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IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

AT NASHVILLE

2010 JUL 13 PM 2:41

RICHARD R. ROOKER, CLERK

IN THE MATTER OF THE ESTATE OF

KERRY NEIL DEVINE,

Deceased

No. 10P-1091

ORDER ADMITTING WILL FOR MUNIMENT OF TITLE TO REAL ESTATE

Based on the examination of the Sworn Petition by Petitioner, KATHY LYNN DEVINE HUTSON, the original of the Last Will and Testament, statements by petitioner, the release from the Bureau of TennCare, and statements by Petitioner's attorney on July 13, 2010, the Court finds the following:

A. Decedent was a resident of 1004 B Calvert St; Nashville, Tennessee 37216.

B. Decedent died June 5, 2010, in Davidson County, Tennessee. Decedent was sixty (60) years old.

C. Decedent left a Last Will and Testament dated September 16, 2009.

D. The Last Will and Testament executed on September 16, 2009, is self-proving and properly executed and admitted for muniment of title only.

E. The devisee under the terms of the will is Petitioner, KATHY LYNN DEVINE HUTSON.

Based on these findings, the Court orders the following:

1. Decedent's Will dated September 16, 2009, is admitted for the limited purpose of establishing a muniment of title to real estate known as 1004 B Calvert St; Nashville, Tennessee 37216, without the necessity of granting letters testamentary or otherwise proceeding with administration. The Will and Petition are incorporated in this ORDER.

2. That KATHY LYNN DEVINE HUTSON as decedent's devisee be vested with a muniment of title to decedent's real property known as 1004 B Calvert St; Nashville, Tennessee 37216.

3. Costs are assessed to the petitioner for which execution may issue.

Entered July 13th, 2010

Judge or Probate Master

APPROVED FOR ENTRY:

Barry R. Jarvis, Jr. #22137
319 Tyree Springs Road
White House, TN 37188
615-881-2526
fax 615-672-4366

BILL GARRETT, Davidson County
Trans:T20100072498 ORDER
Recvd: 11/16/10 10:17 8 pgs
Fees:42.00 Taxes:0.00
20101116-0091598

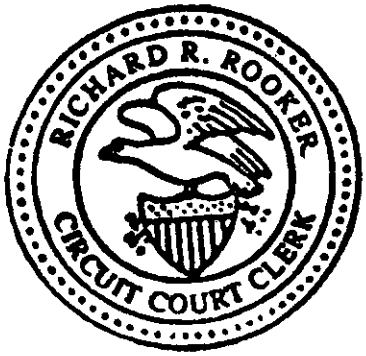
STATE OF TENNESSEE

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 13 day of JULY , 2010 , in Case Number 10P1091 between HUTSON, KATHY LYNN DEVINE Petitioner, and DEVINE, KERRY NEIL 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 SEPTEMBER 2010

RICHARD R. ROOKER, Clerk,

SEAL



By _____
Deputy Clerk

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1017-1091
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RICHARD R ROOKER, CLERK

LAST WILL AND TESTAMENT
OF
KERRY NEIL DEVINE

I, KERRY NEIL DEVINE, a resident of Davidson County, Tennessee, being of sound D.C. mind and disposing memory, do hereby make, publish and declare this as my Last Will and Testament, hereby revoking any and all wills and codicils heretofore made by me.

References in this Will to "issue" shall refer to both natural-born and adopted descendants.

ARTICLE I
PAYMENT OF DEBTS, EXPENSES AND TAXES

I direct that all of my just and enforceable debts, (except debts secured by mortgages or other security instruments, which may be paid off or retained in the discretion of my Executor), including funeral and testamentary expenses and expenses of my last illness, be paid as soon as may be convenient after my death. I further direct that all estate, inheritance and other taxes of the same nature (except any generation-skipping taxes imposed by the Internal Revenue Code or by any state) which are payable because of my death, including any interest or penalties thereon, with respect to the property comprising my estate for such tax purposes, whether or not such property passes under this Will and whether such taxes are payable by my estate or by any recipient or beneficiary of any such property, shall be paid entirely out of my residuary estate as an expense of administration and without apportionment, and with no right of reimbursement from any recipient or beneficiary of any such property.

My Executor is specifically authorized, in my Executor's sole discretion, to apply the proceeds from any insurance policies on my life which are payable to my estate in paying debts, expenses of administration and taxes, notwithstanding the provisions of any state law to the contrary.

ARTICLE II
DISPOSITION OF PERSONAL PROPERTY

Kerry N. Devine
Signature

Copy

I give and bequeath certain items of my personal and household effects to those persons designated in a separate writing that may be in existence at the time of my death, which will be written entirely in my own handwriting and signed and dated by me, and which will describe the items and the legatees with reasonable certainty. If no separate writing or list is found and properly identified by my Executor within sixty (60) days after my Executor's qualification as such, it shall be presumed that no such separate writing exists, and any subsequently discovered separate writing or list shall be ignored. In the event any person named in such separate writing shall predecease me, then the bequest made to such person shall lapse and become null and void.

ARTICLE III

DISPOSITION OF RESIDUARY ESTATE

I hereby give, devise and bequeath all of the rest, residue and remainder of my estate, howsoever constituted and wheresoever situated, including any insurance on my life (unless otherwise designated in said insurance policy) and including property of every kind which I may own or have an interest in at my death, real, personal, or mixed and wherever situated, to my sister, KATHY LYNN DEVINE HUTSON.

