at office, in Nashville, this 2nd day of June 19 93.
RICHARD R. ROOKER, CLERK

JUN 3 12 09 PM '93
ELLA Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

IDENTIFICATION REFERENCE

2.6.2.4.2