IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE, AT NASHVILLE

IN RE:	)	
ESTATE OF NELLIE GRIFFIN	)	
JONES, a/k/a NELLIE E. JONES,	)	NO. 93P-1636
MRS. E. B. JONES, and	)	
NELLIE JONES, Deceased,	)	

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RICHARD ... CLERK

D.C.

AGREED ORDER

This cause came to be heard on the 8th day of August, 1994 upon the Petition for Probate in Solemn Form filed by Philip E. Coleman on the one hand and Charlotte Jolly, William E. Jones, and Nellie Jones, on the other hand. Whereupon, at the hearing in open court, attorneys for the parties announced that Charlotte Jolly, William E. Jones, Nellie Jones, Carl A. Baker, and Delores Jones Coleman have agreed to compromise their differences and had entered into this Agreed Order in consummation thereof. Philip E. Coleman advised the Court that he is the husband of Delores Jones Coleman, that he feels he has a conflict of interest in continuing as proponent of the purported Last Wills and Testaments of Nellie Griffin Jones dated April 17, 1985 and January 7, 1985, and requested leave of Court to withdraw as petitioner upon the entry of an order embodying the agreement of Charlotte Jolly, Nellie Jones, William E. Jones, Carl A. Baker, and Delores Jones Coleman. The Court inquired of all interested parties if there were any objection to entry of the agreed order propounded by Charlotte Jolly, Nellie Jones, William E. Jones, Carl A. Baker, and Delores Jones Coleman and there were no objections raised.

After hearing in open court, the Court found as follows:

A. the agreement of Charlotte Jolly, Nellie Jones, William E. Jones, Carl A. Baker and Delores Jones Coleman, as embodied hereafter in this order, is in the best interest of the estate of Nellie Griffin Jones;

B. all parties served in this action have notice that the purported Wills of Nellie Griffin Jones dated January 7, 1985 and April 17, 1985 are contested due to the service on said parties

of two petitions propounding different Wills and averments denying the validity of the Wills proffered by the petition of Philip E. Coleman;

C. no legatee or devisee under the purported Wills of Nellie Griffin Jones dated January 7, 1985 and April 17, 1985 have entered into bond as required by T.C.A. § 32-4-102;

D. the request of Philip E. Coleman to be permitted to withdraw as petitioner due to a potential conflict of interest is well taken and should be granted; and

E. there being no Will contest before the Court, the Court may proceed with the probate in solemn form of the Will propounded by Charlotte Jolly, Nellie Jones, and William E. Jones.

WHEREUPON, the Court took proof from Jack L. Minton, Jr. and W. Lane Abernathy, as subscribing witnesses to the paper writing entitled Last Will and Testament of Mrs. Nellie Jones with apparent execution date of January 11, 1950 or January 11, 1960, and from Charlotte Jolly as to the death and residence of the decedent and found as follows:

a. said paper writing was written during the lifetime of Nellie Griffin Jones, signed by the witnesses subscribing thereto at the request of and in the sight and presence of Nellie Griffin Jones, and in the sight and presence of each other and as attesting witnesses thereto; said instrument was executed in the presence of the said witnesses by Nellie Griffin Jones, as and for her Last Will and Testament, who at the time of execution of said instrument was of sound mind and disposing memory and whose usual residence was in Davidson County, Tennessee.

b. Nellie Griffin Jones died on November 26, 1993 while a resident of Davidson County, Tennessee, and at the time of her death, her usual place of residence was Davidson County, Tennessee.

c. Said paper writing is hand-dated in a manner which could be construed to indicate an execution date of either January 11, 1950 or January 11, 1960, but this is of no consequence to the probate of said Will.

NOW, THEREFORE, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. The said paper writing bearing apparent execution date of January 11, 1950 or January 11, 1960 is hereby admitted to probate as the Last Will and Testament of Nellie Griffin Jones.

2. The following persons named in the Will predeceased Nellie Griffin Jones and died without issue: Elmer B. Jones, Jonas J. Griffin, and H. B. Griffin.

