This Form furnished by: **HELEN SFIKAS ROGERS, ESQ., ROGERS & ASSOCIATES**

Davidson County DEEDQC
Recvd: 04/11/08 12:44 12 ps
Fees:62.00 Taxes:0.00
20080411-0036941

FROM:

***SALLY GEBHART PARDUE*, TRUSTEE OF TESTAMENTARY TRUST**

TO:

***JOHN LEE HICKMAN, A SINGLE PERSON* AND SOLE HEIR OF THE TESTAMENTARY TRUST**

QUITCLAIM DEED

New Owner & Address	Taxable Party	Unit - Block - Lot
John Lee Hickman **204 Archwood Drive** **Madison, Tennessee 37115**	**John Lee Hickman** **204 Archwood Drive** **Madison, Tennessee 37115**	**104 15 0 198.00**

STATE OF TENNESSEE }

COUNTY OF DAVIDSON }

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS: **$ 0.00**.

SALLY GEBHART PARDUE

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 1, DAY OF April, 2008.

NOTARY PUBLIC

MY COMMISSION EXPIRES: 11-02-11.
DATE

This Instrument Prepared By:

HELEN S. ROGERS
ROGERS & ASSOCIATES
Attorney at Law
2205 State Street
Nashville, TN 37203

(615) 320-0600

DONNA RUSSELL
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF PUTNAM

I, ***SALLY GEBHART PARDUE*, the Trustee of the Testamentary Trust created in the Last Will and Testament of Elizabeth Lee Hickman and as Attached hereto as Exhibit** "A", do hereby Quitclaim to ***JOHN LEE HICKMAN*, a single person and the Sole Heir of the Testamentary Trust,** a Six/Sixteenth's (6/16th's) interest in the real property as described below:

BEING Lot № 7 on the Plan of H. P. Jacob's Subdivision of the W. M. Manly Tract, Called Hillsboro Place, of Record in Book № 547, Page № 27, Register's Office for Davidson County, Tennessee.

Said Lot № 7, fronts 60 feet on the North side of Hillsboro Place, and runs back between parallel lines 125 feet more or less, to a dead line.

BEING the same real property conveyed by Warranty Deed to Elizabeth Huffman Hickman, a single person, from Eva Huffman Gebhart, dated the 27th day of April, 1984, of record in Book № 6279, Page № 934, of Record in the Register's Office for Davidson County, Tennessee.

ALSO BEING the same real property conveyed to John Lee Hickman, Sally Gebhart Pardue, Trustee, by Quitclaim Deed, Dated October 26, 1995, of record in Book № 9839, Page № 126, of Record in the Register's Office for Davidson County, Tennessee.

ALSO BEING the same real property conveyed to John Lee Hickman, Sally Gebhart Pardue, Trustee, by Quitclaim Deed, Dated January 3, 1996, of record in Book № 9909, Page № 586, of Record in the Register's Office for Davidson County, Tennessee.

ALSO BEING the same real property conveyed to John Lee Hickman, Sally Gebhart Pardue, Trustee, by Quitclaim Deed, Dated December 15, 1997, of record in Book № 10721, Page № 508, of Record in the Register's Office for Davidson County, Tennessee.

ALSO BEING the same real property conveyed to John Lee Hickman, Sally Gebhart Pardue, Trustee, by Quitclaim Deed, Dated December 6, 2000, of record in Instrument № 20001207-0120663, of Record in the Register's Office for Davidson County, Tennessee.

ALSO BEING the same real property conveyed to John Lee Hickman, Sally Gebhart Pardue, Trustee, by Quitclaim Deed, Dated January 3, 2001, of record in Instrument № 20010104-0001467, of Record in the Register's Office for Davidson County, Tennessee.

ALSO BEING the same real property conveyed to John Lee Hickman, Sally Gebhart Pardue, Trustee, by Quitclaim Deed, Dated June 6, 2002, of record in Instrument № 20020607-0069319, of Record in the Register's Office for Davidson County, Tennessee.

This Quitclaim Deed was prepared from information provided by the parties herein, and the preparation of this Quitclaim Deed neither expresses nor implies any opinion of the preparer as to the title nor as to the accuracy of the description of the property conveyed herein.

This conveyance is subject to (1) Taxes (2) All restrictions of record (3) All easements of record (4) All visible easements (5) All matters appearing on the plan of record (6) All applicable Governmental and Zoning regulations and (7) All indebtedness on the real property as of Record in the Register's Office for Davidson County, Tennessee.

