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

FILED
2011 AUG 15 PM 2:03
RICHARD R. ROOKER, CLERK

IN RE:
ESTATE OF GRACE TAYLOR

JERRY LEE TAYLOR, NANCY T."CAROL WOLFE, EMMA FUQUA, BARBARA YEILK, JOEY TAYLOR SULLIVAN, WILLIAM TAYLOR, APRIL MOSES and FREDA VOLK,

Plaintiffs,

v.

JOHN TAYLOR, SR., LINDA SULLIVAN, BETTY JOHNSON, BEVERLY TAYLOR, SANDRA BEAN and OLD ANTIOCH HISTORICAL SOCIETY

Defendants.

No: 05P-900

BILL GARRETT, Davidson County
Trans:T20110057732 ORDER
Recvd: 09/16/11 13:34 6 pgs
Fees:32.00 Taxes:0.00
20110916-0072126

ORDER

This cause came on to be heard on the 19th day of July, 2011 before the Honorable Randy Kennedy, Judge , upon complaint filed by Jerry Lee Taylor, Nancy T. "Carol Wolfe, Emma Fuqua, Barbara Yeik, Joey Taylor Sullivan, William Taylor, April Moses and Freda Vock to contest the Last Will and Testament of Grace Cole Taylor admitted to probate on August 13, 2007. It appearing from statement of Counsel, testimony of the witnesses and parties in open court and the entire record, the Court makes the following findings:

Case law is clear on criteria for a finding of a confidential relationship. In this case, the testimony showed that all of the decedent's children had influence on their mother and there is no shred of evidence that there was fraud or undue influence in procuring the Will of decedent. There was no evidence presented to suggest dominion

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and control by John Taylor and testimony indicated that it was not the defendant that initiated the secrecy of the Will; it was the decedent. Because there is no finding of a confidential relationship, the Court upon motion of the Defendants, directs verdict in favor of the Defendants.

After proof presented on the alternative pleading that such portions of the contested Will that directly benefit John Taylor, Sr. or that were obtained by undue influence, fraud, misrepresentation or trickery be set aside as void, the Court further finds that the entire Will admitted to probate is the valid Last Will and Testament of Grace Cole Taylor. Though there was no evidence presented on whether or not the $1.00 was paid by Old Antioch Historic Society as stated in the Will, the Court finds that it was not a threshold requirement for the payment of the $1.00 consideration and it was the intention of Old Antioch Historical Society to accept the property as further evidenced by its appearance and representation by Counsel. The Court finds that Grace Taylor obtained independent Counsel advice from not only from the attorney who drafted the Will, but was also advised by a subsequent appointment with another attorney and didn't change her Will.

Once the Court has determined that the Will is valid, it must see that the intent of the Testator is protected. The Court finds that it was the intention of Grace Taylor that her real property at 3100 Franklin Road should be held, operated and owned by the Old Antioch Historic Society. This Testator wanted her property to be held for the benefit of her family. Her vehicle of accomplishing this intent is a valid instrument and the Old Antioch Historic Society as a new, revised and reborn entity is a legitimate successor.

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The Court finds that the property described herein is vested in the Old Antioch Historical Society:

LAND in the 5th Civil District of Davidson County, Tennessee, described according to a survey made by E.L. Miller and Company of Nashville, Tennessee, dated on February 8, 1967, Job No. 7-67, as follows: BEGINNING at a stake set in the southerly margin of the right-of-way of Interstate I-24 which stake is located as follows: BEGINNING at the center of the intersection of Old Franklin Road and Interstate I-24; thence southeastwardly with the center of Interstate I-24, 337 feet more or less to a point; thence southwestwardly 150 feet, to the southerly margin of Interstate I-24, at said state; thence South 46 deg. 20 min, east 1215 feet to a monument; thence south 43 deg. 40 min. west 25 feet to a point; thence south 46 deg. 20 min. 2676 feet to a monument; thence north 1 deg. 30 min. east 34 feet to a monument; thence south 46 deg. 20 min. east 5 feet to stake; thence south 1 deg. 30 min. west 211 feet to a stake in a 24 inch tree in an old established fence line; thence north 87 deg. 20 min. west 959 feet to a post in said fence line; thence continuing with said fence line north 87 deg. 35 min. west 1108 feet to a stone; thence north 3 deg. 20 min. east 229 feet to a post in an old established fence line; thence north 2 deg. .05 min. west 217 feet to a hackberry tree in said fence line; thence north 3 deg. 40 min. east 503 feet to a 12 inch Ash tree in said fence line; thence 1 deg. 50 min. east 236 feet to an 18 inch Hackberry tree in said fence line; thence north 10 deg. 00 min. east 224 feet to a 6 inch Ash tree; thence north 2 deg. 50 min east 535 feet to a stake in rock wall; thence along said rock wall fence line north 85 degrees 45 west 887 feet to a corner post; thence north 2 deg. 20 min. east 596 feet to a monument; thence north 4 deg. 50 min. east 194 feet to the point of beginning containing 59.38 acres, more or less.

