IN THE SEVENTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

PROBATE 2006 AUG 8 AM 9:54

IN THE ESTATE OF:

HONEY COMBS YOUNGER,
aka HONEY MICHELE COMBS YOUNGER,
aka HONEY MICHELLE COMBS YOUNGER,
aka HONEY M. COMBS-YOUNGER,

Decedent.

Docket Number 06P-1251

Davidson County ORDER
Recvd: 08/22/06 13:48 8 pgs
Fees:42.00 Taxes:0.00

20060822-0103435

ORDER FOR ANCILLARY INTESTATE ADMINISTRATION AND ISSUANCE OF LETTERS OF ADMINISTRATION

Based on an examination of the verified Petition and Affidavit of Heirship, Exhibit "A" to the Petition, and the agreement expressed in the Petition of the Petitioners, being all heirs, to waive bond, inventory, and interim accountings by the nonresident Personal Representative, the Court finds the following:

1. Petitioners are the eight first-cousins of the decedent who are the heirs-at-law of the decedent and the next of kin of the decedent. As evidenced by their joining in the Petition, Petitioner LYNDA DIANE EDENFIELD LUKE is the choice of the heirs-at-law and next of kin to serve as Administrator and Personal Representative of decedent's estate in ancillary intestate administration in Tennessee pursuant to T.C.A. § 30-1-106. Petitioner LYNDA DIANE EDENFIELD LUKE resides at 21107 N. W. 74th Place, Alachua, Florida 32615. Petitioner LYNDA DIANE EDENFIELD LUKE has been appointed Personal Representative of the estate of the decedent by the Circuit Court,

Probate Division "A", for Alachua County, Florida, and Letters of Administration were ordered issued to her by said Court on December 22, 2005 in File Number 2005 CP 001614, as evidenced by a copy of said Letters of Administration attached to the Petition as Exhibit "A".

2. The decedent, HONEY COMBS YOUNGER, aka HONEY MICHELE COMBS YOUNGER, aka HONEY M. COMBS-YOUNGER, died on April 10, 2005, in Gainesville, Alachua County, Florida, at the age of 52 years. The decedent was a resident of Alachua County, Florida at the time of death, residing at 3941 S.W. 6th Place, Gainesville, Florida. The only property located in Tennessee which decedent owned at the time of her death was real estate located in Davidson County, Tennessee, namely:

> Being Lot No. 2 on the Map of the M. T. Pendergrass Subdivision of Lot Nos. 175 and 176 in West Grove: as of record in Book 547, page 185, Register's Office for said county. Said Lot No. 2 fronts 50 feet on the northerly side of Pilcher Avenue and runs back 140 feet, more or less, on the easterly line and 142 feet, more or less, on the westerly line to an alley, measuring 50 feet, thereon.
>
> Being the same property conveyed to Roger A. Younger, by deed from Barney L. Hutchison and wife, Drue H. Hutchison of record in Book 5946 at Page 447 in the Register's Office of Davidson County, Tennessee, and being the same property conveyed to Honey M. Combs-Younger by Quitclaim Deed from Roger Andrew Younger, pursuant to the final decree of divorce in the Fourth Circuit Court for

Davidson County, Tennessee, Docket Number 94D-3755, of record in Book 9603, Page 616, or Instrument Number 00009603-0000616, Register's Office for said county.

This is improved property known as 3602 Pilcher Avenue, Nashville, Tennessee 37209.

3. Decedent left no will and died intestate.

4. With respect to the law of intestate succession in Tennessee, T.C.A. § 31-2-104 – *Share of surviving spouse and heirs* – provides:

(a) The intestate share of the surviving spouse is:

(1) If there is no surviving issue of the decedent, the entire intestate estate; or

(2) If there are surviving issue of the decedent, either one-third (1/3) or a child's share of the entire intestate estate, whichever is greater.

(b) The part of the intestate estate not passing to the surviving spouse under subsection (a) or the entire intestate estate if there is no surviving spouse, passes as follows:

(1) To the issue of the decedent; if they are all of the same degree of kinship to the decedent they take equally, but if of unequal degree, then those of more remote degree take by representation;

(2) If there is no surviving issue, to the decedent's parent or parents equally;

(3) If there is no surviving issue or parent, to the brothers and sisters and the issue of each deceased brother and sister by representation; if there is no surviving brother or sister, the issue of brothers and sisters take by representation; or

(4) If there is no surviving issue, parent, or issue of a parent, but the decedent is survived by one or more grandparents or issue of

grandparents, half of the estate passes to the paternal grandparents if both survive, or to the surviving paternal grandparent or to the issue of the paternal grandparents if both are deceased, the issue taking equally if they are all of the same degree of kinship to the decedent, but if of unequal degree those of more remote degree take by representation; and the other half passes to the maternal relatives in the same manner; but if there be no surviving grandparent or issue of grandparent on either the paternal or maternal side, the entire estate passes to the relatives on the other side in the same manner as the half. [Emphasis added.]

