GSRM
31-B

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

FILED
2007 NOV 13 PM 2:56
RICHARD R. ROOKER, CLERK
D.C.

IN RE:	)	
	)	
ESTATE OF JOHN R. McMILLEN,	)	**No. 07P-1299**
	)	
Deceased.	)	

QUALIFIED PARTIAL DISCLAIMER
OF MICHAEL J. McMILLEN

WHEREAS, John R. McMillen (the "Decedent"), a resident of Davidson County, Tennessee, died testate on August 3, 2007; and

WHEREAS, the Last Will and Testament of John R. McMillen dated May 31, 1978 (the "Will") was admitted to probate by the Seventh Circuit Court for Davidson County, Tennessee on August 16, 2007, at which time the Decedent's son, Michael J. McMillen, was appointed as Executor of the Decedent's estate; and

WHEREAS, the Decedent's wife, Bettie J. McMillen, predeceased the Decedent such that the sole beneficiary under the Will is the Decedent's son, Michael J. McMillen; and

WHEREAS, Michael J. McMillen wishes to disclaim all of his right, title, and interest under the Will in and to a certain tract or parcel of improved real property owned by the Decedent at his death and known as 3927 Woodlawn Drive, Nashville, Davidson County, Tennessee, which is of record as Book 4003, Page 314, Register's Office for Davidson County, Tennessee, said tract or parcel of improved real property being Parcel ID No. 116-04-0-143.00 (the "Disclaimed Property"); and

WHEREAS, Michael J. McMillen does not wish to disclaim any right, title, or interest in or to any property passing to him as the result of the Decedent's death other than the Disclaimed Property; and

WHEREAS, the living descendants of Michael J. McMillen are his children, Jennifer E. McMillen and Eric T. McMillen, who would be sole beneficiaries under the Will if Michael J. McMillen had predeceased the Decedent; and

WHEREAS, less than nine (9) months have passed since the death of the Decedent; and

WHEREAS, Michael J. McMillen has not previously received, accepted, or obtained a benefit from the Disclaimed Property.

NOW, THEREFORE, pursuant to Tennessee Code Annotated Section §31-3-103 *et seq.*, I, Michael J. McMillen, do irrevocably renounce and disclaim all my right, title, and interest in and to the Disclaimed Property but do not renounce or disclaim any right, title, or interest in or to any property other than the Disclaimed Property. I expressly and irrevocably waive all power or right to revoke or renounce this disclaimer and I acknowledge that upon my signature, this disclaimer is

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effective and may not be altered, amended or revoked by me. I intend that this disclaimer to be construed to cause all property disclaimed to pass, without any direction by me, as if I had predeceased the Decedent, to my living descendants, Jennifer E. McMillen and Eric T. McMillen, as equal tenants-in-common. This disclaimer is intended to be a non-taxable disclaimer pursuant to federal and state estate, inheritance, gift and income tax laws, and I direct that all provisions of this disclaimer be construed in accordance with Tennessee Annotated §31-1-103 *et seq.*, and applicable federal and state inheritance, estate, gift and income tax provisions.

IN WITNESS WHEREOF, I have executed this disclaimer effective this 13th day of November, 2007.

Michael J. McMillen
Michael J. McMillen

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Sworn to and subscribed before me this 13th day of November, 2007.

SUSAN CORBIN STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

NOTARY PUBLIC
My Commission Expires: 1/24/2010

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

AFFIDAVIT

I, Michael J. McMillen, being duly sworn, depose and state:

1. I am son of the Decedent and sole beneficiary under the Will.
2. I have executed the foregoing Qualified Partial Disclaimer.
3. I have not received, nor will I receive, any consideration in money or money's worth for the disclaimer I have made.

Michael J. McMillen
Michael J. McMillen

Sworn to and subscribed before me this 13th day of November, 2007.

SUSAN CORBIN STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

NOTARY PUBLIC
My Commission Expires: 1/24/2010

RECEIPT AND ACKNOWLEDGEMENT
OF PERSONAL REPRESENTATIVE

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

AFFIDAVIT

I, Michael J. McMillen, Executor, being duly sworn, depose and state:

1. I am the duly appointed Executor of the Decedent's estate.
2. I acknowledge that the foregoing disclaimer has been irrevocably delivered to me by Michael J. McMillen.

Michael J. McMillen, Executor

Michael J. McMillen, Executor

Sworn to and subscribed before me this 5th day of November, 2007.

SUSAN CORBIN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

NOTARY PUBLIC
My Commission Expires: 7/11/2010

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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 DISCLAIMER heretofore entered in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 13 day of NOVEMBER , 2007 , in Case Number 07P1299 between MCMILLEN, MICHAEL J. Petitioner, and MCMILLEN, JOHN R. 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 14 day of NOVEMBER 2007

RICHARD R. ROOKER, Clerk,



By _____

Deputy Clerk