This is improved property, known as:

2112 Ashwood Avenue, Nashville, Tennessee 37212

WITNESSED My Hand this the 1 day of April, 2008.

SALLY GEBHART PARDUE, **Trustee**

STATE OF TENNESSEE }

COUNTY OF PUTNAM }

Personally appeared before me, ~~Sally Gebh~~ Donna B. Russell, a Notary Public in and for said County and State, the within named ***SALLY GEBHART PARDUE***, Trustee, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that **SHE** executed the within instrument for the purposes of therein contained.

WITNESS my hand at Nashville, Tennessee, this the 1 day of April, 2008.

NOTARY PUBLIC

My Commission Expires: 11-02-11.

DATE

DONNA RUSSELL
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF PUTNAM

EXHIBIT "A"

LAST WILL AND TESTAMENT

OF

ELIZABETH HUFFMAN HICKMAN

I, *ELIZABETH HUFFMAN HICKMAN*, a resident of Nashville, Davidson County, Tennessee, being of sound and disposing mind, memory and understanding, do hereby make, publish and declare this to be my Last Will and Testament and do hereby revoke all other wills, codicils and testamentary instruments heretofore made by me.

ARTICLE I

Fiduciaries

A. I appoint my Son, *JOHN LEE HICKMAN*, of Nashville, Davidson County, Tennessee, as Executor of my Last Will and Testament. I direct that my Executor shall not be required to furnish a bond for the faithful performance of his duties in any jurisdiction. If any bond is required by law, no surety shall be requested on such bond.

B. In the event that my Son, *JOHN LEE HICKMAN* is unable or unwilling to serve, I appoint my Niece, *SALLY GEBHART PARDUE*, of Cookeville, Putnam County, Tennessee, as my successor Executrix to serve without bond; otherwise the court having jurisdiction over my estate may appoint a successor Executor to serve in the place and stead of the appointed Executor. The Executor may resign upon thirty (30) days written notice to my Beneficiaries, and if none, to the Court having jurisdiction over my estate. Unless otherwise excused by the successor Executor, the appointed Executor shall, at the expense of the estate, make an accounting of the estate, and deliver all assets and muniment of title thereof to the successor Executor.

Elizabeth Huffman Hickman

ELIZABETH HUFFMAN HICKMAN, Testatrix

ARTICLE II

Debts

I direct that all my lawful debts, my funeral expenses, the expenses of administration of my estate, estate and other death taxes that may be imposed upon my estate, including interest and penalties thereon be paid by my Executor as soon as possible after my death. I direct that my Executor pay out of the property which would otherwise become part of my residuary estate, all estate, inheritance and other death taxes, including interest and penalties thereon, which may be lawfully assessed by reason of my death. In addition, no portion of the taxes or other obligations of my estate may be paid from the proceeds received from a qualified pension or profit-sharing plan.

All realty that is part of my probate estate shall be treated as personalty for administration purposes.

ARTICLE III

Life Insurance

Any insurance on my life or other similar insurance payable to the Executor shall be governed by the provisions of my Will, or administrators of my estate, or to my estate, shall be free from the claims of creditors and shall be governed by the provisions of my Will.

ARTICLE IV

Personalty

I may, subsequent to the execution of this my Last Will and Testament, prepare a letter entirely in my own handwriting addressed to my Executor setting forth the distribution of certain items of my tangible personal property. If I prepare such a letter I will keep it with my will. If my Executor finds the letter, it is my desire (this is a precatory statement and not a mandatory instruction) that the wishes expressed in such letter be carried out. Unless expressly provided otherwise in any such letter, any gift therein is to be contingent upon my owning the item or items in question at my death and upon the recipient of the gifts.

Elizabeth Huffman Hickman

ELIZABETH HUFFMAN HICKMAN, Testatrix
Page № 2 of this my
LAST WILL and TESTAMENT

ARTICLE V

Children

A. Being a divorced woman with no spouse, I give, devise and bequeath to my Son, ***JOHN LEE HICKMAN***, *per stripes*, all of my property, both real and personal, tangible and intangible and wheresoever situated.

B. In the event that my Son, ***JOHN LEE HICKMAN***, does not survive or have issue that survives me, then I give, devise and bequeath to my Nicce, ***SALLY GEBHART PARDUE***, *per stripes*, all of my property, both real and personal, tangible and intangible and wheresoever situated.

