lfp 410-468

IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

BOOK 10211 PG 611

IN RE CONSERVATORSHIP OF JOHN MATTHEW PUTNAM (S.S.# [redacted]-8010)	)	
	)	NO. 96P-805
JOHN MATTHEW PUTNAM, Respondent	)	
ELLEN TRICE, Petitioner	)	

ORDER

This matter having come on for hearing on September 4, 1996 before the Honorable Frank G. Clement, Jr., presiding over the Probate Court of Davidson County, Tennessee upon the Petition for Appointment of a Conservator, responses thereto, Report of the Guardian Ad Litem and accompanying Exhibits, statements of counsels for Petitioner Ellen Trice and James David Putnam, and statement of the Guardian Ad Litem, and the entire record in this cause, the Court finds that John Matthew Putnam is in need of a Conservator of both his person and estate and that Public Guardianship Program for the Elderly, 501 Union Street, Sixth Floor, Nashville, Tennessee, 37219-1705 shall be appointed Conservator of the person and estate of said John Matthew Putnam, and the requirement of bond shall be waived. The Court further finds that the appointed Conservator shall be authorized to determine whether the immediate return of John Matthew Putnam to his Nashville, Tennessee from Chiefland, Florida is in John Matthew Putnam's best interest and that direction may be sought from the Court, if necessary. Based upon the agreement of the parties, the Court further finds that the Quitclaim Deed executed by John M. Putnam in favor of James David Putnam on March 12, 1996 of record in Book 9976, pages 494 and 495, Register's Office for Davidson County, Tennessee (as more completely described below), shall be and is hereby set aside and held for naught based upon the mental incompetence of the John Matthew Putnam at the time of conveyance, and all interest in the property commonly

known as 296 Westmoreland Avenue, Nashville, Tennessee shall be divested out of James David Putnam and shall be re-invested in John Matthew Putnam as of March 12, 1996. The Court further finds that James David Putnam and Rita Putnam shall transfer all of the assets of John Matthew Putnam in their posssession, including, but not limited to, all personal papers, financial records, and personal property, to Public Guardianship Program for the Elderly within thirty (30) days of the entry of this Order. The Court further finds that, pending the transfer of John Matthew Putnam's assets from James David Putnam to Public Guardianship Program for the Elderly, James David Putnam shall continue to be subject to the Temporary Restraining Order entered in this cause on May 21, 1996 and converted to a Temporary Injunction by Agreed Order entered in this cause on June 11, 1996, except as may be reasonably necessary for the normal living expenses of John Matthew Putnam. The Court further finds that Public Guardianship Program for the Elderly shall submit a proposed Property Management Plan to the Court within sixty (60) days of the entry of this Order. The Court further finds that Carla G. Fox has completed her duties as Guardian Ad Litem in this cause, has rendered valuable services on behalf of John Matthew Putnam, and shall be awarded a fee in the amount of $ 1,305, payable from the estate of John Matthew Putnam, for which execution may issue, if necessary. The Court further finds that James R. Tomkins, attorney for the Petitioner Ellen Trice, has rendered valuable services in this cause and shall be awarded a fee in the amount of $ 837.50, payable from the estate of John Matthew Putnam, for which execution may issue, if necessary.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that John Matthew Putnam is in need of a Conservator of both his person and estate and that Public Guardianship Program for the Elderly, 501 Union Street, Sixth Floor, Nashville, Tennessee, 37219-1705 shall

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be appointed Conservator of the person and estate of said John Matthew Putnam, and the requirement of bond shall be waived.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Public Guardianship Program for the Elderly shall be authorized to determine whether the immediate return of John Matthew Putnam to Nashville, Tennessee from Chiefland, Florida is in John Matthew Putnam's best interest and that direction may be sought from the Court, if necessary.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Quitclaim Deed executed by John M. Putnam in favor of James David Putnam on March 12, 1996 of record in Book 9976, pages 494 and 495, Register's Office for Davidson County, Tennessee, shall be and is hereby set aside and held for naught based upon the mental incompetence of the John Matthew Putnam at the time of conveyance, and all interest in the property commonly known as 2920 Westmoreland Avenue, Nashville, Tennessee shall be divested out of James David Putnam and shall be re-invested in John Matthew Putnam as of March 12, 1996. A more complete legal description of the said property is as follows:

