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

2010 APR 23 AM 10:49

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| In re: Estate of | ) | |
| | ) | |
| MARY BAIRD JOHNSON, | ) | Docket # 09P-1175 |
| | ) | |
| Deceased | ) | |

BILL GARRETT, Davidson County
Trans:T20100029133 ORDER
Recvd: 05/14/10 11:14 9 pgs
Fees:47.00 Taxes:0.00
20100514-0037345

# ORDER

This matter came to be heard on the 23rd day of April, 2010, before the Honorable Randy Kennedy, Judge of the Seventh Circuit Court for Davidson County, Tennessee, Probate Division on the " Motion For Summary Judgment On The Amended Petition For Declaratory Judgement Ascertaining Trust Assets Of The Mary B. Johnson Revocable Living Trust". No response was filed to the motion. No one appeared in opposition to the motion. It was announced that an agreement was reached between the Petitioners and all the heirs of Mary B. Johnson resolving all of the issues over ownership of the assets titled in the name of Mary B. Johnson.

It appears to the Court that Mary B. Johnson executed a revocable living trust titled "The Mary B. Johnson Revocable Living Trust Agreement Dated Sept. 14, 2007"; that Petitioners James W. Morris and Margaret M. Campbell are named as co-trustees in the trust; and that Petitioners have requested a declaratory judgment that all real and personal property held in the name of Mary B. Johnson at her death be declared property of the trust. There being no opposition to the motion, the Court finds that it was Mary B. Johnson's intent that all her property, real and personal, is part of the trust property, so it is therefore

ORDERED, ADJUDGED AND DECREED THAT:

I hereby certify that this is a true copy of original instrument filed in my office this 23 day of April
RICHARD R. ROOKER, CLERK
By _____ Deputy Clerk
RICHARD R. ROOKER COURT CLERK

1. James W. Morris and Margaret M. Campbell, as Co-Trustees of The Mary B. Johnson Revocable Living Trust Agreement Dated Sept. 14, 2007 are owners of all tangible, personal property owned by or held in the name of Mary B. Johnson at the time of her death.
2. The 2006 Buick LaCrosse, VIN # 2G4WC582961261253 titled in the name of Mary B. Johnson, shall be retitled to James W. Morris and Margaret M. Campbell, as Co-Trustees of The Mary B. Johnson Revocable Living Trust Agreement Dated Sept. 14, 2007.
3. The Estate Account, and all other bank accounts or investment accounts held in the name of Mary B. Johnson shall be retitled or transferred to James W. Morris and Margaret M. Campbell, as Co-Trustees of The Mary B. Johnson Revocable Living Trust Agreement Dated Sept. 14, 2007.
4. All Genesco Stock titled in the name of Mary Johnson B. Johnson shall be retitled or transferred to James W. Morris and Margaret M. Campbell, as Co-Trustees of The Mary B. Johnson Revocable Living Trust Agreement Dated Sept. 14, 2007.
5. All other intangible personal property titled in the name of Mary B. Johnson shall be retitled or transferred to James W. Morris and Margaret M. Campbell, as Co-Trustees of The Mary B. Johnson Revocable Living Trust Agreement Dated Sept. 14, 2007.
6. All right, title and interest in and to a certain parcel of land in Davidson County, Tennessee, described as:

TRACT 1

The following described property, lying and being situated in the Ninth Civil District of Davidson county, Tennessee as Follows:

Beginning at a point in the center of Hester Beasley Road, Southeast corner of Book 4631, page 187 then leaving road and running with the east line of said book 4631, page 187 with a fence, North 32 degrees 59 min. 33 sec. East 139.51', North 38 degrees 02 min. 40 sec. East, 95.00', North 42

degrees 23 min. 30 sec. East, 74.98', North 48 degrees 38 min. 06 sec. East, 156.53' North 28 degrees 45 min. 22 sec. East, 102.00' to a beech, North 17 degrees 36 min. 34 sec. East 79.75' to a stone pile in the South line of Book 5396, page 450, then with same, South 85 degrees 19 min. 00 sec. East, 621. 23' to an iron rod this survey, Northwest corner of a 14.00 acre tract, then with the west line of same, south 21 degrees 59 min. 42 sec. West, 1292.73' to the center of Hester Beasley Road, then with said center line, with a curve to the right, delta of 66 degrees 20 min. 57 sec., radius of 463.48 feet, a distance of 8.18', then North of 32 degrees 11 min. 55 sec. West, 630.19', then with a curve to the left, delta of 25 degrees 25 min. 47 sec., radius of 802.00', tangent of 180.96' a distance of 258.75' to the beginning; containing 14.50 acres, more or less.

