Prepared by

CALLAHAN WITHERINGTON, PLLC

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BILL GARRETT, Davidson County
Trans:T20120062921 DEEDWARR
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20120822-0075652

CORRECTION*
EXECUTOR'S DEED

KNOW ALL MEN BY THESE PRESENTS THAT, THE ESTATE OF HARRIET P. COMPERRY, BY ITS DULY APPOINTED EXECUTOR, DAVID P. COMPERRY, AND JANET COMPERRY AND CLARK COMPERRY, AS ADDITIONAL NAMED BENEFICIARIES herein referred to as Grantors for and in consideration of the sum of TEN ($10.00) Dollars, cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, has bargained and sold and by these presents do hereby bargain, sell, transfer and convey unto **DAVID P. COMPERRY, as to a 1/2 undivided interest,** hereinafter referred to as Grantee, the receipt of which is hereby acknowledged, the said Grantee, his heirs, successors, and assigns forever, the following described lot or parcel of land situated in Davidson County, Tennessee with same being more particularly described as follows, to-wit:

Being Unit No. 33 as shown on the Plat of Versailles Apartments (a condominium), of record in Plat Book 5050, Page 80, Register's Office for said county, which is a condominium Plat.

This being the same property out of what has been designated in the Davidson County Tax Assessor's Office as Parcel 117 03 0A 033.00

THIS BEING THE SAME PROPERTY CONVEYED TO WILLIAM D. COMPERRY AND HARRIET P. COMPERRY, AS TENANTS BY ENTIRETY AS TO A 1/2 UNDIVIDED INTEREST, BY WARRANTY DEED FROM WILLIAM M. COLSHER, FOUND OF RECORD IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE IN DEED BOOK 9823, PAGE 655. THE SAID WILLIAM D. COMPERRY DIED TESTATE, A RESIDENT OF DAVIDSON COUNTY, TENNESSEE ON NOVEMBER 16, 2007 THEREBY VESTING SOLE FEE SIMPLE TITLE, AS TO A 1/2 UNDIVIDED INTEREST, IN HARRIET P. COMPERRY AS THE SURVIVING TENANT. THE SAID HARRIET P. COMPERRY DIED TESTATE A RESIDENT OF DAVIDSON COUNTY, TENNESSEE, ON AUGUST 20, 2010. UNDER ITEM V OF THE LAST WILL AND TESTIMATE OF HARRIET P. COMPERRY, SUBJECT PROPERTY WAS DEVISED ONE-HALF TO DAVID COMPERRY AND ON-HALF TO JANET COMPERRY AND CLARK COMPERRY. ALL AFOREMENTIONED BENEFICIARIES, EXCEPT DAVID P. COMPERRY, HAVE DISCLAIMED THEIR INTEREST IN THE SUBJECT PROPERTY, THEREBY VESTING SOLE FEE SIMPLE TITLE, AS TO 1/2 UNDIVIDED INTEREST, IN DAVID P. COMPERRY AS THE SOLE REMAINING BENEFICIARY.

***ORIGINAL EXECUTOR'S DEED WAS RECORDED UNDER INSTRUMENT NO. 20111028-0083908, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TN. THIS DEED IS BEING RECORDED, PURSUANT TO COURT ORDER TO REOPEN ESTATE TO CORRECT DEED WHICH IS ATTACHED AS EXHIBIT "A", FOR THE PURPOSE OF CORRECTING AN ERROR IN THE PRIOR DEED WHICH OMITTED TWO INTERESTED PARTIES. NOW JOINING IN THE CONVEYANCE ARE JANET COMPERRY AND CLARK COMPERRY AS ADDITIONAL GRANTORS FOR THE PURPOSE OF CONVEYING ANY AND ALL INTEREST THEY MAY HAVE OBTAINED IN ACCORDANCE WITH THE LAST WILL AND TESTAMENT OF HARRIET P. COMPERRY.**

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said Grantee, his heirs and assigns forever.

AND THE GRANTORS do hereby covenant with the said parties of the second part that they are lawfully seized in fee of the aforedescribed real estate; that they have a good right to sell and convey the same; that the same is unencumbered except for the Property taxes, which the above named Grantee hereby assumes and agrees to pay, and restrictions, building lines and easements of record.

AND THAT TITLE and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons.

WITNESS my Hand and Seal this 15th day of August, in the year of our Lord Two Thousand Twelve.