3. The following persons named in the Will survived Nellie Griffin Jones: Mrs. Lena Jones Cato and Carl A. Baker.

4. The following constitutes a list of all persons named in the Will who predeceased Nellie Griffin Jones leaving issue which survived Nellie Griffin Jones. After the listing of the name of each such person predeceasing said Testatrix, the issue of such person entitled to take all or a portion of the entitlement of his/her ancestor is stated, each individual listed being entitled to share equally with other issue listed from the same ancestor except for persons listed as children of issue, which are entitled collectively to take the share of their listed parent.

(1) Herman Jones (deceased)
Issue: Connie Jones Rozelle

(2) Lem Jones (deceased)
Issue: Dale Jones
Richard Jones

(3) Brian Jones (deceased)
Issue: William Edward Jones
Joyce Marie Jones Ramsey

(4) Eddie Ray Jones (deceased)
Issue: Eddie Ray Jones, Jr.
Phillip S. Jones
Lee Jones

(5) Sadie Jones Smith (deceased)
Issue: Jackie Flemming
Robert L. Smith
Children of Jimmy Smith, being:
Larry Smith
Gayle Smith Goodwin
Timothy Smith
Renee Smith
Children of Gene Smith, being:
Greg E. Smith
Anita Smith

(6) Phillip Jones (deceased)
Issue: Delores Jones Coleman

(7) Mrs. Laura Meadows (deceased)
Issue: Charlotte Jolly
Children of Thomas Meadows, being:
Hannah Meadows
Ben Meadows
Amy Meadows
Emily Meadows

5. Pursuant to the 1960 Will, the estate of Nellie Griffin Jones shall be distributed as follows:

a. To Charlotte Jolly, a one-half undivided interest in the home place of Nellie Griffin Jones (known as 2305 Eastland Avenue, Nashville, Davidson County, Tennessee) and a one-half undivided interest in all furniture and household equipment on said premises, the said home place being described as follows:

Two tracts or parcels of land in Davidson County, Tennessee more particularly described as follows, to-wit:

TRACT NO. 1: Beginning at a point in the center line of Eastland Avenue as now established, being immediately south of the southeast corner of Lot No. 1 on the Map of Hanley Subdivision, Part One, of record in Book 1424, page 33, said point being south of a concrete monument; thence along the easterly line of said Hanley Subdivision, Part One, North 1 53′ west, 260 feet to a point; thence easterly at right angle 200 feet to a point; thence southerly and parallel with the said east line of Hanley Subdivision 260 feet to the center of Eastland Avenue; thence with the center of Eastland Avenue westerly 200 feet to the point of beginning. Being the same real property conveyed to Nellie E. Jones by deed from Harris Brown Griffin et al., of record in book 1780, page 146, Register's Office of Davidson county, Tennessee.

TRACT NO. 2. Being Lot No. 1 and part of a transmission line immediately northwest and west of said lot No. 1 on the plan of Hanley's Subdivision, Part 1, as of record in book 1424, page 33, Register's Office for said county, described together as follows:

Beginning on the easterly margin of Riverside Drive, at the southwest corner of lot No. 2; thence with said Drive, southwardly 201.01 feet to the beginning of a curve; thence around said curve, in a southeasterly direction, 31.67 feet to a monument in the northerly margin of Eastland Avenue; thence with said Avenue, eastwardly 5.19 feet to another monument; thence north 89° 13′ east 163.73 feet; thence northwardly 214.56 feet to the southeasterly right-of-way of said transmission line; thence westwardly to the beginning.

Being the same real property conveyed to Nellie E. Jones by deed from Edgar E. Brown and wife, of record in book 1849, page 163, said Register's Office.

Being a portion of the land reconveyed to Nellie E. Jones by Quitclaim Deed of record in Book 7105, page 741, Register's Office of Davidson County, Tennessee.

b. To Hannah Meadows, Ben Meadows, and Amy Meadows, collectively, in equal shares, share and share alike, a one-half undivided interest in the home place of Nellie Griffin Jones described in subparagraph 5(a) above, and a one-half undivided

interest in all furniture and household equipment on said premises;

c. To Delores Jones Coleman, the improved real property known as the Capital City Mattress Company property, 900 Main Street, Nashville, Davidson County, Tennessee and all rents accrued thereon from March 1, 1994 to the time of distribution. The Capital City Mattress company property is described as follows:

Two tracts or parcels of land in Davidson County, Tennessee more particularly described as follows, to-wit:

TRACT NO. 1: Being the southerly 45 feet of lot No. 4 on the Plan of Barrow's Addition to Edgefield, now East Nashville, as of record in Plan Book 1, page 13, Chancery Court at Nashville.

