IN THE SEVENTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
(PROBATE DIVISION)
AT NASHVILLE

2005 OCT 27 PM 3:55

D.C.

IN THE MATTER OF:	)	
	)	
THE ESTATE OF	)	
KEVIN WAYNE LAWRENCE,	)	
Deceased.	)	No. 05P-408
	)	
TRACY L. LAWRENCE,	)	
Administratrix.	)	

TRACY L. LAWRENCE, SURVIVING SPOUSE OF THE DECEDENT, KEVIN WAYNE LAWRENCE, DECEASED	)	
Petitioner.	)	
	)	
vs	)	No. 05P-408
	)	
SAVANNAH H. LAWRENCE, LEXIE F. LAWRENCE AND KEVIN W. LAWRENCE, JR., HEIRS OF THE DECEDENT, KEVIN WAYNE LAWRENCE; AND TRACY L. LAWRENCE, ADM. OF THE DECEDENT'S ESTATE.	)	Davidson County ORDER Recvd: 11/21/05 14:51 7 pgs Fees:37.00 Taxes:0.00 20051121-0140475
Respondents.	)	

ORDER

This cause came on to be heard on the 12th day of October 2005, before the Honorable Randy Kennedy, Judge, upon the widow's Petition to set aside homestead, exempt property and elective share, and from the Petition, exhibits, testimony of the widow, Tracy L. Lawrence, affirmed by the decedent's parents, Ken Lawrence and Sandra Lawrence, statements of counsel for the widow, and the entire record herein, the Court is of the opinion and affirmatively finds:

(a) That the Petition to set aside homestead, exempt property and elective share was timely filed;

(b) That the decedent, KEVIN WAYNE LAWRENCE, died on December 13th, 2004, at the age of 30 years, survived by his widow, Tracy L. Lawrence, and two (2) children, Savannah A. Lawrence, age 10, and Lexie F. Lawrence, age 3, but that an afterborn child, Kevin W. Lawrence, Jr., was born on January 19, 2005;

(c) That the estate consists of household goods and personal property with a value of $900.00, and a 1996 Chevrolet Suburban vehicle with a value of $11,600.00, or a total value of $12,500.00, as a result of which this estate is insolvent and the decedent's real property consisting of a house and lot located at 1498 Campbell Road, Goodlettsville, Davidson County, Tennessee, 37072, must be brought into the estate to satisfy the debts and obligations of the estate;

(d) That no claims have been made against the estate within four (4) months after the decedent's death, except for the widow's claim for the reasonable cost of the routine upkeep of the real property at 1498 Campbell Road, Goodlettsville, Davidson County, Tennessee, 37072, in the amount of $3,906.03, filed pursuant to T.C.A. §30-2-323, which is approved, and the widow's claim for reimbursement of funeral and burial expenses in the amount of $16,474.97, which is also approved;

(e) That the widow was married to the decedent for more than three (3) years prior to his death, and she is entitled to twenty (20%) percent of the net estate pursuant to T.C.A. §31-4-101;

(f) That the widow is, therefore, entitled to all of the household goods and personal property, as well as the 1996 Chevrolet Suburban vehicle with an aggregate value in the

amount of $12,500.00, as exempt property, pursuant to T.C.A. §30-2-101, homestead in the real property at 1498 Campbell Road, Goodlettsville, Davidson County, Tennessee, 37072, in the amount of $5,000.00, pursuant to T.C.A. §31-1-104, and twenty (20%) percent of the net estate pursuant to T.C.A. §31-4-101;

(g) That the widow is not entitled to year's support as set forth in T.C.A. §30-2-102 by reason that the estate consists of only real property and exempt property;

(h) That the records of the Tax Assessor's office for Davidson County, Tennessee lists the real property located at 1498 Campbell Road, Goodlettsville, Davidson County, Tennessee, 37072 as having a value of $96,300.00, and that there is an existing mortgage lien against the said real property with a balance as of the decedent's death in the amount of $48,299.58, leaving an equity value in the said real property in the amount of $48,001.48;

(i) That the widow's claims against the equity in the real property, based upon a property value of $96,300.00, are as follows:

CLAIMS AGAINST ESTATE:	$20,380.97
HOMESTEAD	5,000.00
20% OF NET ESTATE	$ 9,600.30
TOTAL	**$34,901.27**

(j) That a sale of the said real property for a sale price of $96,300.00 is uncertain and such a sale would result in the following estimated expenses to the estate:

REAL ESTATE COMMISSIONS/CLERK'S FEE:	$5,760.00
OWNER'S TITLE INSURANCE POLICY:	585.00
ATTORNEYS FEES AND DOCUMENT PREPARATION:	300.00
TOTAL ESTIMATED EXPENSES OF SALE:	**$6,645.00**

(k) That in the event of such sale, the net proceeds, before distribution would amount to $41,356.48;

(l) That the said real property is now occupied by the widow and the decedent's three (3) minor children and that the mortgage payment on the said first mortgage to Countrywide Homeloans, Inc. is approximately $555.00 per month;

