Davidson County DEEDQC
Recvd: 06/09/05 08:57 9 pgs
Fees:47.00 Taxes:0.00
20050609-0065826

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $ 10.00

Martha Jo Beck
AFFIANT

Subscribed and sworn to before me, this 8th day of June, 2005.

Suzanne Adams
NOTARY PUBLIC
MY COMMISSION EXPIRES: 9-22-07

SUZANNE ADAMS Notary Public At Large DAVIDSON COUNTY, TENN. My Commission Expires September 22, 2007

This instrument was prepared by: Beck, Beck & [illegible] Attorneys, 4205 Gallatin Road, Nashville, Tennessee 372[illegible]

ADDRESS OF NEW OWNERS AS FOLLOWS: Michael Whittington, 507 N. 17th St., Nashville, TN 37206

SEND TAX BILLS TO: Marcia Whittington, 507 N. 17th St., Nashville, TN 37206

MAP and PARCEL: 19-083.06-0-362.00

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**EXECUTRIX'S QUITCLAIM DEED**
**RESERVING LIFE ESTATES**

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**KNOW ALL MEN BY THESE PRESENTS** that I, Marcia Karen Knox Whittington, Executrix for the Estate of Mary Belle Nichols, being one and the same person, am affecting this quitclaim as a means of clarifying the title to this property. Under the Will of Mary Belle Nichols, probated in the Probate Court of Davidson County, No. 99-867 on September 24, 1992. Marcia Karen Knox Whittington was named Executrix of Mary Belle Nichols' Estate. (See attached Will). For and in consideration of the sum of Ten

RECORDER'S MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

and No/100 Dollars ($10.00), cash in hand paid, the receipt of which is hereby acknowledged, Marcia Karen Knox Whittington, Executrix for the Estate of Mary Belle Nichols has bargained and sold and hereby [convey,] remise, release and forever quitclaims to Michael Eugene Whittington his heirs and assigns, such of my right, title and interest in and to a certain tract [parcel] of land subject to life estates to Marcia Karen Knox Whittington and Cynthia Gayle Knox, in Davidson County, Tennessee, which is described as follows:

> Land in Davidson County, Tennessee, being the northerly 5 feet of Lot No. 3 and the southerly 45 feet of Lot No. 4 on the Plan of John Shields Subdivision, of Lot No. 6 in W.L. Horn's Spout Spring Tract, as of record in Book 57, page 112, Register's Office for Davidson County, Tennessee.
>
> Said parts of said lots adjoin and front together 50 feet on the easterly side of North 17th, formerly Hughes Street, and runs back between lines 160 feet to an alley. This is improved property known as 507 N. 17th Street, Nashville, TN 37206.
>
> Being the same property conveyed to Otha Earl Swatzell and wife, Edna P. Swatzell, by deed from Irene Jakes Smotherman as of record in Book 4189, page 380, Register's Office for Davidson County, Tennessee.
>
> Being the same property conveyed to Don E. Nichols and wife, Mary B. Nichols, by deed from Otha Earl Swatzell and wife, Edna P. Swatzell as of record in Book 4403, page 471, Register's Office for Davidson County, Tennessee.
>
> Said Don E. Nichols died March 2, 1989 leaving the property entirely to his wife, Mary B. Nichols. Mary B. Nichols died July 26, 1992. Her Will was probated in Probate Court, Davidson County, Tennessee on September 24, 1992, being No. 99-867. A copy of her Will is attached to this Deed. In her Will she devised said property to Michael Eugene Whittington with a life estate reserved for Marcia Karen Knox Whittington and Cynthia Gayle Knox.

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

WITNESS my hand this 7 day of June, 2005.

Marcia Karen Knox Whittington
MARCIA KAREN KNOX WHITTINGTON, EXECUTRIX

STATE OF TENNESSEE )

COUNTY OF DAVIDSON )

Personally appeared before me, Donna Curry, a Notary Public, in and for said County and State, **MARCIA WHITTINGTON**, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained.

**WITNESS** my hand and official seal at office this the 7th day of June, 2005.

Donna J. Curry
**NOTARY PUBLIC**
**MY COMMISSION EXPIRES:** 1-27-2007

DONNA J. CURRY
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TN
My Commission Exp. Jan. 27, 2007

Filed
9/24/92
99-867
Probate Court
of Davidson
County Tennessee

**LAST WILL AND TESTAMENT**

**OF**

**MARY BELLE NICHOLS**

I, MARY BELLE NICHOLS, domiciled in Nashville, Davidson County, Tennessee, do make, publish and declare this to be my Last Will and Testament, hereby revoking all wills and codicils heretofore made by me.

**ARTICLE I**

I direct that all of my just debts, my funeral expenses, including a suitable monument at my grave, and the costs of administration of my estate be paid as soon as practicable after my death.