Said part of lot No. 4 fronts 45 feet on the easterly side of South 9th Street and runs back between parallel lines, with the northerly margin of an alley, 50 feet to the westerly line of lot No. 3.

Being the same real property conveyed to Nellie E. Jones by deed from Gulowna Pomeranz, of record in book 2279, page 359, Register's Office for said county.

TRACT NO. 2: Being Lot No. 3 on the plan of Barrow's Addition to Edgefield, now East Nashville, as of record in Plan Book 1, page 13, Chancery Court at Nashville. Said lot No. 3 fronts 50 feet on the southerly side of Main Street or Gallatin Pike, and runs back between parallel lines 170 feet to an alley.

Also the northerly 125 feet of lot No. 4 of Barrow's Addition to Nashville (formerly Edgefield) as of record in Plan Book 1, page 13, Chancery Court at Nashville, and being more particularly described as follows:

Beginning at the northwest corner of lot No. 4 (which is the southeast corner of 9th and Main Streets) running thence southerly with the easterly margin of 9th Street, 125 feet to a point; thence easterly, at right angles, 50 feet to a point in the easterly margin of lot No. 4; thence at right angles northerly 125 feet to Main Street; thence westerly with the southerly margin of Main Street 50 feet to the point of beginning.

Being the same real property conveyed to Nellie E. Jones by deed from J. D. Southerland, of record in book 1472, page 191, said Register's Office.

Being a portion of the land reconveyed to Nellie E. Jones by Quitclaim Deed of record in Book 7105, page 741, Register's Office of Davidson County, Tennessee.

d. To each of the following persons, one-seventh (1/7) of the residuary estate: Carl A. Baker, Mrs. Lena Jones Cato, and Connie Jones;

e. To each of the following persons, one-fourteenth (1/14) of the residuary estate: Dale Jones, Richard Jones, William Edward Jones, and Joyce Marie Jones Ramsey;

f. To each of the following persons, one-twenty-first (1/21) of the residuary estate: Eddie Ray Jones, Jr., Phillip S. Jones, and Lee Jones;

g. To each of the following persons, one-twenty-eighth (1/28) of the residuary estate: Jackie Flemming and Robert L. Jones;

h. To each of the following persons, one-fifty-sixth (1/56) of the residuary estate: Greg E. Smith and Anita Smith;

i. To each of the following persons, one-one hundred twelfth (1/112) of the residuary estate: Larry Smith, Gayle Smith Goodwin, Timothy Smith and Renee Smith;

6. Kal Helou is hereby appointed administrator C.T.A., with the Will annexed, of the Estate of Nellie Griffin Jones and he shall convert to cash all property of the estate of Nellie Griffin Jones for which distribution is not specifically provided above, whether real property, personal property, or mixed property, upon such terms and in such manner as he, in his discretion shall determine. The bond of Mr. Helou as administrator ad litem shall continue in effect.

7. The services of attorneys Philip Duer, Branch H. Henard, III, Cecil D. Branstetter and Guy Yelton having been of benefit to the estate, the administrator is authorized to pay attorneys fees to Philip E. Duer of $10,500.00, Branch H. Henard, III of $10,000.00, Cecil D. Branstetter of $3,500.00, and Guy Yelton of $7,500.00 for services rendered through July 28, 1994 and anticipated expenses through the closing of the estate of Nellie Griffin Jones, without further hearing or approval.

8. Philip E. Coleman is hereby relieved as petitioner on all pleadings heretofore filed by him.

ENTERED this 8th day of August, 1994.

JAMES R. EVERETT, JR., Judge

APPROVED FOR ENTRY:

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IDENTIF. & REFERENCE

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FELIX ... REGISTER
DAVIDSON COUNTY, TN.

PICK-UP

STATE OF TENNESSEE, DAVIDSON COUNTY

I Richard R. 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 385 Page 432
Given under my hand and official seal, at office, In Nashville, this 7th of November 19 94.

RICHARD R. ROOKER, CLERK

By _____
Deputy Clerk

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