(m) That the widow has requested that the Court vest title in the said real property in the name of the widow, in exchange for her claims against the estate in the amount of $20,380.97, her homestead right in the amount of $5,000.00, her twenty (20%) percent of the net estate in the amount of $9,600.08, or a total of $34,981.05, and in addition thereto, the widow will agree to pay the attorney's fees in connection with this estate, forgive her fees for being personal representative of the estate, and will pay all Court Costs, all of which is estimated to be in the aggregate amount of $7,000.00;

(n) That because of the uncertainty of the sale price, and considering the interests and well being of the minor heirs, it is more economically feasible to grant the widow's request to vest title to the real property at 1498 Campbell Road, Goodlettsville, Davidson County, Tennessee, 37072, solely in the widow, under the terms stipulated, than to Order the property sold, at either public or private sale.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED as follows:

1. That all right, title or interest which Kevin Wayne Lawrence, the Estate of Kevin Wayne Lawrence, and the heirs and beneficiaries of the Estate of Kevin Wayne Lawrence may have or may have had in the following described real property located at 1498 Campbell Road, Goodlettsville, Davidson County, Tennessee, 37072 is divested out of them, and is hereby vested in the widow, Tracy L. Lawrence, subject to the balance owing on a first

mortgage loan against the said property in favor of Countrywide Homeloans under loan number 002835028, which will be assumed, in full by Tracy L. Lawrence, said property being more specifically and particularly described, to wit:

> Beginning at a point in the center of Campbell Road, said point being the southwesterly corner of the property conveyed to Bernice L. Martin by deed from Muncie Martin and wife, of record in Book 2695, page 139, Register's Office for said County; thence with the center of said Road, North 30 degrees West 481.6 feet to a point; thence leaving said Road, North 60 degrees East 529.9 feet to an iron pin; thence with a fence as follows: South 12 degrees East 128 feet to an iron pin at the southeasterly corner of an old graveyard; South 33 degrees 30' West 277.7 feet to a 10 inch hickory; South 7 degrees West 49.5 feet to an iron pin; South 15 degrees East 333.3 feet to a post; and North 89 degrees West 202 feet to the point of beginning.
>
> INCLUDED IN THE ABOVE DESCRIPTION BUT SPECIFICALLY EXCLUDED FROM THIS CONVEYANCE IS A TRACT OF LAND OR PARCEL CONVEYED BY ALVIN B. MARTIN AND WIFE, MARY ELLEN MARTIN, TO R.L. FOWLER, DESCRIBED IN BOOK 9645, PAGE 581, SAID REGISTER'S OFFICE.
>
> Being the same property conveyed to Kevin W. Lawrence by deed from Beverly M. Bridges and husband, Danny M. Bridges filed for record in book 11452, page 626, Register's Office for Davidson County, Tennessee.
>
> The mailing address for the said property is 1498 Campbell Road, Goodlettsville, Tennessee 37072.

2. That the widow, Tracy L. Lawrence, shall forfeit her claims against the estate of Kevin Wayne Lawrence, including her claim for services as personal representative of the said estate, and that she will pay the attorney's fees incurred through the Law Office of Homer R. Ayers, as Attorney for the Estate, and all Court Costs and expenses relating to this estate, to the end that the widow's claims for homestead, elective share, maintenance of the household for 4 months after the decedent's death and funeral expenses are fully satisfied;

3. That the widow, Tracy L. Lawrence, is vested with all of the household goods, and personal property of the estate, and a 1996 Chevrolet Suburban vehicle titled in the name of Kevin Wayne Lawrence or Kevin W. Lawrence, as exempt property pursuant to T.C.A. §30-2-101;

4. That the value of the assets of this Estate are less than $100,000.00, as a result of which the personal representative is excused from the requirement of filing an inheritance tax return pursuant to the provisions of T.C.A. §67-8-104.

5. That the widow, Tracy L. Lawrence, will pay all costs in this cause, for which execution may issue, if necessary.

ENTERED this the 27 day of Oct, 2005.

HONORABLE RANDY KENNEDY, Judge

APPROVED FOR ENTRY:

HOMER R. AYERS, Attorney at Law
303 Frances Street, P.O. Box 904
Goodlettsville, Tennessee 37070-0904
(615) 859-2500
Prof. Resp. No. 2580

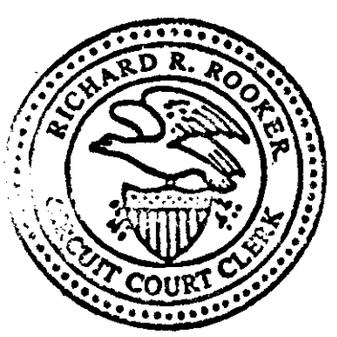
HOMER R. AYERS, Attorney

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 27 day of OCTOBER , 2005 , in the Case Number 05P408 between LAWRENCE, TRACY L. Petitioner, and LAWRENCE, KEVIN WAYNE ET.AL Respondent, as same remains of record in Vol. 6066 , Page 2086544 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 21 day of NOVEMBER 2005

SEAL



RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk