PREPARED BY (AND RETURN TO):
WILKINS & IVEY
Attorneys At Law
5200 Maryland Way, Suite 109
Brentwood, Tennessee 37207
Ph. (615) 507-2004 - Fax. 507-2002
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W & I Ref: (sk) Title No: 41563
Dav. Co. File: Box 8

Instr:20000418003873G Page: 1 OF 11
REC'D FOR REC 04/18/2000 11:16:37AM
RECORD FEE: $47.00
M. TAX: $0.00 T. TAX: $566.10

ADDRESS NEW OWNER:	**RESPONSIBLE FOR TAX PAYMENT:**
Edward A. Martin, Sr. Ruth P. Martin 6666 Brookmont Terrace, #407 Nashville, TN 37205	Suntrust Bank P.O. Box 305110 Nashville, TN 37230

TAX MAP-PARCEL NUMBERS: 129-14-A-036

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **$ 153,000.00,** cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Balie C. Gross, III, Diane Carlton, Byron Roberts and Joe Roberts, individually and Balie C. Gross, III as Executor of the Estate of Balie C. Gross, Jr.,**hereinafter called the **Grantor**, has bargained and sold, and by these presents does hereby transfer and convey unto **Edward A. Martin, Sr. and spouse, Ruth P. Martin,** hereinafter called the **Grantee**, Grantee's heirs and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows: **To Wit:**

LAND in Davidson County, Tennessee being Apartment Unit No. 407 of Wessex Towers Condominium created under Title 64, Section 2701 et seq. as amended, Tennessee Code Annotated, and as established by a Maser Deed, from Central Tennessee Investment Company, Inc., of record in Book 5414, Page 634, Register's Office for Davidson county, Tennessee, together with the undivided percentage interest in the common elements appurtenant to said Unit as set forth in Exhibit A-1 of said Master Deed, reference is hereby made to the plat of Wessex Towers Condominium Apartments, of record in Book 5200, page 142, said Register's Office, for a more complete identification and description of such unit.

BEING the same property conveyed to Balie C. Gross, Jr. and wife, Mabel C. Gross by deed from Central Tennessee Investment Company of record in Book 5416, page 55, said Register's Office. The said Balie C. Gross, Jr. and Mabel C. Gross have since died, with Mabel C. Gross predeceasing Balie C. Gross, Jr.. Balie C. Gross, III, Diane Carlton, Byron Roberts and Joe Roberts are the heirs at law and next of kin of the said Balie C. Gross, Jr. . Attached as Exhibits to this deed are the following documents: Petition for Probate of Will No. 99D972, Seventh Circuit Court for Davidson County, Tennessee, Probate Division, Order of Probate, of record in Minute Book 445, page 58, Seventh Circuit Court for Davidson County, Tennessee, Probate Division and Letters Testamentary of record in Minute Book 445, page 138, Seventh Circuit Court for Davidson County, Tennessee, Probate Division.

Description Reference: Described from information contained in recorded condominium documents.

This conveyance is subject to: Taxes for 2000, and subsequent years; The Plan, with Owner's Certificate, of record in Plat Book 5200, Page 142, said Register's Office, to which Plan reference is hereby made for a more complete description.: The provisions of the condominium Master Deed of record in Book 5414, page 634, said Register's Office, which submits said property to a Horizontal Property Regime pursuant to the provisions of the Tennessee Horizontal Property Act and sets forth restrictions, assessments, liens and other matters.

This is improved property, known as: 6666 Brookmont Terrace, #407, Nashville, TN 37205

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, Grantee's heirs or assigns, forever.

GRANTOR COVENANTS with the said Grantee that Grantor is lawfully seised and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out.

GRANTOR FURTHER COVENANTS and binds Grantor, Grantor's heirs and representatives, to warrant and forever defend the title to the said land to the said Grantee, Grantee's heirs and assigns, against the lawful claims of all persons whomsoever.

WITNESS THE EXECUTION HEREOF this 14th day of April, 2000.

Balie Gross By Executor
Balie C. Gross, III, Executor of The Estate of Balie C. Gross, Jr.

Balie Gross
Balie C. Gross, III, individually

Diane Carlton
Diane Carlton

Byron Roberts
Byron Roberts

Joe Roberts

State of Tennessee
County of Davidson

On this 14 day of April, 2000, before me the undersigned authority, personally appeared **Balie C. Gross, III**, to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged the execution as a free act and deed.