THE ESTATE OF HARRIET P. COMPERRY

BY: DAVID P. COMPERRY, EXECUTOR

STATE OF TENNESSEE
COUNTY OF Shelby

On this the 15th day of August, 2012, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared **DAVID P. COMPERRY** to me known to be the person described in and who executed the foregoing instrument and acknowledged himself to be the **EXECUTOR** of **THE ESTATE OF HARRIET P. COMPERRY**, the within named bargainor, and that he as such **EXECUTOR,** being authorized so to do, executed same for the purpose therein contained, by signing for **THE ESTATE OF HARRIET P. COMPERRY** by himself as **EXECUTOR.**

WITNESS my hand and Notarial Seal at office the day and year above written.

Andrea R. Quinn
Notary Public

My Commission Expires:
My Commission Expires:
November 8, 2014

ANDREA R. QUINN
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

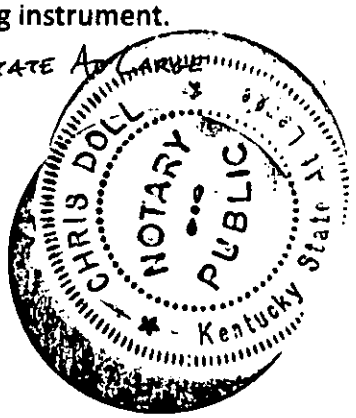
Janet Comperry

JANET COMPERRY, BENEFICIARY

STATE OF KENTUCKY
COUNTY OF Perry

On this the 20th day of August, 2012, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared **JANET COMPERRY** to me known to be the person described in and who executed the foregoing instrument.

Chris Doll Chris Doll Notary Public State At Large
My Commission Expires April 15, 2014



_____

CLARK COMPERRY, BENEFICIARY

STATE OF OHIO
COUNTY OF _____

On this the _____ day of August, 2011, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared **CLARK COMPERRY** to me known to be the person described in and who executed the foregoing instrument.

On this the _____ day of August, 2012, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared **DAVID P. COMPERRY** to me known to be the person described in and who executed the foregoing instrument and acknowledged himself to be the **EXECUTOR** of **THE ESTATE OF HARRIET P. COMPERRY**, the within named bargainor, and that he as such **EXECUTOR,** being authorized so to do, executed same for the purpose therein contained, by signing for **THE ESTATE OF HARRIET P. COMPERRY** by himself as **EXECUTOR.**

WITNESS my hand and Notarial Seal at office the day and year above written.

_____
Notary Public

My Commission Expires:

_____

_____
JANET COMPERRY, BENEFICIARY

STATE OF KENTUCKY
COUNTY OF _____

On this the _____ day of August, 2012, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared **JANET COMPERRY** to me known to be the person described in and who executed the foregoing instrument.

_____
CLARK COMPERRY, BENEFICIARY

STATE OF OHIO
COUNTY OF MONTGOMERY

On this the 20 day of August, 2011, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared **CLARK COMPERRY** to me known to be the person described in and who executed the foregoing instrument.

DAVID COMPERRY, INDIVIDUALLY AS GRANTEE

STATE OF TENNESSEE
COUNTY OF Shelby

On this the 15th day of August, 2012, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared **DAVID COMPERRY, INDIVIDUALLY AS GRANTEE** to me known to be the person described in and who executed the foregoing instrument.

Andrea R. Quinn
Notary Public

ANDREA R. QUINN
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

My Commission Expires:
November 8, 2014

AFFIDAVIT OF VALUE

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information and belief the actual consideration for this transfer or value of the property transferred whichever is greater is $0*, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

***ALL TRANSFER TAX WAS PAID AT TIME OF RECORDING OF THE ORIGINAL DEED UNDER INSTRUMENT NUMBER REFERENCED ABOVE.**

AFFIANT

SWORN TO AND SUBSCRIBED before me, this the 15th day of August, 2012.

Andrea R. Quinn
Notary Public

My Commission Expires:
November 8, 2014

ANDREA R. QUINN
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

MAIL TAX BILLS AND DEED TO:
DAVID P. COMPERRY
3000 HILSBORO ROAD #33
NASHVILLE, TN 37115

NEW PROPERTY OWNER AND PROPERTY ADDRESS:
DAVID P. COMPERRY
3000 Hillsboro Road #33
Nashville, TN 37115

THIS INSTRUMENT PREPARED BY:
CALLAHAN WITHERINGTON, PLLC
209 10TH AVENUE S
SUITE 506
NASHVILLE, TN 37203

DAVID COMPERRY, INDIVIDUALLY AS GRANTEE

STATE OF TENNESSEE
COUNTY OF _____

On this the _____ day of August, 2012, before me, a Notary Public, in and for said State and County, duly commissioned and qualified, personally appeared **DAVID COMPERRY, INDIVIDUALLY AS GRANTEE** to me known to be the person described in and who executed the foregoing instrument.

