**ADDRESS NEW OWNER:**
Robert Todd Hinton

655 Des Moines Drive
Hermitage, TN 37076

Davidson County DEEDWARR
Recvd: 09/11/07 15:19 13 pgs
Fees:68.00 Taxes:307.10
20070911-0109082

**SEND TAX BILL TO:**

New Owner

**MAP & PARCEL NOS.:**
75-7-70

**This instrument prepared by: Cindy S. Smith, P.C., Attorney at Law**
**P.O. Box 292004, Nashville, TN 37229**

# WARRANTY DEED

**FOR AND IN CONSIDERATION** of the sum of TEN and No/100 ($10.00) DOLLARS cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, We, **Mark Edward Hinton** (the "Grantors"), have bargained and sold, and by these presents do transfer and convey unto **Robert Todd Hinton** (the "Grantees"), Grantees' successors and assigns, a certain tract or parcel of land in **Davidson** County, State of Tennessee, being more particularly described as follows, to wit:

**Land in Davidson County, Tennessee, being Lot No. 61 on the Plan of Tulip Grove, Section 2, as of record in Book 3700, Page 122, Register's Office for Davidson County, Tennessee, to which said plan reference is hereby made for a more detailed description of said lot.**

**Being the same property conveyed John E. Hinton, Jr., and wife, Evelyn N. Hinton, by Warranty Deed dated June 6, 1969, from F.E. Stratton, Jr., and wife, Bettie S. Stratton, of record in Book 4340, Page 888, Register's Office for Davidson County, Tennessee. The said John E. Hinton, Jr., died on or about July 20, 1996, leaving Evelyn N. Hinton as the sole surviving tenant by the entirety. The said Evelyn N. Hinton died on March 3, 2007, and was survived by her two sons, Mark Edward Hinton and Robert Todd Hinton. By virtue her Last Will and Testament, she devised the subject property to Mark Edward Hinton and Robert Todd Hinton. Evelyn N. Hinton is one and the same person as Evelyn Neoma Hinton. See Order of Probate Without Formal Administration attached hereto as Exhibit A. See Last Will and Testament of Evelyn Neoma Hinton attached hereto as Exhibit B.**

**This is property with a common address of 655 Des Moines Drive, Hermitage, TN 37076.**

**CONVEYANCE OF SAID PROPERTY IS MADE SUBJECT TO THE FOLLOWING: 1) Property taxes for the current year which are not being prorated; 2) The Plan of Record in Book 3700, Page 122, said Register's office and all matters therein; 3) Restrictive Covenants and Easements of record.**

**The parties acknowledge and agree that no title search was performed and no title insurance issued pursuant to this transfer.**

mek

**STATE OF TENNESSEE**
**COUNTY OF DAVIDSON**

The actual consideration or value, whichever is greater for this transfer is $83,000.00.

Affiant

Subscribed and sworn before me this 9th day of September, 2007.

My Commission Expires: 11-14-2009

Notary Public

CINDY S. SMITH
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires NOV. 14, 2009

**TO HAVE AND TO HOLD** the said tract or parcel of land with the appurtenances, estate, title, and interests thereto belonging to the said Grantees, Grantees' successors and assigns, forever.

And Grantors do covenant with the said Grantees that Grantors are lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered except as set forth herein.

And Grantors do further covenant and bind themselves, their heirs, representatives and assigns, to warrant and forever defend the title to the Property to the said Grantees, their successors and assigns against the lawful claims of all persons whomsoever.

When necessary for proper construction, the singular shall include the plural and the plural shall include the singular, and the reference to any gender shall include reference to any and all genders.

**IN WITNESS WHEREOF**, the Grantors have caused this Deed to be executed this **9th** day of **September, 2007**.

**Mark Edward Hinton**

**STATE OF TENNESSEE**
**COUNTY OF DAVIDSON**

Personally appeared before me, **the undersigned authority**, a Notary Public in and for said County and State, the within named **Mark Edward Hinton** , with whom I am personally acquainted, or who proved to me on the basis of satisfactory evidence, and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office this **9th** day of **September, 2007**.

