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IN THE SEVENTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

FILED
2009 FEB -4 AM 11:43
RICHARD R. ROOKER, CLERK
D.C.

IN RE:	)	
	)	
THE ESTATE OF MAMIE MARGARET WOLFE	)	
Deceased	)	No: 09P-143
	)	
FRED J. WOLFE, JR.	)	
Petitioner	)	

ORDER

This cause come on to be heard on the 4th day of February, 2009, before the Honorable David R. Kennedy, Judge of the Seventh Circuit Court for Davidson County, Tennessee upon the petition of Fred J. Wolfe, Jr. to admit the Last Will & Testament of Mamie Margaret Wolfe to probate for the purposes of muniment of title only. The court after a review of the file as well as the affidavits of Robert Wilhoite and Oesteen Wilhoite confirming the handwriting and testamentary capacity of the decedent, the introduction of exhibits, statements of counsel, and the entire record in this case from all of which the court finds as follows:

1. The decedent, Mamie Margaret Wolfe, died in Nashville Davidson County, Tennessee on January 12, 2009, at the age of ninety-one (91) years, leaving a holographic Will, bearing the date of October 1, 1995.

2. Said Last Will & Testament failed to nominate any person to serve as the personal representative for the estate of the decedent.

3. The decedent did not leave a probate estate to be administered. This action is a probate-only proceeding so that the decedent's Will can serve as a Muniment of Title to the decedent's interest in a parcel of real property located in Nashville Davidson County, Tennessee at 3239 Hummingbird Drive.

Davidson County ORDER
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4. The estimated value of this Estate for Tennessee inheritance tax purposes is less than the maximum single exemption for Tennessee inheritance tax purposes.

5. The decedent, Mamie Margaret Wolfe, was married to Fred J. Wolfe, Sr. However, at the time of the death of Mamie Margaret Wolfe, her husband had predeceased her. The following individuals constitute the sole legatees and devisees under the alleged Will & Testament of the decedent, Mamie Margaret Wolfe:

(1) Fred J. Wolfe, Jr. 8578 Sawyer Brown Rd. Nashville, TN 37221	Adult	(Son)
(2) Charles L. Wolfe 646 Murphy Rd. Bowling Green, KY 42101	Adult	(Son)
(3) Sandra F. Wolfe 3239 Hummingbird Dr. Nashville, TN 37218	Adult	(Daughter)

6. The sole heirs at law and next of kin of the decedent, Mamie Margaret Wolfe, are as follows:

(1) Fred J. Wolfe, Jr.
8578 Sawyer Brown Rd.
Nashville, TN 37221

(2) Charles L. Wolfe
646 Murphy Rd.
Bowling Green, KY 42101

(3) Sandra F. Wolfe
3239 Hummingbird Dr.
Nashville, TN 37218

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7. There are no other interested parties in this cause, other than those persons set out above.

8. The Petitioner is not aware of any instrument revoking the document being offered for probate, and Petitioner has averred that the document being offered for probate is, in fact, the decedent's Last Will & Testament.

9. The decedent was not enrolled in the TennCare program at the time of her death.

10. Based upon the foregoing, the court is of the opinion that the Last Will & Testament of the decedent, Mamie Margaret Wolfe, executed on October 1, 1995, is the valid and true testamentary instrument in effect at the time of the decedent's death on January 12, 2009, and the same should be admitted into probate for the purpose of muniment of title only.

The foregoing being the findings of the Court, and having so ruled,

It is therefore **ORDERED, ADJUDGED,** and **DECREED** that the Petition to Probate Will for Muniment of the Title Only, heretofore filed in this cause by the Petitioner, Fred J. Wolfe Jr., shall be, and the same is hereby GRANTED.

It is further **ORDERED, ADJUDGED**, and **DECREED** that the Last Will & Testament of Mamie Margaret Wolfe executed on October 1, 1995 shall be, and the same is hereby admitted into probate for purposes of muniment of title only, and the Clerk of this Court shall record said Will in the records of that Office accordingly.

It is further **ORDERED, ADJUDGED,** and **DECREED** that the interest of the decedent, Mamie Margaret Wolfe, in and to the following described tract of real property located in Nashville Davidson County, Tennessee, and known as 3239 Hummingbird Drive, shall be, and the same is hereby vested in: Fred J. Wolfe, Jr., Charles L. Wolfe, and Sandra F. Wolfe, the legatees/devisees set forth in the Last Will & Testament of the decedent:

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Land in Davidson County, Tennessee, described as follows:

Land in the 13th Civil District of Davidson County, Tennessee, being Lot No. 107 on the map of Treppard Heights, Section VII, as of record in Book 2900, page 13, R.O.D.O., Tennessee.

Said Lot No. 107 fronts 90 feet on the southeasterly side of Hummingbird Drive, and extends back 394.3 feet on the northeasterly line and 397.7 feet on the southeasterly line, to a line in the rear on which it measures 125 feet.

Being the property conveyed to Fred J. Wolfe and wife Margaret Wolfe., by deed from Bacc, Inc. of record in Book 2998, page 349, said Registrar's Office.

It is finally **ORDERED, ADJUDGED,** and **DECREED** that the costs of this cause shall be taxed to the Estate of Mamie Margaret Wolfe, for which execution may issue if necessary.

ENTER this 4th day of February, 2009.

David R. Kennedy, Judge

APPROVED FOR ENTRY

Fred C. Dance (BPR #7004)
238 Public Square
Franklin, TN 37064
615-790-8412

CERTIFICATE OF SERVICE

I hereby certify a true and exact copy of the foregoing has been sent by United States Mail, first class postage prepaid to Fred J. Wolfe Jr. 8578 Sawyer Brown Rd. Nashville, TN 37221, Charles L. Wolfe 646 Murphy Rd. Bowling Green, KY 42101, and Sandra F. Wolfe 3239 Hummingbird Dr. Nashville, TN 37218 as set out below on this 4th of February, 2009.

Fred C. Dance

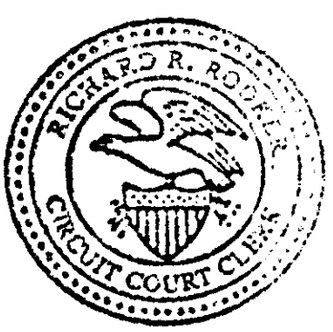
STATE OF TENNESSEE

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 04 day of FEBRUARY , 2009 , in Case Number 09P143 between WOLFE JR., FRED J Petitioner, and WOLFE, MAMIE MARGARET 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 05 day of FEBRUARY 2009

RICHARD R. ROOKER, Clerk,

SEAL



By _____
Deputy Clerk