THERE is included in the above acreage, boundaries and description, but expressly excluded from this conveyance, a tract of land containing 56.38 acres, heretofore conveyed by Jerry Lee Taylor and wife. Wanda Faye Taylor, to James T. Williams, et al, of record in Book 4484, Page 775, Register's Office for Davidson County, Tennessee.

THERE is included in the above acreage, boundaries and description, but expressly excluded from this conveyance, a tract of land containing approximately one acre heretofore conveyed to John Taylor, Sr. from John Yeik, of record as instrument no. 20060830-0107070, Register's Office for Davidson County, Tennessee.

Said property conveyed herein is subject to the easements previously of record.

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IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the complaint to contest the Will of Grace Cole Taylor is denied and the property located at 3100 Franklin Road and described above, shall be vested in the Old Antioch Historic Society.

The costs of this cause outstanding shall be assessed against the Old Antioch Historical Society.

The fiduciary, Linda Sullivan, shall obtain a certified copy of the death certificate of the deceased spouse of Grace Cole Taylor and submit the document to Peggy Mathes whereupon Ms. Mathes will submit the form for obtaining the TennCare release and prepare the necessary document to obtain a tax closing letter. The Court waives the filing requirement of a personal representative statement and receipts and statements in lieu from all beneficiaries. Upon the filing of the TennCare release, the tax closing letter and the payment of costs by the Old Antioch Historical Society, the estate shall be declared closed.

ENTERED THIS 15 DAY OF Aug, 2011.

DAVID R. KENNEDY, JUDGE

APPROVED FOR ENTRY:

PEGGY D. MATHES # 5741
Attorney for John Taylor, Sr.

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20 Academy Place
Nashville, TN 37210
(615) 251-6968

Certificate of Service

I, the undersigned, hereby certify that on the 4th day of Aug 2011, a true and correct copy of the foregoing Notice was forwarded by United States Mail, postage prepaid, to:

Barbara Yeilk
134 Plantation Drive
La Vergne, TN 37086

Freda Vock
3714 Mt. Ariane Drive
San Diego, CA 92111

Betty Johnson
415 Tusculum Road, Apt. J18
Nashville, Tn 37211

Carol Wolfe
1451 Johns Street
Whiting, ID 46394

William Harold Taylor
TOMIS ID No. 00108605
7575 Cockrill Bend Blvd.
Nashville, TN 37209

Stuart A. Huffman
627 Second Avenue South
Nashville, TN 37210

Beverly Taylor
2011 Milky Way
Murfreesboro, TN 37129

Sandra Bean
1510 North Maple Avenue
Cookeville, TN 38501

Linda Sullivan
101 Vanderford Lane
Smyrna, TN 37167

April Moses
407 & 1/2 North Walnut
Moorilton, AR 72110

Emma Fuqua
2540 Pulley Road
Nashville, TN 37214

John Taylor Sullivan
101 Vanderford Lane
Smyrna, TN 37167

Samuel P. Helmbrecht, Esq.
214 Second Avenue North, STe 300
Nashville, TN 37201

Stuart Huffman, Esq.
627 Second Avenue South
Nashville, TN 37210

Peggy D. Mathes

Peggy D. Mathes

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 ORDER heretofore entered in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 15 day of AUGUST , 2011 , in Case Number 05P900 between TAYLOR, JERRY LEE ET.AL Petitioner, and TAYLOR, GRACE COLE 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 16 day of SEPTEMBER 2011

RICHARD R. ROOKER, Clerk,

SEAL

By _____
Deputy Clerk