**Notary Public**
**My Commission Expires:** 11-14-2009

CINDY S. SMITH
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires NOV. 14, 2009

File No. 0709-131

Exhibit A

FILED

**IN THE SEVENTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE**
**(Probate Division)**
2007 AUG -1 AM 10: 32

IN RE:

RICHARD R. ROOKER, CLERK

THE ESTATE OF EVELYN NEOMA HINTON, D.C.

Deceased

No. 07A207

ORDER OF PROBATE WITHOUT FORMAL ADMINISTRATION

BE IT REMEMBERED, this 1st day of August, 2007, before the Probate Master, Robert High Bradshaw, Jr., a paper writing purporting to be the Last Will and Testament of the deceased, properly witnessed and duly executed by Evelyn Neoma Hinton, was admitted into probate as the Last Will and Testament of the deceased.

IT APPEARING from the affidavits or testimony provided that the paper writing was written during the lifetime of the deceased, signed by the witnesses in the presence of and at the request of the deceased, in the presence of each other and as attesting witnesses thereto.

IT FURTHER APPEARING that said instrument was executed by the deceased as and for the Last Will and Testament of the deceased, who at the time of execution was of sound mind and disposing memory and whose usual residence was said county, all of which is ORDERED, ADJUDGED AND DECREED, by this Court.

IT IS FURTHER, ORDERED ADJUDGED AND DECREED, that the Last Will and Testament of the deceased be admitted into probate and the Clerk is hereby directed to file and record same.

IT IS FURTHER, ORDERED, ADJUDGED AND DECREED, that the decedent had no personal estate to administer, therefore, no formal administration shall be required.

ENTER, this 1st day of August 2007.

Robert High Bradshaw, Jr.
Probate Master

Approved for entry:

Cindy S. Smith #012800
Attorney for Petitioner
P.O. Box 292004
Nashville, TN 37229
(615) 871-4141

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been served upon Thomas Allen Walker, Sr., 7214 Dogwood Drive, Fairview, TN 37062; Diane Campbell, 7207 Sugar Maple Drive, SW, Fairview, TN 37062; Wendell Wayne Walker, c/o Thomas Walker, 7214 Dogwood Drive, Fairview, TN 37062; Ronald Edward Walker, 7114 Tupelo Drive, SW, Fairview, TN 37062, by personally delivering a copy of same to them or by depositing a copy of same in the U.S. Mail, postage pre-paid on this the 31st day of June 2007.

Cindy S. Smith

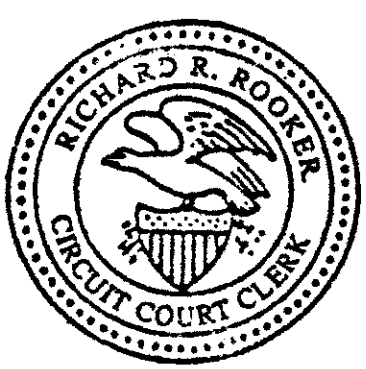
**STATE OF TENNESSEE**

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 01 day of AUGUST , 2007 , in Case Number 07P1207 between HINTON, MARK EDWARD ET.AL Petitioner, and HINTON, EVELYN NEOMA 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 02 day of AUGUST 2007

**RICHARD R. ROOKER,** Clerk,

SEAL




By _____

Deputy Clerk

Exhibit B

FILED
2007 AUG -1 AM 10:48
RICHARD R. ROOKER, CLERK

# LAST WILL AND TESTAMENT OF

# EVELYN NEOMA HINTON

I, Evelyn Neoma Hinton, being one and the same as Evelyn N. Hinton, (either of which may serve as my official signature herein) domiciled in Hermitage, Davidson County, Tennessee, do make publish and declare this to be my Last Will and Testament, hereby revoking all wills and codicils heretofore made by me.