ARTICLE IV

APPOINTMENT OF EXECUTOR

I nominate and appoint KATHY LYNN DEVINE HUTSON to serve as Executrix of this my Last Will and Testament; if KATHY LYNN DEVINE HUTSON fails to serve for any reason then JENNIFER L. HUTSON shall serve as Executrix of this my Last Will and Testament; if JENNIFER L. HUTSON fails to serve for any reason then PHILLIP D. HUTSON shall serve as Executor of this my Last Will and Testament.

Whenever the term "Executor" is used herein, it shall be deemed to apply to the party or parties acting and any reference to such party or parties in one gender shall be deemed to mean the proper gender. I direct that no bond shall be required of my Executor for serving in such capacity in this or any other jurisdiction.

ARTICLE V

Kathy L Devine
Signature

Copy

POWERS OF EXECUTOR

My Executor, including any substitute or successor thereto, in the exercise of reasonable discretion with respect to all property, real and personal, at any time forming a part of my estate, may exercise any and all of the powers set forth in T.C.A. 35-50-110, to the extent applicable, all of which provisions and powers are incorporated herein by reference (as set out in said statute on the date of the execution of this will), even if said statute be amended or repealed hereafter and even if my estate or the trust hereunder be administered in a state other than Tennessee. Further, my Executor shall exercise, in general, all power with respect to the property included in my estate which any individual would exercise in the management of similar property owned in his own right and not to be responsible for losses, if any, resulting from honest mistakes of judgment. Except for real property specifically devised in this Will, I direct that all real property in my estate is to be administered as a part of the estate subject to the control of the Executor.

Pursuant to Sections 30-2-301 and 30-2-601, Tennessee Code Annotated, I excuse the requirements for making and filing an inventory, appraisals, and court accountings of my probate estate.

ARTICLE VI

ALLOCATIONS BY EXECUTOR

At anytime when it shall become necessary to divide assets between any of the beneficiaries herein named, or to distribute any of said assets, such division or distribution shall be made in such manner as the Executor deems proper and may be made in cash or in kind, or partly in cash and partly in kind. The judgment of the Executor on the relative value of assets shall be binding and conclusive on all parties interested. Further, in making distribution of assets the Executor shall not be required to distribute a particular asset pro rata to all beneficiaries entitled to receive a distribution, and the Executor may make division and distribution of assets without regard to the basis of such assets for Federal or State income tax purposes.

ARTICLE VII

MISCELLANEOUS PROVISIONS

All references in this Will to the "Executrix" or "Executor" shall mean the Executor or

Signature

Copy

Executrix named herein or any alternate or successor thereto. The foregoing terms are used for convenience, regardless of the gender or number of parties serving in such capacities, and such terms shall be read as the context shall require. Throughout this Will, the singular number shall be deemed to include the plural, the plural the singular, and the use of any gender shall be applicable to all genders, as the context may require. Paragraph headings are used for convenience only, and shall not be resorted to for interpretation of this Will.

IN WITNESS WHEREOF, I have hereunto set my hand on this 16 day of SEPT., 2009, to this my Last Will and Testament and have signed each page at the bottom thereof for the purpose of identification.

Kerry N. Devine
KERRY NEIL DEVINE

Signed, published and declared by the said KERRY NEIL DEVINE, being of sound mind and disposing memory, as and for his Last Will and Testament in the presence and sight of us, present at the same time, who at his request, in his presence and sight, and in the presence and sight of each other, have subscribed our names as attesting witnesses on the day and year last written above, and we do hereby attest to the sound and disposing mind of KERRY NEIL DEVINE and to the performance of the aforesaid act of execution at the place and on the date hereinabove set out.

WITNESSES:

Kerry N. Devine
Signature

Copy

AFFIDAVIT OF WITNESSES TO PROVE WILL

Barry Jarvis and David Hutson after being duly sworn according to law, depose and say:

1. That they are adult citizens of Tennessee.

2. That they witnessed the execution of the Last Will and Testament of KERRY NEIL DEVINE dated the 16th day of September, 2009, to which this affidavit is attached, and that this affidavit is being made at the request of the Testator, and in accordance with Tennessee Code Annotated '32-2-110.

3. That their signatures are affixed to said Last Will and Testament, that they signed or affixed the same at the instance and at the request of the Testator and in his presence, and in the presence of each other, at the place and on the date recited in said Last Will and Testament.

4. That the Testator signed said paper writing as and for his Last Will and Testament in their sight and presence.

5. That at the time they witnessed said Will, the Testator was, in their opinion, of sound mind.

David A Hutson
WITNESS

B D Jarvis
WITNESS

STATE OF TENNESSEE)
COUNTY OF Sumner)

Sworn to and subscribed before me by the two (2) persons whose signatures are affixed hereto on this 16th day of September, 2009.

Therese Casler
NOTARY PUBLIC

My Commission Expires: 11-3-2012

THERESE CASLER
STATE OF TENNESSEE NOTARY PUBLIC
SUMNER COUNTY

Prepared by:
Barry R. Jarvis, Jr., Atty At Law
(615) 672-3392

Signature

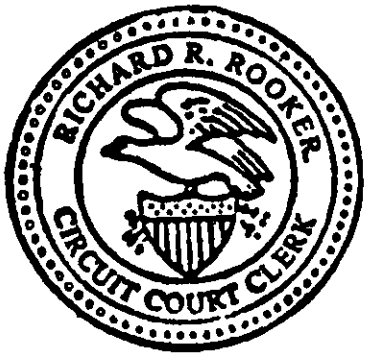
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IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 14 day of JULY 2010

RICHARD R. ROOKER, Clerk,

SEAL



By _____

Deputy Clerk