FILED
2009 MAY -6 AM 10: 39
RICHARD R. ROOKER, CLERK
D.C.

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

IN RE:

THE ESTATE OF DOROTHY T. MATTHEWS,

Deceased.

NO. 09P-618

BILL GARRETT, Davidson County
Trans:T20090030209 ORDER
Recvd: 05/06/09 15:46 5 pgs
Fees:27.00 Taxes:0.00
20090506-0041843

LARRY E. MATTHEWS,

Petitioner.

ORDER ADMITTING LAST WILL & TESTAMENT INTO PROBATE FOR MUNIMENT OF TITLE ONLY

This cause came on to be heard on the 6th day of May, 2009, before the Honorable Randy Kennedy, Judge of the Seventh Circuit Court for Davidson County, Tennessee, Probate Division, upon the Petition of Larry E. Matthews, pursuant to T.C.A. 32-2-111, submitting the Last Will & Testament of Dorothy T. Matthews for probate for muniment of title only; the testimony of the witnesses; the introduction of exhibits; the statements of counsel; and the entire record in this cause, from all of which the Court finds as follows:

1. This is a request for admission into probate of the Last Will & Testament of Dorothy T. Matthews, deceased;

2. Petitioner, Larry E. Matthews, is the natural son of the decedent, the sole heir-at-law of the decedent, and is nominated to serve as personal representative in the Last Will & Testament of the decedent, Dorothy T. Matthews;

3. The decedent, Dorothy T. Matthews, was a citizen and resident of Nashville, Davidson County, Tennessee, on December 22, 1969;

4. On December 22, 1969, the decedent, Dorothy T. Matthews, was over the age

of eighteen (18) years; she was of sound mind; and she was free from any coercion or undue influence;

5. On December 22, 1969, the decedent, Dorothy T. Matthews, duly executed her Last Will & Testament, the original of which has been submitted to the Court;

6. The Last Will & Testament executed by the decedent, Dorothy T. Matthews, on December 22, 1969, was duly witnessed by Eleanora H. Tyler and John D. Tyler;

7. The decedent, Dorothy T. Matthews, died in Nashville, Davidson County, Tennessee, on March 23, 2009, at the age of ninety-one (91) years;

8. The Last Will & Testament of Dorothy T. Matthews, executed on December 22, 1969, was not revoked nor amended during the decedent's lifetime;

9. The Last Will & Testament of the decedent, Dorothy T. Matthews, executed on December 22, 1969, does not contain verification of the signatures of the witnesses thereto, Ms. Eleanora H. Tyler or Mr. John D. Tyler. It is believed that Ms. Eleanora H. Tyler is now deceased, and the current whereabouts of Mr. John D. Tyler are unknown to the Petitioner. However, the Petitioner has requested that the Last Will & Testament of the decedent be nevertheless admitted into probate, inasmuch as the sole heir-at-law of the decedent and the sole beneficiary designated in the decedent's Last Will & Testament is the same individual, the Petitioner herein, Mr. Larry E. Matthews;

10. The decedent was single and unmarried at the time of her death on March 23, 2009, her husband, Mr. Lowell Matthews, having predeceased her. The decedent was the natural parent of one (1) child born during her lifetime, the Petitioner herein, Larry E. Matthews. The surviving heir-at-law of the decedent is as follows:

1. Mr. Larry E. Matthews (Son)
   8514 Sawyer Brown Road (Petitioner)
   Nashville, Tennessee 37221

11. The beneficiary designated in the Last Will & Testament of the decedent, Dorothy T. Matthews, who is an adult over the age of eighteen (18) years, is as follows:

1. Mr. Larry E. Matthews (Son)
8514 Sawyer Brown Road
Nashville, Tennessee 37221

12. The sole asset subject to probate administration in this cause is a tract of real property located in Nashville, Davidson County, Tennessee;

13. The Last Will & Testament of the decedent nominates and appoints the Petitioner, Larry E. Matthews, to serve as personal representative for the estate of the decedent, without bond; and

14. Based upon the foregoing, the Court is of the opinion that the Last Will & Testament of the decedent, Dorothy T. Matthews, executed on December 22, 1969, should be admitted into probate, pursuant to T.C.A. 32-2-111, and for muniment of title only.

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

It is therefore **ORDERED, ADJUDGED** and **DECREED** that the Petition to Probate Last Will & Testament For Muniment of Title Only, heretofore filed in this cause by the Petitioner, Larry E. Matthews, shall be, and the same is hereby **GRANTED**.

It is further **ORDERED, ADJUDGED** and **DECREED** that the Last Will & Testament of the decedent, Dorothy T. Matthews, executed on December 22, 1969, shall be, and the same is hereby admitted into probate as the true and valid testamentary instrument of the decedent, for the purpose of muniment of title only.

It is further **ORDERED, ADJUDGED** and **DECREED** that title to the real property previously owned by the decedent, Dorothy T. Matthews, and located at 1074 General George Patton Road, Nashville, Davidson County, Tennessee, shall be, and the same is hereby transferred to Larry E. Matthews, the beneficiary designated in the Last

Will & Testament of the decedent. Said real property is more particularly described as follows:

"Unit No. 1074, together with the Carport designated No. 1074-C, in River Plantation, Section Six, Phase One, a Condominium, a Horizontal Property Regime, located on Sawyer Brown Road and General George Patton Road, Nashville, Davidson County, Tennessee, as shown on the plat of River Plantation, Section Six, Phase One, Condominium Apartments, recorded in Book 5200, pages 359 and 360, Register's Office for Davidson County, Tennessee, and described in a Master Deed recorded in Book 5794, page 526, Register's Office for Davidson County, Tennessee, to which reference is hereby made. The easements, restrictive covenants, conditions and regulations imposed upon and relating to the apartments, property, co-owners and tenants of River Plantation, Section Six, Phase One, Condominium Apartments, contained in the Master Deed and By-Laws appended thereto, recorded in Book 5794, page 526, Register's Office for Davidson County, Tennessee, are incorporated in this Deed by reference and made a part hereof the same as if copied herein.

Being the same property conveyed by Warranty Deed by Haury & Smith Contractors, Inc., to Dorothy T. Matthews, a single person, as of record in Book 6586, Page 10, Register's Office for Davidson County, Tennessee.

This is improved property known as 1074 General George Patton Road, Nashville, Tennessee."

MAP 142-9-D
Parcel 66

It is further **ORDERED, ADJUDGED** and **DECREED** that the costs of this cause shall be taxed to the Petitioner, Larry E. Matthews.

ENTER this 6 day of May, 2009.

HON. RANDY KENNEDY, JUDGE

APPROVED FOR ENTRY:

THOMAS H. WARE (BPR # 11179)
Attorney for the Petitioner
404 James Robertson Parkway
1800 Parkway Towers
Nashville, Tennessee 37219
(615) 242-8107

I hereby certify that this is a true copy of original instrument filed in my office this 6 day of May 2009
RICHARD R. ROOKER, CLERK
By _____ Deputy Clerk

CERTIFICATE OF SERVICE

I hereby certify that I have not forwarded a copy of this Order to any other individuals, inasmuch as the Petitioner is the sole interested party in this cause.

Thomas H. Ware