Davidson County DEEDQC
Recvd: 09/28/00 14:18 7pgs
Fees:30.00 Taxes:0.00
20000928-0096123

THIS INSTRUMENT PREPARED BY:
MARTHA CHILD, ATTORNEY AT LAW
4220 Nolensville Road, Nashville, TN. 37211
(615) 834-4300

QUITCLAIM DEED

New Owner:	**Send Tax Bills:**	**Map & Parcel Nos.**
Loyal Goins	Same	147-7 149
8210 Moores Lane	Same	5DU-05586
Brentwood, TN. 37027	Same	

For and in consideration of $10.00, the receipt of which is hereby acknowledged, Lula Sharber and Sam C. Goins, Jr., by these presents do hereby quitclaim and convey unto, Loyal Goins, and all his successors and assigns, all of our right, title, and interest in the hereinafter described real property, said parcel and tract of land in Davidson County, Tennessee, described as follows:

Beginning at a point 51/6 feet cast of a set stone being the northwesterly corner of the Henriette Warren tract, the said point being the northeastern corner of the tract or parcel of land this day conveyed by us to Willie Goens; running thence south 87 1/2 degrees east fifty one and six tenths feet to a stake, the north east corner of the tract herein described; thence south ten degrees 55' east 213 feet to a stake in the sought line of said Warren tract; thence north 85 degrees 58' west 51.6 feet to a point in the south line of said Warren tract; thence north 10 degrees 55' west 209 feet to the point of beginning, and containing 1/4 of an acre, more or less, and being the eastern half of the certain lot or parcel of land conveyed to the aforesaid Mose Goens and wife, Maggie Goens by deed dated November 19, 1915, and registered in Book 475, page 69, R.O.D.C., Tennessee and the deed from Mose Goens, and wife, Maggie Goens, to John Wesley Holt and wife, Hattie Holt, being registered in Book 577, page 502, April 29, 1922, R.O.D.C.,Tennessee.

Being the same property conveyed to Martha Patton and Lula Sharber, by deed from Hattie Goens, of record in Book 4926, page 433, Register of Deeds Office for Davidson County, Tennessee.

Sam C. Goins, Jr. inherited Martha Patton's one-half undivided interest in said property form Martha Patton. Attached as Exhibit "A" is a coy of the Last Will and Testament of Martha Patton.

This is improved property known as: 4344 Goens Road, Nashville, TN. 37211.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value whichever is greater, for this this transfer is -0-.

Lula Sharber
Affiant

Subscribed and sworn to before me this the 31st day of July, 2000.

ELAINE P. CRAIG NOTARY PUBLIC DAVIDSON COUNTY

Notary Public

My Commission Expires:

10-12-01

Said property is conveyed subject to such limitations, restrictions, and encumbrances as may affect the premises.

Witness my hand this the 31st day of July, 2000.

Lula Sharber
Lula Sharber

Sam C Goins
Sam C. Goins, Jr.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public, in and for said County and State, Lula Sharber and Sam C. Goins, Jr., the within name bargainors, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this the 31st day of July, 2000.

My Commission Expires:

10-12-01

Notary Public

quitc
ibmpts

Last Will and Testament
OF

MARTHA PATTON

I MARTHA PATTON, of Davidson County, Tennessee, declare this to be my will. I revoke any previous Wills and Codicils.

USE OF DEFINED TERMS

I have used several terms in this Will that are defined in Part Four. I have reviewed in detail the definitions set forth in Part Four, and I direct that those definitions apply throughout this Will unless the context in which a defined term is used clearly implies another meaning.

PART ONE

APPOINTMENTS AND IDENTIFICATIONS

1.01 **Executor.** I appoint Lula Baker of Davidson County, Tennessee, and Flem Goins of Davidson County, Tennessee as my Co-Executors.

1.02 **Successor Executor.** If either of my Co-Executors shall cease or fail to serve, I appoint the other as my sole Executor. In both of my original Co-Executors shall cease or fail to serve, I appoint Lula Sharber of Davidson County, Tennessee, as my Executor.

