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

FILED
2010 FEB -8 AM 8:29
RICHARD R. ROOKER, CLERK
D.C.

MICHAEL WALL,

Plaintiff

v.

CONNIE ISON,

Defendant.

IN RE: ESTATE OF DOROTHY J. FOUT,
Deceased

Case Number: 08P-829
Notice of Entry Requested

AGREED ORDER

The Plaintiff, Michael Wall (herein "Mr. Wall"), and the Defendant, Connie Ison (herein "Ms. Ison"), by and through their respective counsel, have reached an agreement regarding Mr. Wall's Complaint to contest the will of Dorothy J. Fout, offered for probate by Ms. Ison on August 1, 2008. Peggy D. Mathes, the Administrator Ad Litem for the Estate of Dorothy J. Fout, also joins in this Agreed Order for the purpose of providing her consent to the parties' agreement. The Court finds that the terms of this agreement shall be the Order of the Court, as evidenced by the signatures of the parties, Mr. Wall and Ms. Ison, the signatures of counsel for Mr. Wall and Ms. Ison, and the signature of the Administrator Ad Litem, affixed below.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The copy of the Last Will and Testament of Dorothy J. Fout, attached to the Complaint filed by Mr. Wall to contest the will offered for probate by Ms. Ison, is a copy

BILL GARRETT, Davidson County
Trans:T20120072976 ORDER
Recvd: 09/27/12 10:31 10 pgs
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of the original will executed by Dorothy J. Fout on April 30, 2004, and said copy shall be admitted to probate as the Last Will and Testament of Dorothy J. Fout.

2. The said Last Will and Testament of Dorothy J. Fout, dated April 30, 2004, was executed by Dorothy J. Fout, deceased, as and for her Last Will and Testament, and she declared the same to be her Last Will and Testament and requested Laurie Vairetta and John M. Rankin, Jr. to execute the instrument as attesting witnesses which was done in the sight and presence of Dorothy J. Fout and in the sight and presence of Laurie Vairetta and John M. Rankin, Jr., at which time Dorothy J. Fout, deceased, was of sound mind and disposing memory.

3. Ms. Ison shall receive One Hundred Thirty Five Thousand Dollars ($135,000) to be paid by Mr. Wall, as well as the decedent's Mercury Marquis vehicle and the title thereto, the proceeds of the decedent's IRA with Bank of America, plus interest in the amount of $843.73, and the personal property contained in the decedent's residence located at 6660 Burkitt Road, Nashville, Tennessee. Ms. Ison shall retrieve the personal property she desires from the decedent's residence by November 30, 2009.

4. ~~The Administrator shall prepare and Mr. Wall shall receive an Affidavit~~ of Inheritance transferring all right, title and interest in the decedent's real property located ~~at 6660 Burkitt Road, Nashville, Tennessee, together with any attached fixtures~~. Mr. Wall will assume responsibility for any real property taxes due and owing on said real property. Mr. Wall shall also receive the funds remaining in the Bank of America checking account and the Bank of America savings account on which he was listed as a joint account holder with the decedent, as well as any personal property remaining in the decedent's residence as of December 1, 2009.

Mr. Wall received all right, title, and interest to the real property located at 6660 Burkitt Road, Nashville, Tennessee according to the terms of the last Will and Testament of Dorothy J. Fout, executed by Dorothy J. Fout on April 30, 2004, and admitted to probate as set forth in this Agreed Order.

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5. Mr. Wall shall satisfy the specific bequests set forth in the Last Will and Testament of Dorothy J. Fout by paying Margie Roeder Three Thousand Dollars and 00/100 ($3000.00) and Otter Creek Church of Christ Two Thousand Five Hundred Dollars and 00/100 ($2500.00), as set forth in the decedent's will.

6. Mr. Wall shall reimburse the Estate expenses in the amount of $1,173.24 which were paid by the Estate for the benefit of the decedent's real property.

7. A closing of the transfer of the decedent's real property shall be held at the law office of Hiland, Mathes & Urquhart, 20 Academy Place, Nashville, TN 37210 as soon as practicable. All other outstanding estate issues as set forth in this Agreed Order shall also be handled at the closing.

8. Mr. Wall and Ms. Ison each acknowledge, by their respective signatures, affixed below, that the Estate of Dorothy J. Fout has been properly administered and distributed. Mr. Wall and Ms. Ison further acknowledge final receipt of any and all interest they may have in the Estate.

9. Mr. Wall, Ms. Ison, and the Administrator Ad Litem hereby release each other from any and all claims and liabilities regarding the Estate of Dorothy J. Fout, other than as expressly set forth in this Agreed Order.

10. Ms. Ison and Mr. Wall shall each pay one-half of the Administrator Ad Litem's fees in this matter, not to exceed $2500.00 each. Ms. Ison and Mr. Wall shall also each pay one-half of the remaining court costs of this matter.