Notary Public

PERCY WILKINS, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. EXP. 5-28-2000

My Commission Expires: _____

State of Tennessee
County of Davidson

Before me the undersigned authority, personally appeared **Balie C. Gross, III**, to me known (or proved to me on the basis of satisfactory evidence), to be Executor of **The Estate of Balie C. Gross, Jr.** the within named bargainor, an Estate, and acknowledged the execution of the foregoing instrument as such executor for the purposes therein contained.

Witness my hand and official seal on April 14, 2000.

Notary Public

PERCY WILKINS, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. EXP. 5-28-2000

My Commission Expires: _____

(Seal Required)

State of Tennessee
County of Davidson

On this 14 day of April, 2000, before me the undersigned authority, personally appeared **Diane Carlton**, to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged the execution as a free act and deed.

Notary Public

PERCY WILKINS, JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. EXP 5-28-2000

My Commission Expires: _____

State of TENNESSEE
County of DAVIDSON

On this 14TH day of April, 2000, before me the undersigned authority, personally appeared **Byron Roberts**, to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged the execution as a free act and deed.

My Commission Expires: 3-29-2003 Notary Public

State of _____
County of _____

On this _____ day of April, 2000, before me the undersigned authority, personally appeared **Joe Roberts**, to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged the execution as a free act and deed.

My Commission Expires: _____ Notary Public

State of Tennessee
County of Davidson

AFFIDAVIT

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is: $ 153,000.00

Affiant

Sworn and subscribed before me on the 14th day of April, 2000.

Notary Public

My Commission Expires: _____

ROY WILKINS JR NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. EXP. 5-28-2000

GRANTOR COVENANTS with the said Grantee that Grantor is lawfully seised and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out.

GRANTOR FURTHER COVENANTS and binds Grantor, Grantor's heirs and representatives, to warrant and forever defend the title to the said land to the said Grantee, Grantee's heirs and assigns, against the lawful claims of all persons whomsoever.

WITNESS THE EXECUTION HEREOF this 14th day of April, 2000.

Balie C. Gross, III, Exeutor of The Estate of Balie C. Gross, Jr.

Balie C. Gross, III, individually

Diane Carlton

Byron Roberts

Joe Roberts

State of Tennessee
County of _____

On this _____ day of April, 2000, before me the undersigned authority, personally appeared **Balie C. Gross, III**, to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged the execution as a free act and deed.

_____
Notary Public

My Commission Expires: _____

State of Tennessee
County of _____

Before me the undersigned authority, personally appeared **Balie C. Gross, III**, to me known (or proved to me on the basis of satisfactory evidence), to be Executor of **The Estate of Balie C. Gross, Jr.** the within named bargainor, an Estate, and acknowledged the execution of the foregoing instrument as such partner(s) for the purposes therein contained.

Witness my hand and official seal on April _____, 2000.

_____
Notary Public

My Commission Expires: _____

(Seal Required)

State of Tennessee
County of Davidson

On this _____ day of April, 2000, before me the undersigned authority, personally appeared **Diane Carlton**, to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged the execution as a free act and deed.

My Commission Expires: _____

_____
Notary Public

State of _____
County of _____

On this _____ day of April, 2000, before me the undersigned authority, personally appeared **Byron Roberts**, to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged the execution as a free act and deed.

My Commission Expires: _____ _____ Notary Public

State of Florida
County of Collier

On this 10th day of April, 2000, before me the undersigned authority, personally appeared **Joe Roberts**, to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged the execution as a free act and deed.

My Commission Expires: BEVERLY H. DALTON Notary Public - State of Florida My Commission Expires Feb 25, 2003 Commission # CC812441 Beverly Dalton Notary Public

State of Tennessee
County of Davidson

AFFIDAVIT

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is: $ 153,000.00

_____ Affiant

Sworn and subscribed before me on the 14th day of April, 2000.

_____ Notary Public

My Commission Expires: _____

Exhibit "A"

IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE

99 JUN -8 PM 3:27

RICHARD H. RIDDER, CLERK

IN RE:

PROBATE OF LAST WILL AND TESTAMENT OF BALIE C. GROSS, JR. **NO.** 99P972

D.C.