TRACT 2

The following described property, lying and being situated in the Ninth Civil District of Davidson County, Tennessee, as follows:

Beginning at a point in the center of Hester Beasley Road, the Southeast corner of a 14.50 acre tract, then with the east line of same, North 21 degrees 59 min. 42 sec. East, passing an iron rod at 30.88', in all, 1292.73' to an iron rod this survey in the South line of Book 5396, page 450, then with the South line of same, South 85 degrees 19 min. 00 sec. East, 327.77' to an iron rod this survey, South 81 degrees 58 min. 27 sec. East, 115.59' to an iron rod this survey just South of a fence, the northwest corner of a 13.36 acre tract, then with the West line of same, South 21 degrees 41 min. 06 sec. West, 1469.33' to the center of Hester Beasley Road, then with said centerline with a curve to the right, delta of 66 degrees 20 min. 57 sec., radius of 463.48', a distance of 453.98' to the beginning, containing 14.00 acres, more or less.

Being the same property conveyed to Mary Baird Johnson from Archie T. Greer, Jr. and wife Thelma L. Greer, and William Richard Greer, of record in Book 5964, page 669, Register's Office for Davidson County, Tennessee.

is hereby divested from Mary B. Johnson and vested in James W. Morris and Margaret M. Campbell, as Co-Trustees of The Mary B. Johnson Revocable Living Trust Agreement Dated Sept. 14, 2007.

7. All right title and interest in and to a certain parcel of land in Davidson County, Tennessee, described as:

Land in the Ninth Civil District of Davidson county, being part of the property described in a survey made by George W. Watkins, Surveyors, dated December 6, 1957, as follows:
Beginning in the center line of Hester Beasley Road at the intersection of the northern boundary line of the property conveyed to Zeb Baird (now J.H. Johnson) and the center line of said road; thence with said Baird's (now J.H. Johnson's) northern boundary line North 89 degrees 30 ' East, 212 feet to the southwest corner of the Carter Heirs Property; thence with said Carter Heirs western boundary line North 7 degrees 30' East 191 feet to the center of said road; thence South 61 degrees 50' West 141.5 feet with the center line of Hester Beasley Road to the souteast corner of property owned by Nielsen, the easterly most corner of property owned by Hoffman; thence S. 44 degreees 10' East, 160 feet with said center line to the southeast corner of Hoffmans, the point of beginning, and containing .4 acres, more or less.

Being the same property conveyed to Mary Johnson and J.H. Johnson by deed from Herman T. Claxton and wife Frances Oweise Claxton, of record in Book 4637, Page 600, Register's Office for Davidson County, Tennessee.

is hereby divested from Mary B. Johnson and vested in James W. Morris and Margaret M. Campbell, as Co-Trustees of The Mary B. Johnson Revocable Living Trust Agreement Dated Sept. 14, 2007.

8. All right title and interest in and to a certain parcel of land in Davidson County, Tennessee, described as:

Being part of the Walton land devised to Margaret Mays (widow) by her father, John S. Pritchard, of record in Will Book 24, page 483, in the office of the Clerk of the Davidson County Court, and by decree of the Chancery Court of Davidson County, more particularly described as follows:

Land situated in the Ninth Civil District of Davidson county, beginning at an old corner known as a Double Beech, thence N. 82 poles to an old Sassafras corner, thence with Pott's line E 60 poles to a large white oak at the side of the public road, thence with Brown's line S 80 degrees E 54 poles to a beech in a hollow, Brown's corner, and with another Brown line S 66 poles to a rock pile, thence W. 50 poles to a stake with Beech pointer on a hillside, thence with Ursery's line N 3.68 poles to another stake on the same hillside, thence again with Ursery's line W 54 poles to the beginning, containing 50 acres, more or less.

Being the same property conveyed to Mary Johnson and J.H. Johnson by Irene Baird, a widow, Oleta Allen, a widow, Cynthia Sayers and Russell Sayers, Betty French and Edward French, Edna Maxwell and Howard Maxwell, Georgia Sullivan and Willard Sullivan, Barbara Harbin and John Harbin, and Nellie Baird Harris, widow of the deceased H.L Baird, of record in Book 2492, Page 610, Register's Office for Davidson County, Tennessee.

This is improved property known as 8842 Hester Beasley Rd., Nashville, TN 37221.

is hereby divested from Mary B. Johnson and vested in James W. Morris and Margaret M. Campbell, as Co-Trustees of The Mary B. Johnson Revocable Living Trust Agreement Dated Sept. 14, 2007.

