FILED
2007 APR 20 AM 3:44
RICHARD R. ROOKER, CLERK
D.C.

FILED
2007 APR 19 AM 9:56
RICHARD R. ROOKER, CLERK
D.C.

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

IN RE:

THE ESTATE OF JOE A. SULLIVAN,

Deceased.

Case No. 04P-916

NOTICE OF ENTRY REQUESTED

HELEN R. SULLIVAN,

Petitioner/Counter-Respondent, individually and in her capacity as Personal Representative,

v.

MARY FOWLER SULLIVAN BURNETT and WILLIAM PORTER BURNETT,III,

Respondents/Counter-Petitioners.

AGREED ORDER

It appearing to the Court as evidenced by the signatures of counsel for all the parties that an agreement exists to resolve the Counter-Petition filed by the Respondents against Helen R. Sullivan individually and in her capacity as Personal Representative of the Estate of Joe A. Sullivan, the Court therefore finds and ORDERS as follows:

1. Joe A. Sullivan, the decedent, who died on June 24, 2002 was vested with a one-half (½) undivided interest in real estate located at 2519 Fairfax Avenue, Nashville, Davidson County, Tennessee and more particularly described in Exhibit #1 attached hereto and incorporated herein by reference.

2. At the time of Joe A. Sullivan's death, Mary Fowler Sullivan Burnett was vested with the other one-half (½) undivided interest in the real estate located at 2519 Fairfax Avenue, Nashville, Davidson County, Tennessee and more particularly described in Exhibit #1 attached hereto and incorporated herein by reference.

3. The parties agree that Mary Fowler Sullivan Burnett, pursuant to the original will of Joe A. Sullivan dated March 11, 1997 and attached hereto

Davidson County ORDER
Recvd: 05/10/07 09:22 10 pg
Fees:52.00 Taxes:0.00
20070510-0056059

as Exhibit #2, bequeaths to Mary Fowler Sullivan Burnett all of Joe A. Sullivan's right, title, and interest in said real estate.

4. Because another will was submitted to probate in this Court purporting to bequeath Joe A. Sullivan's interest in said real estate to Helen R. Sullivan, Helen R. Sullivan agrees to convey to Mary Fowler Sullivan Burnett all right, title, and interest that she may have in the real estate described in Exhibit #1 and accordingly, has signed a quitclaim deed to Mary Fowler Sullivan Burnett divesting any interest that Helen R. Sullivan may have in said real estate and vesting all right, title, and interest with Mary Fowler Sullivan Burnett. A copy of this quitclaim deed is attached hereto as Exhibit #3.

5. Helen R. Sullivan further agrees that a judgment shall enter against her for the sum of $3,000.00 representing attorney's fees incurred by the Burnetts in this cause. Ms. Sullivan agrees to pay said judgment within thirty (30) days of the entry of this Order or execution may issue.

MSS 4-16-07

DLM 4/16/07

5. This Order resolves all issues between the parties as it relates to the Estate of Joe A. Sullivan.

6. The court costs of this cause shall be paid by Helen R. Sullivan.

IT IS SO ORDERED.

Entered this the 20 day of April, 2007.

Randy Kennedy, Probate Court Judge

APPROVED FOR ENTRY:

Martin Sir (BPR#7173)
Attorney for the Mary Fowler Sullivan Burnett and William Porter Burnett, III
227 2nd Avenue North
Nashville, TN 37201
(Phone) 615/256-5661
(Fax) 615/256-1346

David L. Maddox (BPR#003122)
Attorney for Helen R. Sullivan in her individual capacity and in her capacity as Personal Representative of the Estate of Joe A. Sullivan
1207 17th Avenue South, Suite 300
Nashville, TN 37212
(Phone) 615/329-0086
(Fax) 615/320-7150

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was sent via U.S. Mail postage prepaid to Mary Fowler Sullivan Burnett, 709 Orchard Dr., Fayetteville, TN 37334, William Porter Burnett, III, 2519 Fairfax Avenue, Nashville, TN 37212 and to David L. Maddox, attorney for Helen R. Sullivan, 1207 17th Avenue South, Suite 300, Nashville, TN 37212 this the 15 day of _____, 2007.

Martin Sir

CLERK'S NOTICE OF ENTRY

Pursuant to Rule 58 of the Tennessee Rules of Civil Procedure, I hereby certify that I have mailed a copy of the foregoing ORDER to the parties/counsel listed below this the 20 day of Aug, 2007.