PETITION FOR PROBATE OF WILL

1. Petitioner, BALIE C. GROSS, III, is nominated as Executor in a Codicil to the Last Will and Testament of the deceased. Petitioner is the adult son of the decedent and resides at 6666 Brookmont Terrace, Wessex Towers, #407, Nashville, TN 37205.

2. The deceased, Balie C. Gross, III, died in Nashville, Davidson County, Tennessee, on April 6, 1999, a resident of said county, at the age of eighty-four (84) years.

3. The decedent is survived by the following heirs at law and next of kin, both of them being adults:

Balie C. Gross, III, son
6666 Brookmont Terrace
Wessex Towers, #407
Nashville, TN 37205

Diane Carlton, daughter
9001 Spruce Tree Place
Louisville, KY 40242

4. The decedent is also survived by two (2) step-sons who are also being given notice of this proceeding:

Byron Roberts
P.O. Box 150791
Nashville, TN 37215-0791

Joe Roberts
617 Woodleigh Dr.
Nashville, TN 37215

5. The decedent left a last will dated April 23, 1974, which is duly signed, declared, published and attested. The attesting witnesses to the decedent's will are Charles A. Leach and James M. Bates. Decedent left a codicil dated January 15, 1985, which was not properly witnessed and attested to but in that it deals solely with the appointment of a Trustee and there is no trust estate to be administered, no effort is being made to prove this codicil. Decedent also left a codicil dated July 10, 1991, witnessed by Peggy J. Davis and witnessed and notarized by Barbara Luckett. Petitioner has obtained affidavits from the witnesses regarding the signing of the decedent's Codicil in accordance

with T.C.A. §§ 32-2-104 and 32-2-110. True and correct copies of the last will and codicils are attached as Exhibits A, B, and C respectively and made a part of this Petition.

6. Petitioner has made a thorough search for other wills or codicils signed by the decedent other than and later than the will and codicils presented but has found no such other or later will or codicil and the Petitioner is not aware of any instrument revoking the documents being offered for probate.

7. All of the residuary beneficiaries are adults and consent to the Executor serving without bond pursuant to T.C.A. § 30-1-201(C) and excuse the Executor from the requirement of making and filing an inventory and interim accountings of the estate pursuant to T.C.A. § 30-2-301(a) as evidenced by Agreements to Waive Bond and Inventory which will be filed with the Court.

8. The Petitioner has provided reasonable notice of this hearing to the decedent's next of kin/heirs at law, two (2) step-sons, and beneficiaries, along with a copy of this Petition.

PREMISES CONSIDERED, PETITIONER REQUESTS:

1. That said Last Will and Testament and Codicils be admitted to Probate;

2. That Petitioner be appointed to serve as Executor and that the Court Clerk be directed to accept his oath and otherwise qualify the Executor and to issue letters testamentary;

3. That notice by publication be given to the creditors of the estate as required in T.C.A. § 30-2-306; and notice be given the Department of Revenue as required in T.C.A. § 67-8-406;

4. That the requirement of posting bond and filing an inventory and interim accountings be waived;

5. That the Petitioner be granted such additional relief as the Court may deem proper under the circumstances.

J. THOMAS MARTIN - #2831
Attorney for Petitioner
Suite 600, 49 Music Square West
Nashville, TN 37203
615/321-5400

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, Balie C. Gross, III, the above named Petitioner, who, being duly sworn by me, deposes and says that the statements contained in the foregoing Petition are true to Petitioner's knowledge, information and belief, and these matters Petitioner believes to be true.

Balie C. Gross, III

Sworn to and subscribed before me

this 7th day of June, 1999.

NOTARY PUBLIC

My Commission Expires: Jan. 25, 2000

Exhibit "B" MB 445.138

SEVENTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

LETTERS TESTAMENTARY

99P972

To BALIE C. GROSS III :

It appearing to the Court that BALIE C. GROSS JR has died leaving a written will, in which you are appointed Executor, which has been duly approved in open Court; and you having been qualified according to law, and it having been ordered by said Court that Letters Testamentary issue to you.

These are, therefore, to empower you, the said BALIE C. GROSS III to enter upon the execution of said will, and take into your possession all of the property, and to make, within sixty days from this date, a perfect inventory thereof, and make due collection for all debts, and after paying all the just demands against the Testator, and settling up the business according to law, you will pay over and deliver the property and effects that may remain in your hands, and do all other things that may be required, according to the provisions of the said will and the laws of the land.

