IN THE SEVENTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
PROBATE DIVISION

2007 JAN 11 AM 10: 23

IN THE MATTER OF:

THE ESTATE OF:

CORDIE GARFIELD DAY,
Deceased.

Docket No. 06P 2031

Davidson County ORDER
Recvd: 01/25/07 09:00 4 pgs
Fees:22.00 Taxes:0.00

20070125-0010047

CHARLES FOX, Petitioner.

ORDER

Based on an examination of the Petition, the decedent's last will, the affidavit of the subscribing witnesses and the sworn testimony of Petitioner on January 11, 2007, the Court finds the following:

1. Decedent died on June 17, 2006, at the age of 92 and was a resident of Davidson County, Tennessee.

2. Decedent left a will dated March 10, 2003, which was properly signed and witnessed.

3. The personal property specifically bequeathed in Article IV of Decedent's will has been distributed.

4. Decedent left his entire residuary estate to Petitioner, CHARLES FOX, which assets include land located in the 11th, formerly 19th, Civil District of Davidson County, Tennessee, described as follows:

> Beginning at a point in the center line of Neeley's Bend Road 157 feet, more or less, north of the southeast corner of the Homestead Tract of Susan A. Neeley, widow of William Neeley, deceased, a plan of which is of record in Minute Book "Y", page 458, of the County Court, also being the northeast corner of a tract of land that was conveyed to Ben H. Morgan by deed from W. R. Anglea and wife, of record in Book 1560, page 189, Register's Office for said County; thence along the center line of Neeley's Bend Road North 15° 40' West 184.5 feet to a point, the north east corner of a triangular strip conveyed to said Anglea by deed of record in Book 1725, page 291, said Register's Office, and being a corner of the Anderson Lands as established by said deed; thence along Anglea's line and along a fence south 81° 35' West 365.8 feet to a point; thence South 13° East 168.5 feet, more or less, to said Morgan's northwest corner, being a stake at 165.5 feet north of a hackberry in the north margin of the branch; thence along Morgan's north line south 85° 45' East 378 feet to the point of beginning; containing 1.45 acres, more or less.

APPROVED FOR ENTRY:

VICKY V. KLEIN, BPR# 10015
Attorney for the Estate
223 Madison Street, Ste. 102
P. O. Box 608
Madison, TN 37116-0608
(615) 868-8886

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing *Order* has been forwarded by U.S. Mail, postage prepaid, to the following interested parties on this 11th day of January, 2007:

Clemons Day
1541 Dry Creek Road
Ashland City, TN 37015

Roger Day
1110 Bel Air Drive
Lebanon, TN 37087

Kenneth Lane
1054 Harold Drive
Nashville, TN 37217

Donald Lane
120 Dillon Street
Hendersonville, TN 37075

VICKY V. KLEIN

5. The estate is non-taxable and the Bureau of Tenn Care has released any interest it may have in the Estate.

6. The Petitioner has given Decedent's heirs notice of this proceeding and further has provided each a copy of Decedent's last Will.

Based on these findings, the Court orders the following:

1. Decedent's will dated March 10, 2003, shall be, and it hereby is, admitted to probate for the sole purpose of establishing title to the following described real property located in the 11th, formerly 19th, Civil District of Davidson County, Tennessee, and for no other purpose, and said property, shall be, and it hereby is, vested in Charles Fox, his heirs and assigns, in fee simple:

> Beginning at a point in the center line of Neeley's Bend Road 157 feet, more or less, north of the southeast corner of the Homestead Tract of Susan A. Neeley, widow of William Neeley, deceased, a plan of which is of record in Minute Book "Y", page 458, of the County Court, also being the northeast corner of a tract of land that was conveyed to Ben H. Morgan by deed from W. R. Anglea and wife, of record in Book 1560, page 189, Register's Office for said County; thence along the center line of Neeley's Bend Road North 15° 40' West 184.5 feet to a point, the north east corner of a triangular strip conveyed to said Anglea by deed of record in Book 1725, page 291, said Register's Office, and being a corner of the Anderson Lands as established by said deed; thence along Anglea's line and along a fence south 81° 35' West 365.8 feet to a point; thence South 13° East 168.5 feet, more or less, to said Morgan's northwest corner, being a stake at 165.5 feet north of a hackberry in the north margin of the branch; thence along Morgan's north line south 85° 45' East 378 feet to the point of beginning; containing 1.45 acres, more or less.
>
> Being the same property conveyed to Cordie G. Day and Wife, Stella F. Day, by deed from D. Woodson Northcutt and Wife, Frances C. Northcutt, of record in Book 3531, page 499, Register's Office for Davidson County, Tennessee. The parties were married at the time of Stella F. Day's death on December 5, 1983, and the property then vested in Cordie G. Day as surviving tenant by the entirety. Cordie G. Day died testate on June17, 2006, and in accordance with the terms of his last will, the property now vests in Charles Fox.

2. The estate shall be, and it hereby is, closed.

ENTER this 11th day of January, 2007.

JUDGE

by interchange

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 11 day of JANUARY , 2007 , in Case Number 06P2031 between FOX, CHARLES Petitioner, and DAY, CORDIE GARFIELD 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 16 day of JANUARY 2007

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

SEAL