RICHARD R. ROOKER, CLERK

: _____
DEPUTY CLERK

MARTIN SIR, ESQ
227 2ND AVE N
NASHVILLE, TN 37201

DAVID MADDOX, ESQ
1207 17TH AVE S SU 300
ANASHVILLE, TN 37212

94 NO. 30477 RECORDED JUNE 11 1928 CLERK & MASTER TO MARY HOLT SULLIVAN

SECOND

THIS INDENTURE, Made the day of , Clerk and Master of the Chancery Court at Nashville, for Davidson County, State of Tennessee, JOSEPH R WEST, of the first part, and MARY HOLT SULLIVAN, of the second part, witnesseth:

WITNESSETH, That a proposition for the purchase of the real estate hereinafter described, was submitted to said Court by said MARY HOLT SULLIVAN and by a decree of said Court in the cause of MARY HOLT SULLIVAN, Complainant, vs. JOE ALLEN SULLIVAN ET AL, Defendants, and entered on page 52 of Minute Book No 122 of said Court did approve the report of the Clerk and Master and accept said proposition and sell said real estate upon the terms therein to the said MARY HOLT SULLIVAN for SEVEN HUNDRED DOLLARS which report of the Clerk and Master was made to the April Term, 1928, and is embraced in said decree on page 32 of Minute Book No. 122 confirming said report. And said MARY HOLT SULLIVAN HAVING PAID SAID CONSIDERATION OF $700.00 IN FULL.

as required by the decree of the aforesaid.

NOW, THEREFORE, in order to carry into effect said sale, in pursuance of said decree, and in consideration of the sum of TWO DOLLARS, paid to said Clerk and Master, the receipt of which is hereby acknowledged, the said JOSEPH R WEST, as such Clerk and Master,

do THEREBY hereby transfer and convey to the said MARY HOLT SULLIVAN and to HER heirs and assigns forever, said parcel or tract of land, situated in the County of DAVIDSON and State of Tennessee, and bounded and described as follows:

LYING AND BEING IN THE CITY OF NASHVILLE, DAVIDSON COUNTY TENNESSEE AND BEING LOT NO 17 IN THE BRANSFORD REALTY COMPANY'S SUBDIVISION OF EDGAR JONES HOME PLACE, THE PLAN OF WHICH IS OF RECORD IN BOOK NO 421 PAGE 7 R O D C TENNESSEE; SAID LOT NO 17 FRONTS 50 FEET ON THE SOUTH SIDE OF JONES AVENUE AND EXTENDS BACK BETWEEN PARALLEL LINES 185 FEET MORE OR LESS TO AN ALLEY IN THE REAR.

TO HAVE AND TO HOLD said real estate, with all the hereditaments and appurtenances thereunto belonging, to the said MARY HOLT SULLIVAN and to HER heirs and assigns forever. In Witness Whereof, the said JOSEPH R WEST, Clerk and Master as aforesaid, has hereunto set HIS hand the date first above written.

JOSEPH R WEST
CLERK AND MASTER

STATE OF TENNESSEE, DAVIDSON COUNTY. COUNTY AND STATE aforesaid

Personally appeared before me, F E PENTECOST A NOTARY PUBLIC IN AND FOR SAID , the within named JOSEPH R WEST CLERK AND MASTER, the bargainor, with whom I am personally acquainted and who acknowledged that HE executed the within DEED, and who executed the foregoing instrument for the purposes therein contained.

Witness my hand, AND SEAL this 7TH day of JUNE, 1928

U.S.R.S. # NONE

(SEAL) F E PENTECOST
NOTARY PUBLIC

Received JUNE 8 1928 AT 12:08 P. M.

MY COMMISSION EXPIRES JULY 12, 1931

1928 APR 18 AM 9:56
RICHARD R ROOKER, CLERK

EXHIBIT 1

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

Last Will and Testament

COPY
FILED
2007 APR 10 AM 9:55
RICHARD R. ROOKER, CLERK

OF

JOE A. SULLIVAN

I, Joe A. Sullivan, a resident of Davidson County, Tennessee, being of full age and sound and disposing mind and memory, hereby make, publish and declare this to be my Last Will and Testament, and I hereby revoke any and all wills by me at any time heretofore made.

FIRST: I direct that all my just debts and funeral expenses be first paid out of my estate.

SECOND: In the event it is necessary to probate this will, I hereby designate and appoint my wife as the Executrix of my estate to serve without bond.

THIRD: I give and bequeath to my sister my interest in the house located at 2519 Fairfax Avenue, Nashville, Tennessee.

FOURTH: All the rest, residue and remainder of my estate, wherever situated, wherever located, I give, devise and bequeath to my wife.