PART TWO

DISPOSITIONS

2.01 **General.** I intend to dispose of all my property.

2.02 **Specific bequests.** First, I give all rights I have as owner and beneficiary of a Home Beneficiary life insurance policy insuring my brother Webster Goins of Davidson County, Tennessee, to Flem Goins of Davidson County, Tennessee, as owner and beneficiary. Secondly, I give all rights I have as owner in a life insurance policy purchased by my deceased husband which insures my life, to Lula Sharber of Davidson County, Tennessee, as owner and beneficiary. Third, I give all my remaining personal property to Lula Sharber and Flem Goins, both of Davidson County, Tennessee in equal shares.

2.03 **Specific devises.** First, I give my parcel of land located at 305 Alice Avenue, Nashville, Davidson County, Tennessee, to Lula Baker of Davidson County, Tennessee, for her lifetime, and upon her death, to Dovie Hendrix of Davidson County,

Martha Patton

MARTHA PATTON

EXHIBIT "A"

Tennessee. Second, I give my undivided one-half interest as a tenant in common in a parcel of land located at 4344 Goins Road, Nashville, Davidson County, Tennessee, to my brother, Sam C. Goins, Jr., of Davidson County, Tennessee.

2.04 **Major Disaster**. If any of my legatees or devisees fail to survive me, my Executor shall distribute each particular legacy or devise to those persons who would inherit from me in accordance with the laws of intestate succession then in effect in the State of Tennessee.

PART THREE

ADMINISTRATION OF ESTATE

3.01 **Payment of Debts and Taxes**. I direct that all my legally enforceable debts, funeral expenses, expenses of the administration of my estate, and federal estate and State Inheritance taxes, including interest and penalties thereon, becoming payable because of my death (except any generation - skipping transfer tax imposed by Section 2601 of the Code or any recapture tax imposed by Section 2032A of the Code) be paid out of my Residue. Any debts from borrowing the cash surrender value of any life insurance policy shall be paid from the proceeds of the respective policy and my Residue shall not be burdened with such indebtedness.

3.02 **Powers of Executor**.

(1) **General**. I grant to my executor the powers given under common law and the law of this State.

(2) **Time and Method of Distribution**. Final distribution of my estate shall be made when my Executor determines the time to be appropriate. Prior thereto, partial distributions may be made whenever my Executor shall deem it advisable.

(3) **Conflicts of Interest**. I realize that in the course of the administration of my estate conflicts of interest may develop between beneficiaries of my estate. For example, conflicts may develop because of a choice of alternatives involved in valuing assets for various purposes. In the resolution of any conflict of interest, I request (but do not so direct) that my Executor first make a reasonable effort to determine the overall effect of the conflict in the administration of my estate and in the distributions to be made and then make reasonable efforts to resolve the conflict by the mutual agreement of the respective beneficiaries or recipients. In the event that a mutual agreement cannot be reached after reasonable efforts, my Executor shall resolve the conflict in its sole and absolute discretion.

(4) **Encumbered Distribution.** My Executor is authorized to distribute to any beneficiary of my estate any asset of my estate subject to any and all indebtedness incurred by me or by my Executor which indebtedness, in the sole and absolute discretion or opinion of my Executor, need not be paid first, or to distribute any such property or asset subject to any or all mortgages, deeds of trust, or the liens, or obligations created by me or by my Executor.

(5) **Methods of Payment to Certain Beneficiaries.** If any beneficiary to whom my Executor is authorized by this instrument to make distributions is under a legal disability or is, in the opinion of my Executor, incapable of properly managing his or her affairs, my Executor may make such distributions in any one or more of the following ways:

(a) To such beneficiary directly;

(b) To the guardian, committee, conservator, or other similar official of such beneficiary;

(c) To a relative of such beneficiary to be expended by such relative for the benefit of such beneficiary, including payment to such relative; or

(d) By my Executor expending the same directly for the benefit of such beneficiary.

