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IN THE SEVENTH CIRCUIT COURT FOR DAVIDSON COUNTY

FILED

TENNESSEE, PROBATE DIVISION

2013 APR 18 AM 11:24

RICHARD R. ROOKER, CLERK

IN THE MATTER OF THE ESTATE	)	
	)	
OF SAMUEL E. WEST,	)	No. 13P-685 D.C.
	)	
Deceased,	)	
	)	
SUSANNE W. RAY,	)	
	)	
Personal Representative.	)	

BILL GARRETT, Davidson County
Trans:T20130037156 ORDER
Recvd: 05/03/13 13:41 5 pgs
Fees:27.00 Taxes:0.00
20130503-0045011

ORDER ADMITTING A COPY OF LAST WILL AND TESTAMENT TO PROBATE WITHOUT ADMINISTRATION BUT FOR THE PURPOSE OF ESTABLISHING MUNIMENT OF TITLE

Based on an examination of *the Petition to Probate a Copy of Last Will and Testament Without Administration But For The Purpose of Establishing Muniment of Title* and the original executed *Last Will and Testament* and original executed *First Codicil* thereto of Samuel E. West, the Court finds the following:

1. Samuel E. West (hereinafter referred to as the "Decedent") died on March 15, 2013, at eighty-one (81) years of age. His permanent place of residence was 604 Elmont Cove, Nashville, in Davidson County, Tennessee 37211, and known in the Offices of the Tax Assessor for Davidson County, Tennessee as Map No. 180-4-A, Parcel 31.

2. Decedent's spouse is deceased. Decedent is survived by his daughters, Susanne W. Ray and Sandra L. Evans, and son, Steven A. West.

3. The original of Decedent's executed Last Will and Testament dated February 28, 2001 and First Codicil thereto, dated May 2, 2003, is hereby submitted to probate by this Court for the sole purpose of establishing muniment of title to real estate in accordance with *Tennessee Code Annotated* §32-2-111.

4. Decedent had no assets that are subject to administration by the Court.

5. The sole beneficiary of Decedent's estate is Susanne W. Ray, based on the representation made to me by the attorney of record that the other heirs at law are aware of the petition and have no objection to this proceeding, the Probate Master is compelled to probate the Will for muniment of title purposes. RWB

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6. At the time of death, Decedent owned certain real property located in the State of Tennessee. Article III, as amended by of the First Codicil to the Last Will and Testament of the Decedent, specifically bequeathed the rest and residue of the Decedent's estate, which includes all such real property owned by the Decedent outright to Decedent's daughter, Susanne W. Ray.

THEREFORE, THE COURT ORDERS THAT:

1. The executed Last Will and Testament of Decedent dated February 28, 2001 and the First Codicil thereto, dated May 2, 2003, be admitted in this matter to probate in Tennessee for the sole purpose of establishing a muniment of title to Tennessee real property in the name of the devisee, Susanne W. Ray, as provided by *Tennessee Code Annotated* §32-2-111.

2. No formal Court supervised administration be required in this matter.

3. No Personal Representative be appointed for this estate and no Letters Testamentary be issued.

4. Notice by publication pursuant *Tennessee Code Annotated* §30-2-306 and notice provided pursuant to *Tennessee Code Annotated* §67-8-406 are not required.

5. Petitioner be granted such additional and further relief as the Court may deem proper under the circumstances.

ENTERED: April 18th, 2013

Robert H. Bradshaw, Jr., Probate Court Master

APPROVED FOR ENTRY:

MANIER & HEROD, a Tennessee
Professional Corporation

By: Tommy C. Estes

Tommy C. Estes, Esq., #6529
Attorney for Petitioners
One Nashville Place, Suite 2200
150 Fourth Avenue North
Nashville, Tennessee 37219
(615) 742-9315

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Petition has been served by First Class U.S. Mail; postage pre-paid, to the following heirs upon this the 8th day of April, 2013:

Susanne W. Ray
9303 Coxboro Drive
Brentwood, TN 37024

Steven A. West
260 Pendleton Trail
Tyrone, GA 30290

Sandra L. Evans
3837 Damascus Road
Baldwin, GA 30511

Tommy C. Estes, Esq.

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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 18 day of APRIL , 2013 , in Case Number 13P685 between RAY, SUSANNE W. Petitioner, and WEST, SAMUEL E. 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 02 day of MAY 2013

RICHARD R. ROOKER, Clerk,

SEAL

By _____

Deputy Clerk

13P-685

COPY

State of Tennessee
Department of Finance and Administration
Bureau of TennCare
Third Party Liability Division
310 Great Circle Road, 4th Floor
Nashville, Tennessee 37243
Toll Free: 866-389-8444 FAX: 615-413-1941

Bill Haslam
Governor

Mark A. Emkes
Commissioner

4/29/2013

TOMMY C. ESTES, ESQ
ONE NASHVILLE PLACE, STE.2200
150 4TH AVE NORTH
NASHVILLE, TN 37219

RE: SAMUEL E. WEST
Last Four Of SSN 7654

Dear TOMMY C. ESTES, ESQ:

This letter constitutes notification of the release of the State of Tennessee's Bureau of TennCare against the above estate for the marked reason:

X This serves as a release of the Bureau of TennCare's interest in recovery from the above referenced estate as required by T.C.A. §71-5-116(c) (2). Based on a review of the information provided on the Request for Release of Estate Recovery Cost Claim form, we do not find long term TennCare benefits paid by the State of Tennessee on behalf of this individual.

____ This release is based upon the surviving spouse deferral, which meets the criteria defined in T.C.A. §71-5-116(c). The State of Tennessee does reserve the right to file a claim for long term care/nursing home services against the estate of the surviving spouse upon the death of the surviving spouse.

____ This release is based upon the decedents age exception, which meets the criteria defined in T.C.A. §71-5-116(c). The State of Tennessee recovers payments made only on behalf of individuals fifty-five years of age or older.

If there are questions, you may contact the Estate Recovery Unit at (866) 389-8444.

Sincerely,

Jancela J. Howard