**ARTICLE II**

I direct that there shall be paid out of my residuary estate, without apportionment, all estate, inheritance, succession and other taxes, assessed by reason of my death, imposed by the government of the United States, or any state or territory thereof, or political subdivision thereof, in respect of all property required to be included in my gross estate for estate or like tax purposes by any of such governments, whether the property passes under this will or otherwise, without contribution by any recipient of any such property.

**ARTICLE III**

I give, devise and bequeath to my daughters Cynthia Gayle Knox and Marcia Karen Whittington, in fee, to divide equally between them all cash owned by me at the time of my death. I give, devise and bequeath to my daughter Cynthia Gayle Knox, in fee, all clothing, jewelry, household goods, personal effects, automobiles, trucks, and all other tangible personal property not otherwise specifically bequeathed, owned by me at the time of my death.

Mary Belle Nichols
MARY BELLE NICHOLS

**ARTICLE IV**

It is my express intent that my daughters Cynthia Gayle Knox and Marcia Karen Whittington shall always have a home and it is my express intent that they shall each have the right to possess and reside for the remainder their individual lives in the family home place known as 507 N. 17th Street, Nashville, Davidson County, Tennessee, owned by me at the time of my death. It is further my express intent that if either daughter shall marry that the respective spouse shall not reside at the family home place. It is also my express intent that if either daughter shall marry that her interest in the family home place shall not become a part of her marital estate. I give, devise and bequeath to my daughters, Cynthia Gayle Knox and Marcia Karen Whittington, each, in fee, a life estate in all my interest in real property commonly known as 507 N. 17th Street, Nashville, Davidson County, Tennessee, owned by me at the time of my death, except that the spouse of neither daughter shall reside in the home, the home shall not become part of the marital estate of either chid and the home shall not become subject to the payment of any debt incurred by either child and my daughter Cynitha shall cause another individual to reside in the home or spend the night in the home absent my daughter Marica's express consent. I give, devise and bequeath to my grandson, Michael Eugene Whittington, the remainder, in fee, in all my interest in real property commonly known as 507 N. 17th Street, Nashville, Davidson County, Tennessee, owned by me at the time of my death.

**ARTICLE VI**

All the rest, residue and remainder of the property which I may own at the time of my death, real, personal and mixed, tangible and intangible, of whatsoever nature and wheresoever situated, including all property which I may acquire or become entitled to after the execution of this will, and all life insurance payable to my estate, I bequeath, in fee, to my daughters, Cynthia Gayle Knox and Marcia Karen Whittington to be shared equally between them.

Mary Belle Nichols

MARY BELLE NICHOLS

**ARTICLE VII**

I appoint my daughter, Marcia Karen Whittington, to be Executrix of this my Last Will and Testament and direct that no bond be required for the faithful performance of her duties; and I vest my said Executrix with full power and authority to sell, transfer and convey any property, real or personal, which I may own at the time of my death at such time and price and upon such terms and conditions as she may determine and to do every other act and thing necessary or appropriate to the complete administration of this will.

Mary Belle Nichols
MARY BELLE NICHOLS

**IN TESTIMONY WHEREOF,** I have hereunto subscribed my name to this my Last Will and Testament, consisting of this and three (3) preceding typewritten pages, and for the purpose of identification, I have signed each such page, all in the presence of the persons witnessing it at my request, this 1st day of February 1992, at Nashville, Tennessee.

Mary Belle Nichols

MARY BELLE NICHOLS

The foregoing instrument consisting of this and four (4) preceding typewritten pages, was signed, published and declared by MARY BELLE NICHOLS, 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 witness, this 1st day of February, 1992 at Nashville, Tennessee.

Robert Birdwell residing at 1612 Shelby Ave Nashville, Tn

Daisy M. Birdwell residing at 1612 Shelby Av Nashville Tn.

This Instrument Prepared by:

BARBARA S. FREEMON
Attorney At Law
213 Colt Drive
Nashville, Tennessee 37221
(615) 646-0240

STATE OF TENNESSEE )

COUNTY OF DAVIDSON )

AFFIDAVIT

Personally appeared before me, Barbara S. Freeman, a Notary Public, in and for said County and State, Robert Birdwell, Affiant and Daisy Marie Birdwell, Affiant, with whom I am personally acquainted and after first being duly sworn, depose and said as follows:

That each Affiant attest that **MARY BELLE NICHOLS**, the **TESTATRIX**, signed, sealed, and published and declared this to be her Last Will and Testament in the presence of us and each of us, and we at the same time, at her request and in her presence and in the presence of each other, and believe in her to be of sound mind, subscribe our names to the Last Will and Testament of the **TESTATRIX** as attesting witnesses.

Robert Birdwell

Daisy M. Birdwell

Sworn to and subscribed before this 1st day of February, 1992.

Barbara S. Freeman
NOTARY PUBLIC

My Commission Expires: March 26, 1994