BOOK 11251 PAGE 628

NB 136.440

IN THE SEVENTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

AT NASHVILLE

IN RE:		
ESTATE OF BILLY AMBROSE DEBUSK, DECEASED,	)	**Docket Nº 97P-1706**
	)	**Probate Division**
and	)	
	)	
THE CONSERVATORSHIP FOR ANNABELLE DeBUSK.	)	**Docket Nº 98P-1147**
	)	**Probate Division**
	)	

AGREED ORDER

COMES NOW the Executor of the Billy Ambrose DeBusk Estate, Ricky A. DeBusk; Margaret Dean DeBusk, the surviving spouse of Billy Ambrose DeBusk; Deborah A. DeBusk, the daughter of Billy Ambrose DeBusk and granddaughter of Annabelle DeBusk; Jeffrey A. DeBusk, the son of Billy Ambrose DeBusk and grandson of Annabelle DeBusk; and in order to compromise and settle all claims arising out of the Estate of Billy Ambrose DeBusk and to close the Conservatorship of Annabelle DeBusk based on her recent death, as well as resolve any disputes concerning their rights to inherit as heirs of the Estate of Annabelle DeBusk, and with the review and agreement of the counsel of all respective parties, and the Court being pleased to adopt such agreement as its Order, it is, therefore,

ORDERED, ADJUDGED and DECREED that the surviving spouse, Margaret Dean DeBusk, shall receive all personal property, effects, possessions, and vehicles, both automobiles and recreational vehicles of her spouse, Billy Ambrose DeBusk, free and clear of the claims of any of the children, Jeffrey A. DeBusk, Ricky A. DeBusk, or Deborah A. DeBusk, and it is further,

ORDERED, ADJUDGED and DECREED that all of the heirs, Margaret Dean DeBusk, Ricky A. DeBusk, Jeffrey A. DeBusk, and Deborah A. DeBusk waive any final accounting necessary to close the Estate of Billy Ambrose DeBusk, and it is further,

ORDERED, ADJUDGED and DECREED that all of the personal property, clothing, and personal effects of Annabelle DeBusk shall be equally divided between the three (3) grandchildren, Jeffrey A. DeBusk, Ricky A. DeBusk, and Deborah A. DeBusk by their agreement, and it is further,

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ORDERED, ADJUDGED and DECREED that any right, title, interest, or claims in the real property located at 84 Twin Street, Nashville, Davidson County, Tennessee more fully described as follows:

> **LAND in Davidson County, Tennessee, being Lot No. 141, on the map of West Nashville Heights, as of record in Book No. 332, Page No 127, Register's Office for said County.**
>
> **SAID Lot No. 141 fronts 50 feet on the northerly side of Twin street and runs back between parallel lines 170 feet, more or less, to an alley.**
>
> **BEING the same property conveyed to B. A. DeBusk and wife, Annabelle DeBusk, by deed from L. C. Anderson and wife, Lola B. Anderson, of record in Book No. 1848, Page No. 631, Register's Office for Davidson County, Tennessee. The said B. A. DeBusk has since died.**
>
> **ALSO BEING the same property conveyed to Billy Ambrose DeBusk by Quitclaim Deed from Annabelle DeBusk, a widow and surviving spouse of B. A. DeBusk, while retaining a life estate, of record in Book No. 8530, Page No. 877, Register's Office for Davidson County, Tennessee. The said Annabelle DeBusk has since died.**

The above described real property is disclaimed by Jeffrey A. DeBusk, Ricky A. DeBusk, and Deborah A. DeBusk, and vested solely in the name of Margaret Dean DeBusk, as the surviving spouse of Billy Ambrose DeBusk. It is further,

ORDERED, ADJUDGED and DECREED that any right, title, interest, or claims in the real property located at 600 Eastboro Drive, Nashville, Davidson County, Tennessee more fully described as follows:

> **PART of Lot No. 19 on the Plan of the B. F. Cockrill Farm, of record in Book 161, page 135, Register's Office, Davidson County, Tennessee and being Lot No. 6 on the Plan of W. P. Evans' Resubdivision of part of Lot No. 19 of the B. F. Cockrill Farm, not of record, described according to a survey made by E. R. Southgate and Son, Surveyors, April 2, 1946 as follows:**
>
> **BEGINNING at a county stake at the northeast corner of Cowan Street and 20-foot roadway; thence with the easterly margin of said street northwardly 50 feet to the corner of Lots Nos. 6 and 7; thence with the line between said two lots eastwardly 220 feet 4 inches to a stake; thence southwardly 49 feet 9 inches to a stake in the north margin of said roadway; thence with the north margin of said roadway westwardly 213 feet 2 inches to the beginning.**
>
> **BEING the same property conveyed to Billy A. DeBusk and wife, Margaret Dean DeBusk and B. A. DeBusk and wife, Annabelle DeBusk, by deed from Lemuel D. Hutton and wife, Gloria L. Hutton, of record in Book No. 4215, Page No. 149, Register's Office for Davidson County, Tennessee. The said Bryan A. DeBusk has since died.**

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ALSO BEING the same property conveyed to Billy Ambrose DeBusk and Wife, Margaret Dean DeBusk, by Quitclaim Deed from Annabelle DeBusk, a widow and surviving spouse of B. A. DeBusk, while retaining a life estate, of record in Book No. 8530, Page No. 879, Register's Office for Davidson County, Tennessee. The said Annabelle DeBusk has since died.

The above-described real property is disclaimed by Jeffrey A. DeBusk, Ricky A. DeBusk, and Deborah A. DeBusk, and vested solely in the name of Margaret Dean DeBusk, as the surviving spouse of Billy Ambrose DeBusk. It is further,

ORDERED, ADJUDGED and DECREED that any right, title, interest, or claims in the real property located at 528 Eastboro Drive, Nashville, Davidson County, Tennessee 37209 more fully described as follows:

BEING Lot No. 25 in E. T. Brown's Trustee's Subdivision of an 18 acre tract on the Charlotte Pike, a plan of which is of record in Book 332, page 126, Register's Office for said County.

SAID Lot No. 25 fronts 96 feet on the easterly side of Cowan Avenue and runs back 190 feet on the south line and 198.4 feet on the north line to an alley, and shows 51 feet on said alley.

BEING the same property conveyed to Charles K. Forts by deed from Gladys Webb Pugh of record in Book No. 3313, Page No. 225, Register's Office for Davidson County, Tennessee.

ALSO BEING the same property conveyed to B. A. DeBusk and Wife, Annabelle DeBusk, Billy Ambrose DeBusk and Wife, Margaret Dean DeBusk, by deed from Charles E. Forte, unmarried, of record in Book No. 5328, Page No. 814, Register's Office for Davidson County, Tennessee. The said B. A. DeBusk has since died.

FURTHER BEING the same property conveyed to Billy A. DeBusk and Wife, Margaret Dean DeBusk, by Quitclaim Deed, by Annabelle DeBusk, a widow and the Surviving Spouse of B. A. DeBusk, while retaining a life estate, of record in Book No. 8530, Page No. 875, Register's Office for Davidson County, Tennessee. The said Annabelle DeBusk has since died.

The above-described real property is disclaimed by Jeffrey A. DeBusk, Ricky A. DeBusk, and Deborah A. DeBusk, and vested solely in the name of Margaret Dean DeBusk, as the surviving spouse of Billy Ambrose DeBusk. It is further,

ORDERED, ADJUDGED and DECREED that any right, title, interest, or claims in the real property located at 601 Croley Drive, Nashville, Davidson County, Tennessee 37209 more fully described as follows:

BEING part of Lot No. 19 on the Plan of the Resubdivision of Lots Nos. 5, 6, 7 and 8 in the subdivision of Lot No. 21 of the B. F. Cockrill Farm, as of record in Book 421, page 21, Register's Office for said County, described as follows:

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BEGINNING in the center of Croley Drive at a point 35 feet north of the corner of Lots Nos. 19 and 20, being the northeast corner of the property conveyed to Arthur Sender and wife, by deed from Charles W. Hill and wife, of record in Book 2245, page 243, said Register's Office; thence with the center of said Drive northwardly 65 feet; thence westwardly and parallel with the line between Lots Nos. 16 and 19, 200 feet; thence southwardly and parallel with the center line of Croley Drive 67 feet to the northwest corner of said Sender property; thence with said Sender's northerly line eastwardly and parallel with the line between Lots Nos. 19 and 20, 20 feet; thence northeastwardly 180 feet, more or less, to the beginning.

BEING the same property conveyed to B. A. DeBusk, Annabelle DeBusk, Billy A. DeBusk and Margaret Dean DeBusk, by deed from Erna Sender, a widow, of record in Book No. 4712, Page No. 606, Register's Office for Davidson County, Tennessee. The said B. A. DeBusk has since died.