ARTICLE VI

Fiduciary Powers and Duties

My Executor (hereinafter referred to as "fiduciary") shall have the following powers, duties, and discretion in addition to those now or hereafter conferred by law:

A. I incorporate by reference all the fiduciary powers contained in *Tennessee Code Annotated* § 35-50-110 as fully as is set out verbatim herein. These powers, as of the date of execution of this Will are granted, notwithstanding subsequent amendments or repeal of the statute at the time of my death.

B. Whenever my fiduciary is required to divide the estate or trust property into separate shares, or to make a distribution thereof, it is authorized in his/her sole discretion to make division or distribution wholly or partly in cash or kind, or assign undivided interests in any property or shares, and to make joint investment of funds belonging to my estate. The judgment of my fiduciary as to the values for such purposes shall be binding and conclusive on everyone.

C. When required to make a distribution or transfer of all or part of the assets of my estate, my Executor may retain therefrom assets sufficient in his/her judgment to cover any liability which may then or later be imposed upon it, including, but not limited to, its liability for estate, income or other taxes, until such liability shall have been finally determined.

Elizabeth Huffman Hickman

ELIZABETH HUFFMAN HICKMAN, Testatrix

D. Whenever my Executor shall have the right to elect **(a)** whether any item of expense connected with the administration of my estate shall be claimed as a deduction for federal income tax purposes or whether the same shall be claimed instead as a deduction for federal estate tax purposes, or **(b)** the value of my gross estate as of the date that causes larger death taxes to be payable than would have been payable if my Executor had elected another date, I hereby authorize my Executor to exercise any such right of election in any such manner as he/she may in his/her absolute discretion determine to be advisable, even though the manner in which any such election is exercised may result in an advantage or disadvantage to any beneficiary or beneficiaries hereunder. I further direct that no compensating adjustments between income and principal shall be required or made as a result of any such action.

E. Any successor fiduciary shall be clothed in and vested with all duties, rights and powers, whether discretionary or otherwise, as if originally named as such fiduciary. No successor fiduciary shall be liable or responsible in any way for any acts or defaults of any predecessor fiduciary, nor for any loss or expense from or occasioned by anything done or elected to be done by predecessor fiduciary, but such successor fiduciary shall be liable for his/her or its own acts or default in respect to property actually received by such successor fiduciary. The successor fiduciary may accept the accounts rendered and the assets and property delivered to such successor fiduciary by the predecessor fiduciary as a full and complete discharge to the predecessor fiduciary, and shall incur no liability by reason of so doing.

F. My fiduciary shall be charged with the duty of good faith and reasonable care in the management of the estate or trust, but shall not be responsible for losses, if any, resulting from honest mistakes of judgment.

G. My Executor may begin making payment to the beneficiaries of my estate after beginning the administration of my estate and without waiting for the formal establishments of the trust created herein. My Executor shall be given credit on its settlement for all disbursements made to the beneficiaries under the provisions of this power.

Elizabeth Huffman Hickman

ELIZABETH HUFFMAN HICKMAN, Testatrix
Page Nº 4 of this my
LAST WILL and TESTAMENT

H. If my fiduciary determines that any income or corpus shall be paid to a minor, or to a person under a legal disability, or to a person not adjudicated incompetent, but who, by reason of illness or mental or physical disability is, in the opinion of my fiduciary, unable properly to administer such funds, then such funds may be paid out by my fiduciary in any of the following ways it deems best: **(1)** directly to such beneficiary; **(2)** to the legally appointed guardian or conservator of such beneficiary; **(3)** by my fiduciary using such amounts directly for the benefit of such beneficiary; **(4)** to some relative or friend for the care, support, education and welfare of such beneficiary. The receipt of any such person shall discharge my fiduciary from any further responsibility with respect to any such funds. No recipient shall be required to furnish bond with respect to any such funds, nor make reports as to the disposition of the same.

I. My fiduciary is authorized to take the following actions in its sole and absolute discretion: to consent, as a shareholder, to any election by any corporation pursuant to the provisions of any federal or state tax statutes or regulations; to exercise such elections or options as may be available, as it may deem proper, in the preparation of submission of any federal or other estate or inheritance tax returns, or any income tax returns for myself, my estate or any trusts hereunder; and to impose such terms or conditions for the exercise of such consents, elections or options as it deems fit, and to determine in its sole discretion whether any person or persons shall be charged or otherwise compelled to account to any other person for any difference in estate of income or gift taxes resulting from the exercise of such authorities and powers, shall be required or made as a result of such action.