Any person (other than the beneficiary) who receives a distribution for the benefit of the beneficiary pursuant to the preceding sentence is authorized to give a valid receipt and discharge for the distribution. The distribution to such beneficiary or other person to whom payment is made or entrusted shall be a complete discharge to my Executor, and my Executor shall be without obligation to see to the further application of such distribution.

(6) **Executor's Discretion Controlling.** Any decision made under this Section or any other provision of this Will by my Executor with respect to any matter shall bind each beneficiary of my estate, and any other person howsoever interested in my estate; and my Executor shall not be required to make any compensating adjustments between income or principal or among any beneficiaries, trustees, or any other person as a result of my Executor's action or inaction.

3.03 **Executor to Act in Unsupervised Administration.** I direct that my Executor act in unsupervised administration so as to administer my estate with a minimum of court supervision.

3.04 **Transactions With Related Parties.** The powers of my Executor to enter into any transaction shall in no way be limited by the fact that the same or another party to such transaction is an Executor of my estate or of any other estate; a beneficiary of my estate or of any other estate; the estate of such beneficiary (whether living or deceased); a trust (created herein or elsewhere); or any executor or trustee of any such estate or trust.

3.05 **Accounting to Successor Executor.** Any successor Executor is authorized (but not directed) to accept the assets delivered by or for a predecessor Executor on the basis of the accounting therefor without requiring an audit or other independent accounting of the acts of such predecessor Executor. Any successor Executor shall not be liable for, or liable for failure to rectify, any act or omission of any predecessor Executor.

3.06 **Compensation and Bond.** No Executor shall furnish bond. No individual Executor herein named shall receive compensation for services as Executor.

3.07 **Liability of Executor.** The Executor shall be liable only for its own gross negligence or willful misconduct.

PART FOUR

DEFINITIONS

4.01 **Residue.** All references in this Will to my "Residue" shall mean the surplus of my property, after all of the debts, taxes, costs of administration and the other particular legacies and devises have been discharged.

4.02 **Code.** All references in this Will to the "Code" shall mean the Internal Revenue Code of 1954, as amended, and shall be deemed to refer to corresponding provisions of any subsequent federal tax law.

PART FIVE

MISCELLANEOUS

5.01 **Use of Words.** As used in this Will, whenever the context so indicates, the gender of all words shall include the masculine, feminine, and neuter, and the number of all words shall include singular and plural.

5.02 **Invalid Provisions.** If any part of this Will shall be invalid, illegal, or inoperative for any reason, it is my intention that the remaining parts, so far as possible and reasonable, shall be effective and fully operative. My Executor may seek and obtain court instructions for the purpose of carrying out as nearly as may be possible the

intention of this Will as shown by the terms hereof, including any terms held invalid, illegal, or inoperative.

5.03 **Headings.** Headings used throughout this Will have been inserted for administrative convenience only, and do not constitute matter to be construed in interpreting this Will.

5.04 **Photocopy Clause.** The original of this Will may consist of an executed photocopy of a typed master.

IN WITNESS WHEREOF, I, MARTHA PATTON the TESTATRIX, do hereby published and declare this to be my Last Will and Testament, on this 2nd day of April, 1993.

Martha Patton
TESTATRIX

The foregoing instrument consisting of this and the preceding typewritten page and the succeeding page which has been added for the attestation of witnesses was signed, sealed, published and declared by the said Testatrix to be her Last Will and Testament in our presence, and we, at her request and in her presence and in the presence of each other, have hereunto subscribed our names as attesting witnesses, and we do hereby attest to the sound and disposing mind of said testatrix and to the performance of the aforesaid act of execution on the date hereinabove set out.

WITNESS: H.C. Maxwell Jr.

ADDRESS: 301 Brewer Dr. Nash. Tn. 37211

WITNESS: James W. Watson

ADDRESS: 4412 J. J. Watson ave. Nash. Tn 37211