9. All right title and interest in and to a certain parcel of land in Hickman County, Tennessee, described as:

Land lying and situated in the 2nd Civil District of Hickman County Tennessee, and more particularly described and bounded as follows:

BEGINNING at the southwest corner of the Underhill tract; thence north 3 degrees East 4,067 feet to a stake, a corner in Walker's line; thence running with same, South 87 degrees West 2,035 feet to a corner with white oak pointers; thence South 3 degrees West 4,067 feet to a corner with chestnut oak pointers in the Cherry tract; thence with same, south 87 degrees East 2,035 feet to the beginning, containing 190 acres, more or less, said description being obtained from survey of James R. Jenkins together with right of ingress and egress to public road across Walker property to subject property, to which sellers guarantee there is a prescriptive right.

BEING the same property conveyed to J. Herbert Johnson and wife Mary B. Johnson, by deed from AAA Electric, Inc, of record in Book 11, Page 371, Register's Office for Hickman County Tennessee.

is hereby divested from Mary B. Johnson and vested in James W. Morris and Margaret M. Campbell, as Co-Trustees of The Mary B. Johnson Revocable Living Trust

Agreement Dated Sept. 14, 2007.

10. All right title and interest in and to a certain parcel of land in Hickman County, Tennessee, described as:

BEING A TRACT OF LAND AS SHOWN ON PROPERTY MAP 155, ASSESSOR'S OFFICE, AND LYING WHOLLY WITHIN THE 35TH COUNCILMANIC DISTRICT OF DAVIDSON COUNTY, METROPOLITAN NASHVILLE, TENNESSEE BOUNDED IN GENERAL BY STATE HIGHWAY 100 ON THE WEST; FRANK N. SHOPE AND KROGER LIMITED PARTNERSHIP ON THE NORTH; MARY JOHNSON REMAINDER AND BETTY B. FRENCH ON THE EAST; PASQUO PARK SUBDIVISION SECTION ONE ON THE SOUTH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING IRON PIN ON THE EAST SIDE OF STATE HIGHWAY 100 (50' FROM THE CENTER) IN THE SOUTH LINE OF FRANK N. SHOPE (REF. INSTRUMENT # 200311112 PAGE 165776 R.O.D.C.) THENCE LEAVING STATE HIGHWAY 100 AND WITH SHOPE'S SOUTH LINE S 52 DEGREES 44'03"E 413.39' TO AND EXISTING IRON PIN; THENCE N37 DEGREES 00'59"E 80.47' TO AN EXISTING IRON PIN, IN THE SOUTH LINE OF THE KROGER LIMITED PARTNERSHIP (REF. DEED BOOK 10787 PAGE 956 R.O.D.C. AND INSTRUMENT # 20000209 PAGE 13330 R.O.D.C..); THENCE LEAVING SHOPE AND WITH KROGER'S SOUTH LINE S81 DEGREES 29'03"E 221.79' TO AND EXISTING IRON PIPE, THE NORTH WEST CORNER OF BETTY B. FRENCH (REF. DEED BOOK 7334 PAGE 218 R.O.D.C.); THENCE LEAVING KROGER LIMITED PARTNERSHIP AND WITH FRENCH'S WEST LINE S16 DEGREES 22'56"E PASSING A WITNESS IRON PINE SET AT 65.00' IN ALL 83.38' TO A POINT IN THE CENTER OF A TRIBUTARY OF TRACE CREEK; THENCE LEAVING FRENCH AND RUNNING UP THE TRIBUTARY OF TRACE CREEK FOR THE FOLLOWING 8 CALLS TO POINTS:
S75 DEGREES 26'41"W 164.89'; S77 DEGREES 50'08"W 204.72'; S80 DEGREES 14'15"W 83.40'; N 83 DEGREES 00'10"W 40.65'; S52 DEGREES 47'41"W 32.85'; S35 DEGREES 13'26"W 27.97'; S57 DEGREES 08'23"W 88.49': S72 DEGREES 08'08"W 52.16' TO A POINT IN THE NORTH LINE OF LOT 2 OF PASQUO PARK SUBDIVISION SECTION ONE (REF. PLAT BOOK 3600 PAGE 53 R.O.D.C.); THENCE LEAVING SAID CREEK AND WITH THE NORTH LINE OF LOT 2 N81 DEGREES 18'47" W 138.45; TO AN IRON PIN IN CONCRETE, THE NORTH EAST CORNER OF LOT 1 OF PASQUO PARK SUBDIVISION; THENCE LEAVIING LOT 2 AND WITH LOT 1'S NORTH LINE N81 DEGREES 18'41"W PASSING AN EXISTING IRON PIN AT 189.20' IN ALL 197.62' TO AN EXISTING IRON PIN ON THE RIGHT OF WAY OF STATE HIGHWAY 100 (40' FROM THE