## ARTICLE ONE

I nominate and appoint my beloved sons, Mark Edward Hinton of Hermitage, Tennessee, and Robert Todd Hinton of Hermitage, Tennessee, as my Co-Executors of this my Last Will and Testament, and it is my desire that they serve in such capacity without the necessity of making bond. In the event that either Mark Edward Hinton or Robert Todd Hinton predeceases me, then I nominate and appoint my the survivor of the two of them as Executor of this my Last Will and Testament, and it is my desire that he serve in such capacity without the necessity of making bond.

I further nominate and appoint the survivor of either Mark Edward Hinton or Robert Todd Hinton, as Trustee of any Trust created herein and it is my desire that he serve without the necessity of making bond.

In reference to the Executor and Trustee, I hereby incorporate by reference the powers set forth in Tennessee Code Annotated, Section 35-50-110, to which reference is hereby made and which powers shall be incorporated herein by reference as though such language were set forth verbatim herein. I further authorize my Executor to deal with any real property that is a part of my probate estate as if it were personal property of my probate estate. Reference herein to Executor shall refer to Co-Executors.

I further waive the requirement of an inventory, accounting, final inventory, or final accounting of my estate if same can be lawfully waived.

## ARTICLE TWO

I direct that all of my just debts, my funeral expenses and the costs of administration of my estate be paid from cash assets of my estate or from my burial policy as soon as practicable after my death.

I further direct that all estate, inheritance, succession, legacy, transfer, and other taxes of the

Evelyn Neoma Hinton

same nature which are payable because of my death, including any interest or penalties thereon with respect to the property comprising my estate for such tax purposes whether or not such property passes under this Will and whether such taxes are payable by my estate or by any recipient or beneficiary of any such property, shall be paid entirely out of my estate as an expense of administration and without any apportionment and with no right of reimbursement from any recipient or beneficiary of such property.

I further direct that in the event that any property or interest in property passing under this Will, by operation of law, or otherwise by reason of my death (other than as a part of my residuary estate), shall be encumbered by mortgage or lien, or shall be pledged to secure an obligation, it is my intention that such indebtedness shall not be charged to or paid from my estate, but that the devisee, legatee, joint owner taking by survivorship, or beneficiary receiving such property or interest in property shall take it subject to all encumbrances existing at the time of my death.

ARTICLE THREE

I direct that all of my insurance policies which provide indemnity for the loss of or damage to any of my personal or real property by fire, windstorm, or other similar casualty (including any claim for the loss of or damage to any such property which I might have at the time of my death against any insurance company), I give and bequeath, respectively, to those persons or corporations, as the case may be, who shall or would have become the owners of such properties by reason of my death, whether such ownership be acquired under the provisions of this Will, by survivorship or by other means.

ARTICLE FOUR

I give, devise and bequeath all of the rest and residue of my property, real, personal and mixed, of every nature and wheresoever situated, including lapsed legacies and devises, remainders, reversions, expectancies, income collected during the period of administration of my estate and all property of which I have power of testamentary disposition, control or appointment, I give, devise, and bequeath to my sons, Mark Edward Hinton and Robert Todd Hinton, equally absolutely in fee simple

absolute.

Evelyn Neoma Hinton

ARTICLE FIVE

In the event either Mark Edward Hinton or Robert Todd Hinton predecease me, then I give, devise and bequeath their respective interest in my estate as follows:

1) If Mark Edward Hinton predeceases me, then I give, devise, and bequeath his one-half interest in my estate to his child, Lyda Grace Hinton, pursuant to the terms of The Hinton Trust established herein and Robert Todd Hinton to serve as Trustee.

2) If Robert Todd Hinton predeceases me, then I give, devise, and bequeath his one-half interest in my estate to his children, Courtney Paige Hinton and John Garrett Hinton, equally to share and share alike, pursuant to the terms of The Hinton Trust established herein and Mark Edward Hinton to serve as Trustee.