FIFTH: I waive the filing of an inventory or accounting by my Executrix.

IN WITNESS WHEREOF, I hereunto set my hand, and declare the foregoing instrument to be my Last Will and Testament.

Dated this the 11th day of MARCH, 1997.

Joe A. Sullivan

On this 11th day of March, 1997, Joe A. Sullivan, of the City of Nashville, County of Davidson, State of Tennessee, declared the foregoing to be his Last Will and Testament, and asked us to witness the execution thereof, signed his name, Joe A. Sullivan, in our presence, at the end of said instrument in our presence, and as witnesses thereof, we do now, at his request, in his presence, and in the presence of each other, hereunto subscribe our names and addresses, this clause having been first read to us, and we having noted and hereby certifying that the matters herein stated took place in fact and in the order herein stated.

John Whitfield — Nash In
NAME OF WITNESS — ADDRESS OF WITNESS

Susan Oliver — Nash. In
NAME OF WITNESS — ADDRESS OF WITNESS

EXHIBIT 2

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, a Notary Public for the above State and County, the within-named witnesses, who after being duly sworn according to law, deposed and said that they are the subscribing witnesses of the foregoing Will of Joe A. Sullivan; that each of them signed the attestation clause of the said Will at the request of Joe A. Sullivan and in his sight and presence, and in the sight and presence of each other, and that all facts stated in the foregoing attestation clause are true.

John Whitfield
NAME OF WITNESS

Susan Oliver
NAME OF WITNESS

Sworn to and subscribed before me
this 11th day of March,
1994.

Phyllis A Gibson
NOTARY PUBLIC

My Commission Expires: 7-24-99

THIS INSTRUMENT PREPARED BY:

MARTIN S. SIR
ATTORNEY AT LAW
227 SECOND AVENUE NORTH
FIRST FLOOR
NASHVILLE, TENNESSEE 37201
(615) 256-5661

FILED
2007 APR 18 AM 9:56
RICHARD R ROOKER, CLERK
D.C.

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that **HELEN R. SULLIVAN**, hereinafter referred to as Grantor, pursuant to the Agreed Order, 2007, filed in the Circuit Court for Davidson County, conveys and quitclaims unto **MARY FOWLER SULLIVAN BURNETT**, hereinafter referred to as Grantee, all her right, title and interest, in and to a certain parcel of land in Davidson County, Tennessee, described as follows, to wit:

Lying and being in the City of Nashville, Davidson County, Tennessee, and being Lot No. 17 in the Bransford Realty Company's Subdivision of Edgar Jones Home Place, the plan of which is of record in Book No. 421, page 7, Register's Office Davidson County, Tennessee; said Lot No. 17 fronts 60 feet on the south side of Jones Avenue and extends back between parallel lines 185 feet more or less to an alley in the rear.

This is the same property conveyed by Joseph R. West, Clerk and Master of the Chancery Court of Davidson County, Tennessee to Mary Holt Sullivan by deed dated June 2, 1928 which deed is recorded in Deed Book 669, page 94, Register's Office of Davidson County, Tennessee. The said Mary Holt Sullivan died intestate a resident of Davidson County, Tennessee in 1929, and her heirs at law were Joe A. Sullivan and Mary Fowler Sullivan (now Burnett). The said Joe A Sullivan married the undersigned, Helen R. Sullivan. The said Joe A. Sullivan has subsequently died a resident of Davidson County, Tennessee

IN WITNESS WHEREOF, Grantor has hereunto set his hand and seal this the _____ day of _____, 2007.

~~Original of this quitclaim deed will~~ be filed
HELEN R. SULLIVAN at a later date

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, _____, a Notary Public in and for said state and county, **HELEN R. SULLIVAN**, to me known (or proved to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument.

WITNESS my hand and official seal, this the _____ day of _____, 2007.

_____
Notary Public

My Commission Expires:_____

EXHIBIT
3

Tax Map/Parcel: 104-11-0 141.00

Property Address:

2519 Fairfax Avenue
Nashville, TN 37212

Name and Address of Property Owner:

Mary Fowler Sullivan Burnett
709 Orchard Drive
Fayetteville, TN 37334

Person Responsible for Taxes:

Mary Fowler Sullivan Burnett
709 Orchard Drive
Fayetteville, TN 37334

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 20 day of APRIL , 2007 , in Case Number 04P916 between SULLIVAN, HELEN R. Petitioner, and SULLIVAN, JOE A. ET.AL 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 27 day of APRIL 2007

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

SEAL