J. I leave to the discretion of the fiduciary hereunder the retention, continuance, sale, liquidations, or other disposition of any business or business interests, corporate or otherwise. The fiduciary is specifically empowered to take all steps which he may deem necessary or advisable in connection with any such business or business interests and is exempt from any liability for any loss whatsoever for its acts of decisions in good faith relative thereto. The fiduciary is authorized to loan or borrow money to or for such business or business interests or for any corporation representing the same and to vote the shares of stock in any such corporation in such manner as the fiduciary may

Elizabeth Huffman Hickman

ELIZABETH HUFFMAN HICKMAN, Testatrix

deem advisable, including the power to select or vote for the appointment or election of persons as managers, officers, or employees of the fiduciary.

K. Pursuant to *Tennessee Code Annotated* § § 30-2-301 and 30-2-601, I excuse my Executor from the requirement for making and filing an inventory and Court accounting of my probate estate but the Executor shall do so on the request of any beneficiary under my Will.

ARTICLE VII

Spendthrift Provisions and Miscellaneous

A. As used herein, the neuter gender shall be deemed to include the feminine and masculine whenever necessary or appropriate and without distinction and the singular shall include the plural.

Elizabeth Huffman Hickman

ELIZABETH HUFFMAN HICKMAN, Testatrix
Page Nº 6 of this my
LAST WILL and TESTAMENT

ARTICLE IX

Governing Laws

Except where otherwise specifically stated, this Will is to be administered, construed and governed in all respects by the laws of the State of Tennessee.

IN WITNESS WHEREOF, I have set my hand on this page and the preceding Six (6) pages of my Last Will and Testament on this the 08 day of Jan., 2001, and I request the attesting witnesses to make the affidavit set out below.

Elizabeth Huffman Hickman
ELIZABETH HUFFMAN HICKMAN, Testatrix

Signed by the said **ELIZABETH HUFFMAN HICKMAN** as her Last Will and Testament in the presence of us, the undersigned, who at her request and in her sight and presence, and in the presence of each other, have subscribed our names hereto as attesting witnesses, on the day and date above written.

WITNESS

Alan W. Mentry
NAME

506 Woodland Hills DR.
ADDRESS

LA Vergne, TN 37086
TOWN / STATE / CODE

WITNESS

William J. Pinner
NAME

5110 Rice Road Apt. 359
ADDRESS

Antioch Tennessee 37013
TOWN / STATE / CODE

Elizabeth Huffman Hickman
ELIZABETH HUFFMAN HICKMAN, Testatrix
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LAST WILL and TESTAMENT

AFFIDAVIT

We, Alan W. Gentry and William J. Pinner, being the attesting witnesses to the foregoing Last Will and Testament of **ELIZABETH HUFFMAN HICKMAN**, and being first duly sworn, make oath that she signed the foregoing Will consisting of Seven (7) pages, this page not included, on the 8th day of January, 2001, in our joint sight and presence and declared the same to be her Last Will and Testament; and we, in her sight and presence and in the sight and presence of each other, at her request, signed our names hereto as attesting witnesses; that we believed the said **ELIZABETH HUFFMAN HICKMAN** to be at that time of sound mind and disposing memory; and that this Affidavit is being made at the request of the said Testatrix.

Witness our signature on this the 8th day of January, 2001.

WITNESS

Alan W. Gentry
NAME

506 Woodland Hills Dr.
ADDRESS

La Vergne, TN 37086
TOWN / STATE / CODE

WITNESS

William J. Pinner
NAME

5160 Pin Road Apt 35C
ADDRESS

Antioch, Tennessee 37013
TOWN / STATE / CODE

STATE OF TENNESSEE }

COUNTY OF DAVIDSON }

Sworn to and subscribed before me on this the 8TH day of JANUARY, 2001.

Pamela D. Hammond
NOTARY PUBLIC

My Commission Expires: 3-27-2004
DATE

L:\PROBATE.LAW\WILLS.TN\GUAR-TST WIL\HICKMAN.SHE[4497]

Elizabeth Huffman Hickman
ELIZABETH HUFFMAN HICKMAN, Testatrix
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