IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE

FILED

04 SEP 22 AM 11:45

RICHARD R. ROOKER, CLERK

DC

IN RE:

APPOINTMENT OF SUBSTITUTE TRUSTEE TO SERVE IN THE PLACE AND STEAD OF OLIVER J. WALLER, JR., TRUSTEE

No. ~~82170~~ 04P1468

Davidson County ORDER
Recvd: 12/21/04 09:29 4pgs
Fees:22.00 Taxes:0.00

20041221-0151431

FINAL ORDER

This cause came to be heard on the 22nd day of September, 2004 before the Honorable Randy Kennedy, Probate Judge, and the Court finds from the verified Petition filed in this cause and the evidence presented to the Court as follows: that all of the beneficial owners of the real estate described in the Petition more particularly described in the deeds attached to the Petition as Exhibits 1, 2, and 3, are properly before the Court having joined in the Petition; that the Deeds attached to the Petition at Exhibits 1, 2, and 3 convey the property described therein to Oliver J. Waller, Jr., Trustee, with full power and authority to convey said property without the joinder of any beneficiary; that the said Oliver J. Waller, Jr., Trustee, is now deceased; that no written Trust Agreement has been located

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

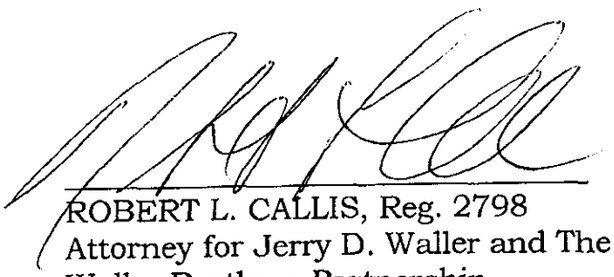
specifically authorizing the appointment of a Substitute Trustee; that all of the beneficial owners of the real estate described in the Petition desire that Jerry D. Waller be appointed as Substitute Trustee to serve in the place and stead of Oliver J. Waller, Jr., Trustee, and to have full power and authority to transfer and convey the properties described in said Deeds without the joinder of any beneficiary.

IT IS THEREFORE, HEREBY ORDERED, ADJUDGED AND DECREED that Jerry D. Waller is hereby appointed Substitute Trustee regarding the properties described in Book 4638, Page 850, Register's Office of Davidson County, Tennessee, Deed Book 519, Page 261, and Deed Book 514, Page 366, Register's Office of Sumner County, Tennessee, to which instruments reference is heremade and is vested with legal title to the real estate described in the aforesaid deeds, and, that the said Jerry D. Waller, as Substitute Trustee, shall have full power and authority to transfer and convey the real property described in the aforementioned deeds without the joinder of any beneficiary.

Petitioners shall pay the costs of the cause.

RANDY KENNEDY, Judge

APPROVED FOR ENTRY:



ROBERT L. CALLIS, Reg. 2798
Attorney for Jerry D. Waller and The
Waller Brothers Partnership
1974 Tuckers Gap Road
Lebanon, TN 37090
Telephone: (615)-449-4088

STATE OF TENNESSEE

I, **RICHARD R. ROOKER,** Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the Order heretofore entered in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 22 day of SEPTEMBER , 2004 , in the Case Number 04P1468 between WALLER, JERRY D Petitioner, and WALLER JR., OLIVER J (TUW) Respondent, as same remains of record in Vol. 5697 , Page 1647490 of the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 24 day of SEPTEMBER in the year two thousand four and in the 228th year of American Independence.

RICHARD R. ROOKER, Clerk

By Peggy Griffin Deputy Clerk

SEAL

RICHARD R. ROOKER CIRCUIT COURT CLERK