11. Ms. Ison and Mr. Wall shall each be responsible for their own attorney's fees incurred in this matter.

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12. The parties agree to cooperate with one another and the Administrator Ad Litem and to execute any documents necessary to accomplish the transfers agreed to herein and necessary to close this estate.

13. Mr. Wall and Ms. Ison have no other duties, responsibilities or liabilities and owe no other funds to the Estate other than what is specifically set forth in this Agreed Order.

IT IS SO ORDERED.

Entered this 3 day of Feb, 2020

JUDGE RANDY KENNEDY

APPROVED FOR ENTRY:

MARGARET L. BEHM, BPR# 005123
KRISTEN B. AMONETTE, BPR #022026
DODSON PARKER BEHM & CAPPARELLA PC
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Counsel for Michael Wall

JACQUELINE B. DIXON, BPR # 012054
HOLLINS, WAGSTER, WEATHERLY, & RAYBIN P.C.
Suite 2200 Fifth Third Center
424 Church Street
Nashville, Tennessee 37219

Counsel for Connie Ison

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Peggy D Mathes by [illegible] with permission

PEGGY D. MATHES, BPR # 5741
Hiland, Mathes, & Urquhart
20 Academy Place
Nashville, Tennessee 37210
(615) 251-6968

Administrator Ad Litem for the Estate of Dorothy J. Fout

Michael Wall

MICHAEL WALL
11-25-09
Date

Connie Ison

CONNIE ISON
11-25-09
Date

Copy

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was mailed via first-class, U.S. Mail, postage prepaid on the 12th day of ~~November~~ February, ~~2009~~ 2010 to the following:

Peggy D. Mathes
Hiland, Mathes, & Urquhart
20 Academy Place
Nashville, Tennessee 37210
(615) 251-6968

Administrator Ad Litem for the Estate of Dorothy J. Foui

Jacqueline B. Dixon
Hollins, Wagster, Weatherly & Raybin, P.C.
Suite 2200 Fifth Third Center
424 Church Street
Nashville, Tennessee 37219

Counsel for Connie Ison

Connie Ison
1715 Dewey Road
Beaver, Ohio 45613

Michael Wall
6676 Burkitt Road
Antioch, TN 37013

Margie Roeder
6667 Burkitt Road
Antioch, Tennessee 37013

Otter Creek Church of Christ
5253 Granny White Pike
Nashville, Tennessee 37220

Denise Blackwell
2002 Old Greenbrier Pike
Greenbrier, TN 37073

Paul Fitzgerald
104 Hidden Meadows Ct.

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Greenbrier, TN 37073

Laura Fitzgerald Duke
c/o Lincoln Care Center
501 Amana Drive
Fayetteville, TN 37334

Dolores E. Rowell
129 Palmetto Creek Road
Ashville, Alabama 35953

Kristen B. Amonette
KRISTEN B. AMONETTE

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Order has been mailed via first class United State Mail, postage paid, to the following parties:

Peggy Mathes
Attorney At Law
20 Academy Place
Nashville, TN 37210

Jacqueline B. Dixon
Attorney At Law
Suite 2200 Fifth Third Center
424 Church Street
Nashville, TN 37219

Connie Ison
1715 Dewey Rd.
Beaver, OH 45613

Michael Wall
6676 Burkitt Rd.
Antioch, TN 37013

Margie Roeder
6667 Burkitt Rd.
Antioch, TN 37013

Otter Creek Church of Christ
5253 Granny White Pike
Nashville, TN 37220

Denise Blackwell
2002 Old Greenbrier Pike
Greenbrier, TN 37073

Paul Fitzgerald
104 Hidden Meadows Ct.
Greenbrier, TN 37073

Laura Fitzgerald Duke
c/o Lincoln Care Center
501 Amana Dr.
Fayetteville, TN 37334

Dolores E. Rowell
129 Palmetto Creek Rd.
Ashville, AL 35953

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On this 8th day of February 2006

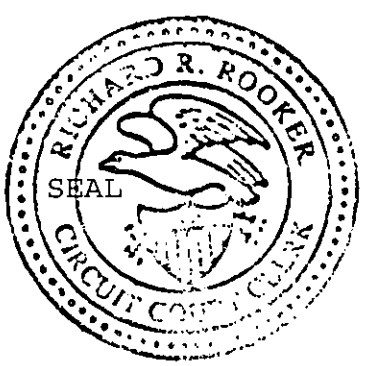
Deputy Clerk

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 08 day of FEBRUARY , 2010 , in Case Number 08P829 between ISON, CONNIE ET.AL Petitioner, and FOUT, DOROTHY J. ET.AL 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 27 day of SEPTEMBER 2012

RICHARD R. ROOKER, Clerk,



By _____

Deputy Clerk