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

2007 APR 13 AM 10:51

In Re: ESTATE OF CARRIE FRITTS BEAN, Deceased. NO. 07P-519

ORDER ADMITTING WILL TO PROBATE WITHOUT ADMINISTRATION

This cause came on to be heard on the 18th day of April, 2007, before the Honorable Randy Kennedy, upon the Petition of Elizabeth Bean Geiger, daughter of the decedent, for the probate of a Last Will and Testament without administration of the decedent, Carrie Fritts Bean. From an examination of the petition, the document offered for probate as the Last Will and Testament of the decedent, and the statements of counsel in open court, the Court finds the following:

1. The Decedent. The Decedent, Carrie Fritts Bean, a citizen and resident of Davidson County, Tennessee, died on December 24, 1990, at the age of 97. Her place of residence at the time of her death was 815 Rosebank Avenue, Nashville, TN 37206.
2. The Petitioner. The petitioner, Elizabeth Bean Geiger, who is a daughter of the decedent, resides at 815 Rosebank Avenue, Nashville, TN 37206.
3. The Will. The Decedent left a Last Will and Testament dated August 25, 1983 consisting of two pages. The original of this Will was filed in the Probate Court Clerk's office on January 15, 1991, shortly after the death of the decedent. However, no petition for probate was filed at that time. The said Will was prepared by Richard Marshall, a prominent member of the Nashville Bar and was signed by Mr. Marshall and his office secretary, Lynetta C. Matthews as attesting witnesses. Both Mr. Marshall and Ms. Matthews are

deceased. The petitioner has been unable to locate a witness to verify the signature of Ms. Matthews, but the signature of Mr. Marshall appears in numerous court documents in Davidson County. No one has appeared to object to the Probate and the petitioner has filed with the Court an affidavit of Clarence Bean, who would be an intestate beneficiary of the estate, in which he agrees to the Probate of the document dated August 25, 1983 as the Last Will and Testament of Carrie Fritts Bean. The Court is of the opinion that the Will should be admitted to Probate without further proof of the authenticity of the signatures of the subscribing witnesses, especially in view of the fact that the Will has been of record in the Probate Clerk's Office since 1991.

4. Beneficiary Under the Will. This will is offered for probate as muniment of title for the purpose of transferring title to the realty at 815 Rosebank Avenue, Nashville, TN 37206 from the decedent, Carrie Fritts Bean, to the petitioner, Elizabeth Bean Geiger. Item II of the Will of the decedent provides in part: "...Therefore, I do hereby give, devise and bequeath all property, real, personal and mixed...including my residence property located at 815 Rosebank Avenue...to my daughter, Elizabeth Bean Geiger."

5. Intestate heirs. In the event that the decedent had died intestate, the beneficiaries of her estate would have been the following: Clarence Bean (Son), 6841 Green Haven Drive, Sacramento, CA 95831; Elizabeth Bean Geiger, (Daughter), 815 Rosebank Avenue, Nashville, TN 37206; Colleen Ross, (Granddaughter – Daughter of Deceased Son, Ralph Bean), 737 Deerfield Drive, North Tonawanda, NY 14120-1905; Gail Leverett (Testate Beneficiary Under the Wills of Nell Bean Cato and Ramon Cato), 2618 Highview Drive, Nashville, TN 37206.

6. Assets of the Estate. The only remaining asset of the estate is the home located at 815 Rosebank Avenue, Nashville, TN 37206.

7. Beneficiary Under the Will and Muniment of Title. This will is probated for the purpose of transferring the decedent's interest in realty at 815 Rosebank Avenue, Nashville, TN 37206 to Elizabeth Bean Geiger. The will provides in Item II:

> "Therefore, I do hereby give, devise and bequeath all property, real, personal and mixed, of which I die seized and possessed, including my residence property located at 815 Rosebank Avenue, or should I have sold said property before my death, the proceeds thereof, or any and all real property, including any other residence which I may later purchase, and also any and all interest which I may have in joint savings accounts and checking accounts with my daughter, Elizabeth Bean Geiger, and also, any proceeds remaining from the payment of any policies of insurance which may be payable to my estate, to my said daughter, Elizabeth Bean Geiger, to be hers absolutely."

8. Legal Description of Realty. The legal description of the realty owned by the decedent at her death is as follows:

> A tract of land in Davidson County, Tennessee described as follows:
>
> Being Lot No. 37 on the Plan of Section One, Rose Estates, as of record in Book 3600, page 37, Register's Office for said County.
>
> Said Lot No. 37 fronts 74.07 feet on the easterly side of Rosebank Avenue, and extends back 149 feet on the northerly line and 213.28 feet on the southerly line, which is a broken line, to a dead line in the rear on which it measures 85.6 feet.
>
> Being the same property conveyed to Carrie F. Bean, by deed from Carl Batson and Bettye Batson, dated August 31, 1964, of record in Book 3813, page 386, said Register's Office.
>
> This is improved property known as 815 Rosebank Avenue, Nashville, TN 37206; Parcel No: 131, Map: 84/1, Official Property Maps for Davidson County, Tennessee.

9. Debts: All of the debts of the decedent have been paid.

10. Notice: Notice of the filing of the petition for probate was given to all known heirs of the decedent, Carrie Fritts Bean, on or about the 20th day of March, 2007.

IT IS, HEREBY, ORDERED, ADJUDGED AND DECREED:

1. That the document dated August 25, 1983 be admitted to Probate as the Last Will and Testament of Carrie Fritts Bean as a muniment of title to realty.
2. Pursuant to the provisions of the said will, the property located at 815 Rosebank Avenue, Nashville, TN 37206, the legal description of which is set forth above, is declared to be devised by the Will of Carrie Fritts Bean to Elizabeth Bean Geiger.
3. That no personal representative be appointed and no Letters Testamentary issued;
4. That no formal court supervised administration of the estate be required; and
5. That notice by publication to creditors and notice to the Department of Revenue is hereby waived.

ENTERED THIS 18TH DAY OF APRIL, 2007.

Randy Kennedy, Probate Judge

Approved for entry:

George H. Cate, Jr.

GEORGE H. CATE, JR. (#2775)
95 White Bridge Road
Suite 503, Cavalier Building
Nashville, TN 37205
615/352-8677
Attorney for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Order of Probate Without Administration was mailed to Clarence Bean (Son), 6841 Green Haven Drive, Sacramento, CA 95831; Colleen Ross, (Granddaughter – Daughter of Deceased Son, Ralph Bean), 737 Deerfield Drive, North Tonawanda, NY 14120-1905; Gail Leverett (Testate Beneficiary Under the Wills of Nell Bean Cato and Ramon Cato), 2618 Highview Drive, Nashville, TN 37206 on the 18th day of April, 2007.

George H. Cate, Jr.

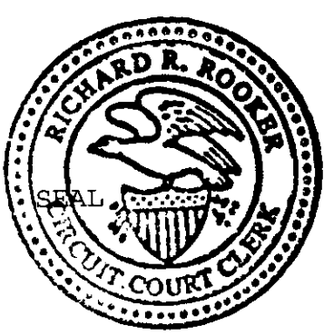
GEORGE H. CATE, JR.

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 18 day of APRIL , 2007 , in Case Number 07P519 between GEIGER, ELIZABETH BEAN Petitioner, and BEAN, CARRIE FRITTS 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 25 day of APRIL 2007

RICHARD R. ROOKER, Clerk,



SEAL

By _____
Deputy Clerk