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

FILED
2009 JUL 22 AM 10: 37
RICHARD R. ROOKER, CLERK
D.C.

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| IN RE: | ) | |
| | ) | |
| KING FAMILY TRUST | ) | Case Number: 09P-1024 |
| | ) | |
| FRANCES ELIZABETH KING THORNELL, Petitioner. | ) | |

**ORDER APPROVING RESIGNATION OF TRUSTEE AND APPOINTING SUBSTITUTE OR SUCCESSOR TRUSTEE**

This matter came on to be heard in open Court upon the Petition as filed by Frances Elizabeth King Thornell, as Trustee of the King Family Trust, pursuant to Tennessee Code Annotated § 35-15-705 et seq., seeking the Court's approval of Petitioner's resignation as Trustee of the King Family Trust and the Court's appointment of a Substitute or Successor Trustee for said Trust. The Petition further requests the Court's approval of the Trustee's receipts and expenditures of the Trust while she has served as Trustee, a copy of which are attached as **Exhibit E** to the Petition.

From the record, testimony of Ms. Thornell, and statements of counsel, the Court finds that:

A. The income beneficiary of the Trust was duly served with this Petition and notice of this hearing.

B. No objection was timely filed as to any relief sought in this Petition.

C. It is appropriate for Petitioner to resign as the Trustee and a substitute or successor trustee be appointed.

D. The Trustee's receipts and expenditures of the Trust while she has served as Trustee, a copy of which are attached as **Exhibit E** to the Petition, are in proper form for approval.

It is therefore ORDERED, ADJUDGED AND DECREED that:

BILL GARRETT, Davidson County
Trans:T20090067357 ORDER
Recvd: 10/02/09 15:50 5 pgs
Fees:27.00 Taxes:0.00
20091002-0091955

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1. Petitioner is hereby allowed to resign and is relieved of responsibility as Trustee under the said Trust, immediately upon the appointment of a substitute Trustee by this Court.

2. The accounting of the Trustee attached **Exhibit E** to the Petition is approved.

3. Upon this Court's appointment of a Successor Trustee as the Court, the name of the Successor Trustee shall be substituted for that of Petitioner in the title to the property at 407 Park Circle, Nashville, Tennessee.

4. Petitioner's counsel be awarded a fee in the amount of $1,500.00 for their work as to this Petition to be paid from the Trust. S. Michael Castellano, Esq. is appointed as successor Trustee Etc.

ENTERED on this the 22 day of July, 2009.

Judge Randy Kennedy

Respectfully submitted:

Harlan Dodson, BPR #2368
Dodson Parker Behm & Capparella, PC
1310 6th Avenue, North
Nashville, TN 37208
(615) 254-2291
(615) 726-2241 facsimile

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**CERTIFICATE OF SERVICE**

I certify that a true and exact copy of the foregoing document has been forwarded by United States Mail, with sufficient postage, on this, the 22nd day of July, 2009, to the following:

Virgil C. King
407 Park Circle
Nashville, TN 37205

HARLAN DODSON

**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 PETITION ORDER (FINAL) heretofore entered in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 22 day of JULY , 2009 , in Case Number 09P1021 between THORNELL, FRANCES ELIZABETH ET.AL Petitioner, and KING, FAMILY (TRUST) 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 01 day of OCTOBER 2009

**RICHARD R. ROOKER,** Clerk,

SEAL 


By _____
Deputy Clerk

SEVENTH CIRCUIT (PROBATE) COURT OF DAVIDSON COUNTY, TENNESSEE

# LETTERS FOR SUCCESSOR TRUSTEESHIP

Matter of **The King Family Trust,**
Docket No. **09P-1021**

To: **Michael Castellarin, Esq.:**

IT APPEARING that you having been appointed Successor Trustee, and the Court now being satisfied as to your right as Successor Trustee of said Trust, and any surety having been waived and you having qualified according to law, and the Court having ordered that Letters Trusteeship be issued to you.

THEREFORE, you, **Michael Castellarin, Esq.**, are empowered to enter upon the execution of said matter and take into your possession, use and benefit of said Trust, the profits of the land, tenements, and chattels belonging to said Trust, and also the goods, chattels, and other personal property of said Trust; to bring such suits or action in relation thereto as may be deemed necessary; to return to the Court within sixty (60) days from this date, a perfect inventory thereof and to make annual accountings of all property and effects taken into your possession, unless waived, and settling up the business of the Trust according to law, you will pay over and deliver the property and effects that may remain in your hand, and to do all other things that may be required, according to the provisions of said Trust, and the law of the land. HEREIN FAIL NOT.

WITNESS, Richard R. Rooker, Clerk of the Probate Court, at office, this 24th day of July, 2009.

Richard R. Rooker, Clerk

Order of 07.22.09
Without Bond

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Tommy King D.C.

I, Richard R. Rooker, Clerk of the Circuit Court, do hereby certify that the foregoing is a full, true and perfect copy of the Letters Successor Trusteeship, issued to **Michael Castellarin, Esq.**, in this matter, and I do further certify that this person(s) is still acting as the Successor Trustee in this matter, and continues to be entitled to full faith and credit, as it appears from the records in my office at Nashville, Tennessee, this 24th day of July, 2009.

Richard R. Rooker, Clerk

Tommy King