Witness, Richard R. Rooker, Clerk of the Probate Court, at office, this June 30, 1999 and 223rd year of American Independence.

Richard R. Rooker, Clerk

_____ D.C.

STATE OF TENNESSEE
DAVIDSON COUNTY

I do solemnly swear that I will honestly and faithfully discharge the duties of Executor of the last will and testament of BALIE C. GROSS JR lately deceased, in accordance with its terms and provisions, to the best of my knowledge and ability, so help me God.

_____

Sworn to and subscribed to before me June 30, 1999.

Richard R. Rooker, Clerk

_____ D.C.

STATE OF TENNESSEE
DAVIDSON COUNTY

I, Richard R. Rooker, Clerk of the Probate Court of said County, do hereby certify that the foregoing is a true and perfect copy of LETTERS TESTAMENTARY, issued to
BALIE C. GROSS III, Executor
of the estate of BALIE C. GROSS JR deceased, and I do further certify that BALIE C. GROSS III is still acting Executor of the estate of BALIE C. GROSS JR, and acts as such are entitled to full faith and credit, as appears from the records in my office at Nashville, Tennessee.

Witness my hand and official seal, at this office, this the _____ day of _____, 19___.

Richard R. Rooker, Clerk

_____ D.C.

Exhibit "C"

MB 445-58

IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

1999 JUN 30 AM 9:52

RICHARD R. ROOT, CLERK

IN THE ESTATE OF:

BALIE C. GROSS, JR.,
Deceased.

D.C. **NO. 99P972**

ORDER OF PROBATE

This cause came on to be heard on the 30th day of June, 1999, before the Honorable Frank G. Clement, Jr., Judge of the Probate Court for Davidson County, Tennessee, upon a Petition for Probate of Will. A paper writing purporting to be the Last Will and Testament of the deceased, properly executed by the decedent and duly witnessed by **Charles A. Leach** and **James M. Bates**, a codicil dated January 15, 1985, which was not properly witnessed, and a codicil dated July 10, 1991, which was witnessed by **Peggy J. Davis** and witnessed and notarized by **Barbara Luckett** were admitted into Probate and should therefore be recorded as such instruments.

IT APPEARS from the affidavit or testimony provided that the paper writing purporting to be the Last Will and Testament was written during the lifetime of the decedent, signed by the witnesses in the presence of and at the request of the decedent and in the presence of each other and as attesting witnesses thereto, and that said instrument was properly executed by the decedent and duly witnessed as the Last Will and Testament of the decedent and that at the time of execution, the decedent appeared to be of sound mind and disposing memory.

IT FURTHER APPEARS that the codicil dated January 15, 1985, was not properly witnessed and attested to but in that it deals solely with the appointment of a Trustee and in that there is no trust estate to be administered this matter does not need to be dealt with.

IT FURTHER APPEARS that the codicil dated July 10, 1991, was written during the lifetime of the decedent, was witnessed by Peggy J. Davis and witnessed and notarized by Barbara Luckett as evidenced by affidavits from the witnesses, and that said Codicil was signed by the witnesses in the presence of and at the request of the decedent and in the presence of each other and as attesting witnesses thereto, and that said instrument was properly executed by the decedent and duly witnessed.

IT FURTHER APPEARS that all the residuary beneficiaries, being adults, have executed a Waiver of Bond, Inventory and Accountings.

IT IS, THEREFORE, **ORDERED, ADJUDGED AND DECREED** that the Clerk of the Court is hereby directed to record such instruments as the Last Will and Testament and Codicils of the deceased and issue Letters Testamentary to **Balie C. Gross, III**, to serve as **Executor** of this estate **without** bond.

IT IS FURTHER, **ORDERED, ADJUDGED AND DECREED** that the filing of the **Inventory** and that the filing of the **Interim Accountings** be waived pursuant to statute.

ENTER this 30 day of June, 1999.

Frank G. Clement, Jr., Judge of the
Probate Court for Davidson County

APPROVED FOR ENTRY:

J. THOMAS MARTIN - #2831
Attorney for the Estate of Balie C. Gross, Jr.
Suite 600, 49 Music Square West
Nashville, TN 37203
615/321-5400