ALSO BEING the same property conveyed to Billy Ambrose DeBusk and Wife, Wife, Margaret Dean DeBusk, by Quitclaim Deed, by Annabelle DeBusk, a widow and surviving spouse of B. A. DeBusk, of record in Book No. 8530, Page No. 873, Register's Office for Davidson County, Tennessee. The said Annabelle DeBusk has since died.

The above-described real property is disclaimed by Jeffrey A. DeBusk, Ricky A. DeBusk, and Deborah A. DeBusk, and vested solely in the name of Margaret Dean DeBusk, as the surviving spouse of Billy Ambrose DeBusk, and it is further,

ORDERED, ADJUDGED and DECREED that Margaret Dean DeBusk disclaims any and all right to inherit, by elective share or otherwise, the real property located at 622 and 626 Croley Drive, Nashville, Davidson County, Tennessee 37209, and any right, title or interest which she may have in said real property is divested out of her and is vested solely in equal shares to Jeffrey A. DeBusk, Ricky A. DeBusk and Deborah A. DeBusk, as tenants in common, with said real property being more fully described as follows:

BEING the north one-half of Lot No. 2 on the Map of the subdivision of Lot No. 21 of the B. F. Cockrill Farm, as of record in Book No. 332, Page No. 58, Register's Office for Davidson County, Tennessee, described as follows:

BEGINNING in the center of Walnut Street 350 feet south from the center of Robertson Avenue and running thence in an easterly direction parallel with Robertson Avenue and along the south margin of Lot No. 1 on said plan, 700 feet to a stake, thence at right angles south and parallel with Walnut Street, 175 feet to a point, thence at right angles westerly and parallel with Robertson Avenue, 700 feet to the center of Walnut Street, thence northerly along the center of Walnut Street, 175 feet to the point of beginning.

BEING the same property conveyed to B. A. DeBusk and wife, Anna Belle DeBusk, by deed from Clessie R. Vinson and wife, Joan Walton Vinson, of record in Book No. 2492, Page No. 579, Register's Office for Davidson County, Tennessee.

ALSO BEING the same real property conveyed to Billy Ambrose DeBusk from B. A. DeBusk and Wife, Annabelle DeBusk, while retaining a life estate, by

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Deed, of record in Book No. 4048, Page No. 63, Register's Office for Davidson County, Tennessee. B. A. DeBusk and Wife, Annabelle DeBusk have since died.

And it is further, **ORDERED, ADJUDGED and DECREED** that Jeffrey A. DeBusk, Ricky A. DeBusk and Deborah DeBusk each shall have a first right of refusal on the aforesaid real property known as 622 and 626 Crowley, Nashville, Davidson County, Tennessee. In the event of a sale, the party selling must provide the other two (2) co-tenants with thirty (30) days notice in order that they may purchase their interest, and it is further,

And it is further, **ORDERED, ADJUDGED and DECREED** that Jeffrey A. DeBusk shall receive any and all bank accounts in which he had survivorship interest or was jointly titled with Annabelle DeBusk free and clear of any claims of Margaret Dean DeBusk, Ricky A. DeBusk, or Deborah A. DeBusk, and it is further,

ORDERED, ADJUDGED and DECREED that Ricky A. DeBusk or his agent, will collect all rents on the property at 622 through 626 Croley Drive, Nashville, Davidson County, Tennessee for his brother, Jeffrey A. DeBusk, and sister, Deborah A. DeBusk and himself, and pay all necessary expenses, repairs, and escrow property taxes for such property, providing a summary of those expenses and copies to Jeffrey A. DeBusk and Deborah A. DeBusk on a monthly basis, together with equal shares their net share of any profit from such rentals, and it is further,

ORDERED, ADJUDGED and DECREED that Jeffrey A. DeBusk shall pay over to Ricky A. DeBusk any burial policy proceeds on the life of Annabelle DeBusk, first to complete payment of any remaining charges to the funeral home for her death, and the balance to be applied to 1998 real property taxes for 622 and 626 Croley Drive, 84 Twin Street, 600 Eastboro and 528 Eastboro, Nashville, Tennessee, and any unpaid taxes will be paid Two-Thirds (⅔) by Jeffrey A. DeBusk and One-Third (⅓) by Ricky A. DeBusk on or before February 28, 1999, and it is further,