ARTICLE SIX

"THE HINTON TRUST"

(1) I direct my Trustee to establish The Hinton Trust. The purpose of this Trust shall be to provide for the health, support, maintenance, welfare and education of my beloved grandchildren (herein "beneficiaries"). I direct Trustee, if Trustee deems necessary in his sole discretion, to sell my house and place the proceeds from such sale in the Trust. I authorize Trustee to have absolute, discretionary power to deal with any property, real, personal, or mixed of every nature and wheresoever situated, including lapsed legacies and devises, remainders, reversions, expectancies, income collected during the period of administration of my estate and all property of which I have power of testamentary disposition, control or appointment, which is held in this Trust, as freely as I might in the handling of my own affairs including but not limited to transferring or conveying real property as Trustee and mortgaging same provided such transfer, conveyance, or mortgage is for the health, support, maintenance, welfare and education of such beneficiaries. My Trustee shall hold, manage, invest, and reinvest the corpus of said Trust and shall dispose of the income and the principal of the Trust as directed herein. Such power may be exercised independently and without the prior or subsequent approval of any court for judicial authority, and no person dealing with my Trustee shall be required to inquire into the propriety of her actions.

(2) If there is more than one beneficiary of The Hinton Trust, I direct my Trustee to divide the assets of the Trust as then constituted into shares as set for hereinbelow and in the

percentages hereinbelow so as to provide one share for each of my grandchildren as hereinafter named. Each share shall be distributed or retained, as provided herein. Reference to my grandchildren ("beneficiaries") herein shall refer to Lyda Grace Hinton, Courtney Paige Hinton, and John Garrett Hinton. The share of Lyda Grace Hinton shall consist of no more than Fifty percent (50%) of my entire estate. The share of Courtney Paige Hinton shall consist of no more than Twenty-Five percent (25%) of my entire estate. The share of John Garrett Hinton shall consist of no more than Twenty-Five percent (25%) of my entire estate.

(3) After division into separate shares under Paragraph 2, the Trustee may, in his uncontrolled discretion pay or apply so much of the income received from a particular share to or for the benefit of the person who is the beneficiary of that particular share. Any net income not distributed shall periodically be added to and commingled with the principal of that particular share.

Trustee may pay to each or apply for the benefit of each of my grandchildren such amounts of principal of her/his share in addition to income, as in Trustee's sole discretion are necessary or desirable for each beneficiary's medical care, education, support and maintenance in reasonable comfort, taking into consideration as Trustee finds appropriate, any other income or resources of my grandchildren.

(4) After division into separate shares under Paragraph 2, and when each grandchild attains the age of Twenty-One (21) years, I direct Trustee to distribute to each child all of her/his share. I direct Trustee to pay each child who has attained the age of Twenty-One (21) years at the time this Trust is divided into separate shares pursuant to Paragraph 2, all of her/his share.

(5) Neither the corpus, principal nor income of The Hinton Trust shall be pledged, assigned, transferred, sold, or in any manner whatsoever, accelerated, anticipated, or encumbered, by beneficiaries, nor shall any income, principal or corpus of said Trust estate be in any manner subject or liable in the hands any of beneficiary, or be subject to any assignment, or any other voluntary or involuntary alienation or disposition whatsoever. All distributions of said income or principal shall be paid only upon receipt to the beneficiaries entitled, or to others for their use and benefit.

ARTICLE SEVEN

Anything in this Will to the contrary notwithstanding, no Trust created hereunder shall

continue beyond 21 years after the death of the last to die of those beneficiaries who were living at the time of my death; and upon the expiration of such period all Trust or Trusts shall terminate and the assets thereof shall be distributed outright to those parties (and in the same proportions) as are then receiving the income therefrom.

ARTICLE EIGHT

If there is any bequest or devise made to any minor herein and direction is not given as to whom it shall be distributed on behalf of the minor, then I direct that said bequest or devise shall be made pursuant to the Tennessee Uniform Transfers to Minors Act as codified in Tennessee Code Annotated, Section 35-7-201 et seq.