- The decedent, HONEY COMBS YOUNGER, died a single person, leaving no surviving spouse, having been divorced from her former husband, Roger Andrew Younger, by Final Order of Divorce entered February 28, 1995 in the Fourth Circuit Court for Davidson County, Tennessee in Case Number 94D-3755.

- The decedent, HONEY COMBS YOUNGER, died leaving no surviving issue, having never had nor adopted children.

- The decedent, HONEY COMBS YOUNGER, died leaving no surviving parents, her parents having predeceased her.

- The decedent, HONEY COMBS YOUNGER, died leaving no surviving brothers or sisters nor issue of deceased brothers or sisters, the decedent having been an only child.

- The decedent, HONEY COMBS YOUNGER, died leaving no surviving paternal grandparents nor surviving issue of paternal grandparents, all of the children and grandchildren of Decedent's paternal grandparents having predeceased the

decedent.

- The decedent, HONEY COMBS YOUNGER, died leaving no surviving maternal grandparents nor surviving children of her maternal grandparents, but Decedent was survived by the eight Petitioners herein, Decedent's First Cousins, who are all of the grandchildren of Decedent's maternal grandparents other than Decedent herself, Petitioners Lynda Diane Edenfield Luke, Pamela Lucile Edenfield Pratt, and Katherine Marie Edenfield Dessery being all of the children of Decedent's maternal grandparents' son (Decedent's uncle), Talmadge Mose Edenfield, Jr., deceased, and Petitioners Roy R. Roesel, Jr., Sandra Roesel Tilley, Sidney Rudy Roesel, Dale Vance Roesel, and Larry Roesel being all of the children of Decedent's maternal grandparents' daughter (Decedent's aunt), Merle Edenfield Roesel, deceased.

- As provided in T.C.A § 31-2-104, under Tennessee law, each of the eight first-cousin Petitioners herein has inherited a one-eighth (1/8) undivided interest in the Tennessee real property described in paragraph 2, which interest vested in each immediately upon the death of the decedent, as per T.C.A. § 31-2-103.

The names, ages, if known, mailing addresses, and relationship of each heir at law of the decedent (T.C.A § 31-2-104) are as follows: (No heir known to be a minor or under a legal disability):

• Lynda Diane Edenfield Luke 21107 N.W. 74th Place Alachua, FL 32615	Age: 58	First Cousin
• Pamela Lucile Edenfield Pratt 13829 Nightingale Street Andover, MN 55304	Age: 56	First Cousin
• Katherine Marie Edenfield Dessery 2429 - 32nd Street San Diego, CA 92104-5142	Age: 50	First Cousin
• Roy R. Roesel, Jr. Stigahlid 48 Reykjavik, Iceland 105	Age: 65	First Cousin
• Sandra Roesel Tilley 9016 McDiarmid Lane Huntersville, NC 28078	Age: 64	First Cousin
• Sidney Rudy Roesel 319 Northridge Road Jamestown, NC 27282	Age: 57	First Cousin
• Dale Vance Roesel 1915 Riverwood Drive Hixon, TN 37343	Age: 54	First Cousin
• Larry Roesel 2411 Fawn Lake Circle Naperville, IL 60564	Age: 49	First Cousin

5. Petitioners, being adults, being all of the heirs at law, and being all of the residuary beneficiaries of Decedent's estate, have expressed in their Petition their agreement to waive bond, inventory and interim accountings, in accordance with the provisions of T.C.A. §§ 30-1-201, 30-2-301, and 30-2-601.

BASED ON THESE FINDINGS, THE COURT ORDERS THE FOLLOWING:

1. Letters of (Ancillary) Administration shall issue to Petitioner LYNDA DIANE EDENFIELD LUKE as Personal Representative of the Estate of HONEY COMBS YOUNGER, aka HONEY MICHELE COMBS YOUNGER, aka HONEY MICHELLE COMBS YOUNGER ,aka HONEY M. COMBS-YOUNGER, she having taken an oath for the faithful performance of the administrator's duty.

2. In light of the agreement to waive bond, inventory, and interim accountings, all bonds are excused and the Personal Representative is excused from any requirement for making and filing an inventory of the estate and from any requirement of making interim court accountings, except that an estate status report will be required annually on the date of appointment.

This 8th day of August, 2006.

ROBERT HIGH BRADSHAW, JR.
Probate Master

APPROVED FOR ENTRY:

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Attorney for Petitioners

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 PETITION ORDER heretofore entered in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 08 day of AUGUST , 2006 , in Case Number 06P1251 between LUKE, LYNDA DIANE EDENFIELD Petitioner, and YOUNGER, HONEY COMBS Respondent, as same remains in the records of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 10 day of AUGUST 2006

RICHARD R. ROOKER, Clerk,

SEAL

By _____
Deputy Clerk