AFFIDAVIT OF VALUE

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information and belief the actual consideration for this transfer or value of the property transferred whichever is greater is $0*, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

***ALL TRANSFER TAX WAS PAID AT TIME OF RECORDING OF THE ORIGINAL DEED UNDER INSTRUMENT NUMBER REFERENCED ABOVE.**

Edwl Clark Comperry
AFFIANT

SWORN TO AND SUBSCRIBED before me, this the 20 day of August, 2012.

Skylla J. Thompson
Notary Public

My commission expires:
6 July 2017

MAIL TAX BILLS AND DEED TO:
DAVID P. COMPERRY
3000 HILSBORO ROAD #33
NASHVILLE, TN 37115

NEW PROPERTY OWNER AND
PROPERTY ADDRESS:
DAVID P. COMPERRY
3000 Hillsboro Road #33
Nashville, TN 37115

THIS INSTRUMENT PREPARED BY:
CALLAHAN WITHERINGTON, PLLC
209 10TH AVENUE S
SUITE 506
NASHVILLE, TN 37203

FILED

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

2012 AUG 14 PM 2:06

RICHARD R. ROOKER, CLERK

D.C.

IN THE MATTER OF:	)	
	)	
ESTATE OF HARRIET PACE COMPERRY,	)	**Docket No. 10P1840**
Deceased.	)	

ORDER TO REOPEN ESTATE TO CORRECT DEED

This cause came to be heard before the Seventh Circuit Court for Davidson County, Tennessee, upon the Petition of **DAVID COMPERRY**, the Petitioner, requesting that the estate of **HARRIET PACE COMPERRY** (the "Estate") be reopened to correct an error in the deed to bring such deed in line with the intentions of the parties to this Estate. Based on an examination of the Petition, the Exhibits attached thereto, and the statements of counsel, the Court finds the following:

1. The Decedent, **HARRIET PACE COMPERRY**, died in Nashville, Davidson County, Tennessee, on August 20, 2010, a resident of said county, at the age of 97 years. The Decedent's place of residence was 4347 Lebanon Road Apt. M-132, Hermitage, TN 37076.
2. The Petitioner was qualified as the Executor for this Estate on December 15, 2010. The Petitioner fully administered the Estate and on December 6, 2011 this Estate was closed by Order of this Court. At such time the Petitioner was discharged from further service as Executor for the Estate.
3. Following the closure of the Estate it was discovered that an error was made in the transfer of the real property in which the Decedent had an interest at the time of her death. Discovery of this error did not become apparent until the property was under contract to be sold and a formal title search was performed.
4. All interested parties are properly before this Court. All such parties are requesting that the

EXHIBIT
A

Court correct the error in the subject deed in accordance with Tennessee Code Annotated §66-5-107 and in accordance with the submitted Family Settlement Agreement attached to the Petition in this matter.

5. That it is appropriate to set aside the disclaimers filed in this matter due to the material mutual mistake of the parties. Setting aside such disclaimers result in the original intentions of all parties involved being achieved.
6. The deed at issue shall be amended to transfer the Estate's interest in the property located at 3000 Hillsboro Road, #33, Nashville, Tennessee 37215 from the Estate into the sole name of **DAVID COMPERRY**. The Court finds that this was the intention of the parties at issue and as such it is appropriate to correct the vesting deed to reflect such intent.
7. That the appointment of a Guardian *Ad Litem,* pursuant to T. C. A. § 34-1-107(a)(3) and T.C.A. §35-15-303(6), in this matter is not necessary or in the best interest of the minor parties as all minor children are adequately and appropriately represented by their parents as guardians.

BASED ON THE FOREGOING, the Court orders the following:

1. The Estate of **HARRIET PACE COMPERRY** deceased, Probate Number 10P1840 be reopened for the limited purpose of correcting an error in the vesting deed from the Estate;
2. Letters Testamentary be reinstated to Petitioner without bond or other security for the limited purpose of carrying out the Order of this Court;
3. That the disclaimers filed in this matter should be and are hereby set aside as having been entered into based upon a mutual mistake of all parties. All parties vested in title to property by the disclaimers are hereby divested of title and title is vested pursuant to the terms of the probated Will.
4. That the Estate's interest in the property located at 3000 Hillsboro Road, #33, Nashville,

Tennessee 37215 shall be and is hereby vested in the sole name of **DAVID COMPERRY**.

5. The Executor shall have prepared, signed and registered a deed to this effect immediately.

6. That upon the filing of a corrected deed in this matter that the Estate of **HARRIET PACE COMPERRY** shall be deemed closed without further order of this Court.

Entered this 14 day of August, 2012.

Judge Randy Kennedy

APPROVED FOR ENTRY:

CALLAHAN WITHERINGTON, PLLC

By:
David J. Callahan, III (#26224)
209 10th Ave. South
Suite 506
Nashville, TN 37203
(615) 712-8669