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FILED

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

2009 SEP 25 AM 10: 07

RICHARD R. ROOKER, CLERK

IN RE:

THE ESTATE OF NANCY E. HARRIS, D.C.

Deceased.) NO. 09P-1326

BILL GARRETT, Davidson County
Trans:T20090066626 ORDER
Recvd: 09/30/09 15:48 6 pgs
Fees:32.00 Taxes:0.00

20090930-0090902

TERESA C. GILLESPIE and
VIVIAN T. TERRY,

Petitioners.

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

This cause came on to be heard on the 25th day of September, 2009, before the Honorable Randy Kennedy, Judge of the Seventh Circuit Court for Davidson County, Tennessee, Probate Division, upon the Petition of Teresa C. Gillespie and Vivian T. Terry, pursuant to T.C.A. 32-2-111, submitting the Last Will & Testament of Nancy E. Harris 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 Nancy E. Harris, deceased;

2. Petitioners, Teresa C. Gillespie and Vivian T. Terry, are the natural daughters of the decedent, the sole heirs-at-law of the decedent, and are nominated to serve as personal representative in the Last Will & Testament of the decedent, Nancy E. Harris;

3. The decedent, Nancy E. Harris, was a citizen and resident of Nashville, Davidson County, Tennessee, on October 29, 2003;

4. On October 29, 2003, the decedent, Nancy E. Harris, was over the age

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

5. On October 29, 2003, the decedent, Nancy E. Harris, 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, Nancy E. Harris, on October 29, 2003, was duly witnessed by Dellana Lowhorn and Gib VanDerttetoes;

7. The decedent, Nancy E. Harris, died in Nashville, Davidson County, Tennessee, on January 18, 2009, at the age of eighty-two (82) years;

8. The Last Will & Testament of Nancy E. Harris, executed on October 29, 2003, was not revoked nor amended during the decedent's lifetime;

9. The decedent was single and unmarried at the time of her death on January 18, 2009, her husband, Mr. John Robert Harris, Jr., having predeceased her. The decedent was the natural parent of two (2) children born during her lifetime. The surviving heirs-at-law of the decedent is as follows:

1. Ms. Teresa C. Gillespie (Daughter)
   8719 Webster Street (Petitioner)
   Murfreesboro, Tennessee 37129

2. Ms. Vivian T. Terry (Daughter)
   545 Tobylynn Drive (Petitioner)
   Nashville, Tennessee 37211

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10. The beneficiaries designated in the Last Will & Testament of the decedent, Nancy E. Harris, who are adults over the age of eighteen (18) years, are as follows:

1. Ms. Teresa C. Gillespie (Daughter)
   8719 Webster Street
   Murfreesboro, Tennessee 37129

2. Ms. Vivian T. Terry (Daughter)
   545 Tobylynn Drive
   Nashville, Tennessee 37211

3. Shirley Harris Rapalee (Step-daughter)
   (Deceased)

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

12. The Last Will & Testament of the decedent bequeaths the real property owned by the decedent to her two (2) daughters, Teresa C. Gillespie and Vivian T. Terry;

13. The Last Will & Testament of the decedent nominates and appoints the Petitioners, Teresa C. Gillespie and Vivian T. Terry, to serve as personal representatives 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, Nancy E. Harris, executed on October 29, 2003, 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 Petitioners, Teresa C. Gillespie and Vivian T. Terry, shall be, and the same is hereby **GRANTED**.

It is further **ORDERED, ADJUDGED** and **DECREED** that the Last Will & Testament of the decedent, Nancy E. Harris, executed on October 29, 2003, shall be, and

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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, Nancy E. Harris, and located at 474 Brentlawn Drive, Nashville, Davidson County, Tennessee, shall be, and the same is hereby transferred and vested in Teresa C. Gillespie and Vivian T. Terry, the beneficiaries designated in the Last Will & Testament of the decedent. Said real property is more particularly described as follows:

> "Being Lot No. 86 on the Plan of Brentwood Hall, Section 5, as of record in Book 2133, page 127, Register's Office for Davidson County, Tennessee.
>
> SAID Lot No. 86 fronts 107 feet on the northerly side of Brentlawn Road, and extends back 161.9 feet on the westerly line and 180.2 feet on the easterly line, which is broken line, to a dead line in the rear, on which it measures 62.8 feet.
>
> Being the said property conveyed to John R. Harris, Jr., And wife, Nancy E. Harris, by deed from David C. Payne and wife, Elizabeth W. Payne, of record in Book 4129, page 608, Register's Office for Davidson County, Tennessee.
>
> The said John R. Harris, Jr., having died intestate on August 3, 1987, and being survived by his wife, Nancy E. Harris.
>
> This conveyance is subject to the restrictions of Record in Book 1788, page 143, and in Book 2198, Page 3, and in Book 2299, page 551, said Register's Office.
>
> This is improved property known as 474 Brentlawn Drive, Nashville, Tennessee."

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It is finally **ORDERED, ADJUDGED** and **DECREED** that the costs of this cause shall be taxed to the Petitioners, Teresa C. Gillespie and Vivian T. Terry.

ENTER this 25 day of Sept, 2009.

HON. RANDY KENNEDY, JUDGE

APPROVED FOR ENTRY:

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

CERTIFICATE OF SERVICE

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

Thomas H. Ware

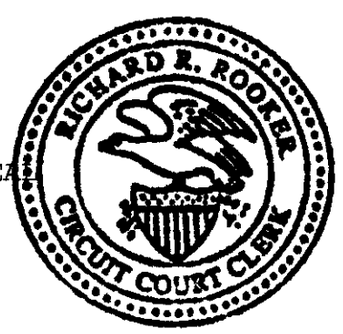
STATE OF TENNESSEE

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 FINAL ORDER heretofore entered in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 25 day of SEPTEMBER , 2009 , in Case Number 09P1326 between GILLESPIE, TERESA C ET.AL Petitioner, and HARRIS, NANCY E 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 28 day of SEPTEMBER 2009

RICHARD R. ROOKER, Clerk,

SEAL



By _____

Deputy Clerk