CENTER); THENCE LEAVING LOT 1 AND WITH THE EAST SIDE OF STATE HIGHWAY 100, N34 DEGREES 33'02"E 307.89' TO AN EXISTING IRON PIN; THENCE S55.27'12"E 10.00' TO AN EXISTING IRON PIN; THENCE WITH A CURVE TO THE RIGHT HAVING THE FOLLOWING CHARACTERISTICS;
DELTA=13 DEGREES 54'17"; RADIUS=1107.02'; ARC= 268.66'; TANGENT=134.99'; CHORD=N41 DEGREES 30'11"E 268.00' TO THE POINT OF BEGINNING, CONTAINING 5.24 ACRES, MORE OR LESS, AND BEING THE WESTERN PORTION OF MARY E. JOHNSON PROPERTRY FROM CHARLES E. JONES AND NEALE IRENE JONES AS RECORDED IN DEED BOOK 6934 PAGE 734 RFEGISTER'S OFFICE ACCORDING TO A SURVEY BY RANDOLPH L. CHAPDELAINE R.L.S. #1444, 7376 WALKER ROAD, FAIRVIEW, TENNESSEE 37062 AND DATE JULY 15 2006.

THE ABOVE TRACT IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, COVENENANTS OF RECORD AND TO THE FINDINGS OF A TITLE REPORT.

THE ABOVE TRACT IS SUBJECT TO A 50' INGRESS-EGRESS AND UTILITY EASEMENT RUNNING FROM THE EAST RIGHT OF WAY OF STATE HIGHWAY 100 TO THE CENTER OF A TRIBUTARY OF TRACE CREEK DESCRIBED AS FOLLOWS:
BEGINNING AT AN EXISTING IRON PIN ON THE EAST RIGHT OF WAY OF STATE HIGHWAY 100, THE NORTHWEST CORNER OF LOT 1 OF PASQUO PARK SUBDIVISION SECTION ONE (REF. PLAT BOOK 3600 PAGE 53 R.O.D.C.) THENCE LEAVING LOT 1 AND WITH THE EAST RIGHT OF WAY OF STATE HIGHWAY 100 N 81 DEGREES 18'47"W 8.42' TO AN EXISTING IRON PIN; THENCE N 34 DEGREES 33' 02"E 55.57' TO A POINT; THENCE LEAVING STATE HIGHWAY 100 S 81 DEGREE 18'47"E 388.60' TO A POINT IN THE CENTER OF A TRIBUTARY OF TRACE CREEK; THENCE RUNNING UP THE CENTER OF SAID CREEK S 57 DEGREES 08'23"W 40.23' TO A POINT; THENCE S72 DEGREES 08'08"W 52.16' TO A POINT IN THE NORTH LINE OF LOT 1 OF PASQUO PARK SUBDIVISION; THENCE LEAVING THE CREEK AND WITH LOT 2'S NORTH LINE N81 DEGREES 18'47"W 138.45'TO AND EXISTING IRON PIN IN CONCRETE, THE NORTHEAST CORNER OF THE AFOREMENTIONED LOT 1; THENCE WITH LOT 1'S NORTH LINE N81 DEGREES 18'47"W 189.20' TO THE POINT OF BEGINNING

Being the same property deeded from Mary E. Johnson and A. Harrison Johnson, Jr., Trustee to Mary E. Johnson, of record in document number 20070904-0105647, Register's Office for Davidson County, Tennessee.

is hereby divested from Mary B. Johnson and vested in James W. Morris and Margaret M. Campbell, as Co-Trustees of The Mary B. Johnson Revocable Living Trust Agreement Dated Sept. 14, 2007.

ENTER THIS 23 DAY OF April, 2010.

RANDY KENNEDY, JUDGE

APPROVED FOR ENTRY:

NICK PERENICH #018175
Attorney for Petitioners
237 Old Hickory Boulevard
Nashville, TN 37221
615/662-2889

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been mailed, postage paid, or hand delivered to the following this 23rd day of April, 2010:

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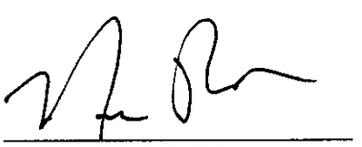
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NICK PERENICH