ORDERED, ADJUDGED and DECREED that Marlene Moses, Attorney-at-Law and Guardian *ad litem* for Annabelle DeBusk shall be awarded an attorney's fee in the amount of $1,770.00 based on an affidavit submitted to the Court with this Order, and it is further,

ORDERED, ADJUDGED and DECREED that each of the remaining parties to this Order and matter shall be responsible for their own attorney's fees free and clear of any claim of reimbursement from the other parties, and it is further,

ORDERED, ADJUDGED and DECREED that the Conservatorship of Annabelle DeBusk shall be non-suited and the claim of Annabelle DeBusk against the Estate of Billy Ambrose DeBusk is dismissed, and it is further

ORDERED, ADJUDGED and DECREED that James Robin McKinney, attorney for Annabelle DeBusk, shall be awarded an attorney's fee of Twelve Hundred and No/100 ($1,200.00) Dollars, and it is further

ORDERED, ADJUDGED and DECREED that Jeffrey A. DeBusk, Ricky A. DeBusk, and Deborah A. DeBusk shall be taxed with the costs of both causes, including the Guardian *ad litem's* fees and the attorney *ad litem* fees in equal shares.

ENTERED this the 4 day of Dec, 1998.

FRANK CLEMENT, JR., Probate Judge

APPROVED FOR ENTRY:

HELEN S. ROGERS, ESQ.
Attorney for Margaret Dean DeBusk
Supreme Court N° 7025
The Wind in the Willows Mansion
2205 State Street
Nashville, Tennessee 37203
(615) 320-0600
Fax N° (615) 320-9933

GEORGE J. DUZANE
Attorney for Jeffrey DeBusk
Duzane, Kooperman & Mondelli
603 Woodland Street
Nashville, Tennessee 37206

Laura Tek, Esq
Attorney for Estate of Billy DeBusk
1994 Gallatin Road
Madison, Tennessee 37115

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MARLENE MOSES, ESQ.
EISENSTEIN, MOSES & MOSSMAN
Guardian *ad litem*
One Church Street, Suite 500
Nashville, Tennessee 37201-1607

JAMES ROBIN MCKINNEY, JR., ESQ.
Attorney for Annabelle DeBusk
ROBERT L. JACKSON & ASSOCIATES
One Washington Square, Suite 103
214 Second Avenue, North
Nashville, Tennessee 37201-1647

MARGARET DEAN DeBUSK
6105 Deerbrook Drive
Nashville, Tennessee 37221

JEFFREY A. DeBUSK
8005 Montcastle Drive
Nashville, Tennessee 37211

RICKY A. DeBUSK
Individually and as Administrator
of the Estate of Billy Ambrose DeBusk
736 Woodland Way
Nashville, Tennessee 37209

DEBORAH A. DeBUSK
6105 Deerbrook Drive
Nashville, Tennessee 37221

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the *4th* of *December, 1998*, a true and exact copy of the foregoing document has been forwarded to the persons listed below:

MARLENE MOSES, ESQ.
EISENSTEIN, MOSES & MOSSMAN
Guardian *ad litem*
One Church Street, Suite 500
Nashville, Tennessee 37201-1607

GEORGE J. DUZANE, ESQ.
DUZANE, KOOPERMAN & MONDELLI
Attorney for Jeffrey A. DeBusk
603 Woodland Street
Nashville, Tennessee 37206

JAMES ROBIN MCKINNEY, JR., ESQ.
Attorney for Annabelle DeBusk
ROBERT L. JACKSON & ASSOCIATES
One Washington Square, Suite 103
214 Second Avenue, North
Nashville, Tennessee 37201-1647

LAURA TEK, ESQ.
Attorney for Estate of Billy Ambrose DeBusk
1994 Gallatin Road North
Suite 100
Madison, Tennessee 37115-2025

by the method identified as follows:

X	**U.S. Mail, Postage Prepaid**
	Hand Delivered
	Overnight Delivery Service
	Certified Mail, Return Receipt Requested
	Facsimile

HELEN S. ROGERS

0525065
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CILL GANNETT REGISTER
DAVIDSON COUNTY, TN.

MAIL ENV.

A:\AGO-BOTHLE&C[4247]

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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 436 Page 470
Given under my hand and official seal, at office, in Nashville, this 9th of December, 1998.
RICHARD R. ROOKER, CLERK
By _____ Deputy Clerk