> LAND in Davidson County, Tennessee, being Lot No. 18 on the Plan of Bransford Realty Company's Subdivision of Westmoreland Place, as of record in Book 421, Page 16, Register's Office for said County.
>
> SAID Lot No. 18 fronts 70 feet on the northerly side of Westmoreland Drive and runs back 185 feet, more or less, to an alley and shows 85 feet of said alley.
>
> BEING the same property conveyed to James David Putnam by Quitclaim Deed from John M. Putnam, dated March 12, 1996, of Record in Book 9976, page 494, Register's Office for Davidson County, Tennessee.
>
> THIS is improved property known as 2920 Westmoreland Avenue, Nashville, Tennessee 37212.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that James David Putnam and Rita Putnam shall transfer all of the assets of John Matthew Putnam in their possession, including, but not limited to, all personal papers, financial records, and personal property, to Public Guardianship Program for the Elderly within

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thirty (30) days of the entry of this Order.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, pending the transfer of all of John Matthew Putnam's assets from James David Putnam to Public Guardianship Program for the Elderly, James David Putnam shall continue to be subject to the Temporary Restraining Order entered in this cause on May 21, 1996 and converted to a Temporary Injunction by Agreed Order entered in this cause on June 11, 1996, except as may be reasonably necessary for the normal living expenses of John Matthew Putnam.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Public Guardianship Program for the Elderly shall submit a proposed Property Management Plan to the Court within sixty (60) days of the entry of this Order.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Carla G. Fox has completed her duties as Guardian Ad Litem in this cause, has rendered valuable services on behalf of John Matthew Putnam, and shall be awarded a fee in the amount of $ 1305, payable from the estate of John Matthew Putnam, for which execution may issue, if necessary.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that James R. Tomkins, attorney for the Petitioner Ellen Trice, has rendered valuable services in this cause and shall be awarded a fee in the amount of $ 837.50, payable from the estate of John Matthew Putnam, for which execution may issue, if necessary.

ENTERED THIS 12 DAY OF SEPTEMBER, 1996.

FRANK G. CLEMENT, JR., JUDGE

APPROVED FOR ENTRY:

BOOK 10211 PG 615

Carla G. Fox

Carla G. Fox, #15183
Guardian ad litem for Respondent
1028 Burchwood Avenue
Nashville, Tennessee 37216
(615) 262-5919

James R. Tomkins by CGF with permission

James R. Tomkins, #11160
Attorney for Petitioner Ellen Trice
JENNINGS & TOMKINS
Suite 2240- L & C Tower
Nashville, TN 37219

Donald Arkovitz

Donald Arkovitz, #2954
Attorney for James David Putnam
332 White Bridge Road
Nashville, TN 37209

CERTIFICATE OF SERVICE

I hereby certify that an exact copy of the foregoing has been mailed, via the U.S. mail, postage pre-paid, to:

Mail

Donna Ray Anthony, B.S.W.
Public Guardianship Program for the Elderly
501 Union Street, Sixth Floor
Nashville, Tennessee 37219-1705

Donald Arkovitz, Esquire
332 White Bridge Road
Nashville, TN 37209

James R. Tomkins, Esquire
Jennings & Tomkins
L & C Tower, Suite 2240
Nashville, TN 37219

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on this the 10th day of September, 1996.

Carla G. Fox

D231853
IDENTIFICATION REFERENCE

96 OCT -2 AM 11:02
RECEIPT# 19702 21:01 03CHECK
FELIX Z. WILSON III REGISTER
DAVIDSON COUNTY, TN.
20.00

RICHARD R. [illegible] CIRCUIT COURT
Given [illegible]
Nashville, TN 2 Oct 96
By [signature] Deputy Clerk

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