ARTICLE NINE

Whenever necessary for proper construction, the singular shall include the plural and the plural shall include the singular, and the use of any gender shall be applicable to all genders.

ARTICLE TEN

IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of this and FOUR preceding typewritten pages and ONE succeeding typewritten pages, and for the purpose of identification I have signed each page, all in the presence of the persons witnessing it at my request on this 2nd day of July 2003, at Nashville, Tennessee.

Evelyn Neoma Hinton
EVELYN NEOMA HINTON

ATTESTATION CLAUSE

The foregoing instrument, consisting of this and FOUR preceding typewritten pages and ONE succeeding typewritten pages, was signed, sealed, published and declared by Evelyn Neoma Hinton, the Testatrix, to be her Last Will and Testament in our presence and we at her request and in her presence and in the presence of each other, have hereunto subscribed our names as witnesses, this 2nd day of July 2003, at Nashville, Tennessee.

Judy Bryant residing at 617 Poplar Creek Trace Cir
Nashville, Tn 37221

residing at 6310 Mayfield Ln
Brentwood, TN 37027

Evelyn Neoma Hinton

AFFIDAVIT OF WITNESSES TO PROVE WILL

Judy Tygard of Davidson County, Tennessee,
and
Ryan Edmonds of Williamson County, Tennessee,
after being duly sworn according to law, depose and say:

1. That they are adult citizens of the their respective counties above and of sound mind.

2. That they witnessed the execution of the Last Will and Testament of EVELYN NEOMA HINTON (Testatrix) dated JULY 2, 2003, to which this affidavit is attached, and that this affidavit is being made at the request of the Testatrix, and in accordance with Tennessee Code Annotated, Section 32-2-110.

3. That their signatures are affixed to said Last Will and Testament, that they signed or affixed their names at the instance and at the request of the Testatrix and in her presence, and in the presence of each other, at the place and on the date recited in said Last Will and Testament.

4. That the Testatrix voluntarily signed said paper writing as and for her Last Will and Testament in their sight and presence.

5. That at the time they witnessed said will, the Testatrix was, in their opinion, of full age and of sound and disposing mind and memory and competent to make testamentary disposition of real and personal property.

Judy Tygard
Witness
Address of Witness:
617 Poplar Creek Trace Cb
Nashville, TN 37221

Witness
Address of Witness:
630 Mayfield Ln
Brentwood, TN 37027

STATE OF TENNESSEE
COUNTY OF DAVIDSON
Subscribed and Sworn to before me this 2nd day of July 2003.

Notary Public
My Commission Expires: 1/28/2006

CINDY S. SMITH
NOTARY PUBLIC
DAVIDSON COUNTY, TENNESSEE
My Commission Expires JAN 28, 2006

Evelyn Neoma Hinton

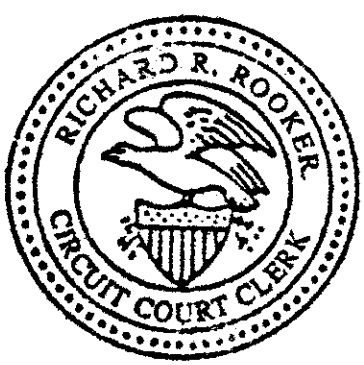
**STATE OF TENNESSEE**

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 LAST WILL AND TESTAMENT heretofore entered in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 01 day of AUGUST , 2007 , in Case Number 07P1207 between HINTON, MARK EDWARD ET.AL Petitioner, and HINTON, EVELYN NEOMA 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 02 day of AUGUST 2007

**RICHARD R. ROOKER,** Clerk,

SEAL




By _____

Deputy Clerk

Certificate of Authenticity

I, D. Binkley, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Signature

State of Tennessee

County of Davidson

Personally appeared before me, Cindy S Smith, a notary public for this county and state, D. Binkley who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Notary's Signature

My Commission Expires: My Commission Expires NOV. 14, 2009

CINDY S. SMITH
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN