14P187

IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE

IN THE MATTER OF:

THE ESTATE OF
JOYCE M. MUNFORD,

Deceased.

BILL GARRETT, Davidson County
Trans:T20140010311 ORDER
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FILED
FEB 12 2014
RICHARD R. TROKER Clerk
By

**ORDER ADMITTING WILL TO PROBATE AS A MUNIMENT OF TITLE AND APPOINTING CO-EXECUTORS**

THIS CAUSE came on this day to be heard upon the Petition of Eleanor Nicolle Rhoads and Jason Fortner, which Petition is duly verified, for the admission to probate of the Last Will and Testament of Joyce M. Munford and the Codicil No. 1 to the Last Will and Testament of Joyce M. Munford as a muniment of title.

Counsel for Petitioners having filed a paper writing purporting to be the Last Will and Testament of Joyce M. Munford bearing the date of April 5, 1999, having the name of Joyce M. Munford signed thereto and bearing the signatures of the attesting witnesses thereto; and

Counsel for Petitioners having filed a paper writing purporting to be the Codicil No. 1 to the Last Will and Testament of Joyce M. Munford bearing the date of March 21, 2001, having the name of Joyce M. Munford signed thereto and bearing the signatures of the attesting witnesses thereto; and

It also appearing to the satisfaction of the Court from the sworn affidavits of the attesting witnesses, that the foregoing paper writings bearing the dates of the April 5, 1999, and March 21,

2001, were each signed by Joyce M. Munford during her lifetime, in the presence of the respective attesting witnesses as shown thereon, and that at the request of and in the presence of Joyce M. Munford and in the presence of each other, the respective attesting witnesses signed said paper writings, and that said instruments were executed by Joyce M. Munford on the dates that they bear, as and for her Last Will and Testament and the Codicil thereto, and that Joyce M. Munford was at such respective times of sound and disposing mind and memory and more than eighteen (18) years of age;

It appearing to the Court that Joyce M. Munford died testate on May 25, 2013, that at the time of her death the decedent was a resident of Hermitage, Tennessee, and that the Decedent owned real property located in Hermitage, Davidson County, Tennessee, municipally known 218 Lake Chateau Drive, Hermitage, Tennessee, and more particularly described in the Warranty Deed dated September 22, 1983, and recorded in Book 6144, Page 943, at the Register's Office of Davidson County, Tennessee; and

It appearing to the Court that pursuant to Item Three of the Last Will and Testament of Joyce M. Munford dated April 5, 1999, that Joyce M. Munford devised the rest and residue of her estate, including the real property located in Nashville, Davidson County, Tennessee, to her grandchildren, Kristy Michelle Harlan and Eleanor Nicolle Rhoads; and

It appearing to the court hat pursuant to Item 1 of the Codicil No. 1 to the Last Will and Testament of Joyce M. Munford, that Joyce M. Munford appointed Eleanor Nicolle Rhoads and Jason Fortner as Co-Executors; and

It appearing to the Court that pursuant to Item I of the Codicil No. 1 to the Last Will and Testament of Joyce M. Munford dated March 21, 2001, that Joyce M. Munford vested the Co-Executors with the specific power, among others, to sell any and all property, real and personal, as is required for the proper administration of the estate; and

It appearing to the Court that pursuant to Item II of the Codicil No. 1 to the Last Will and Testament of Joyce M. Munford dated March 21, 2001, that Joyce M. Munford noted that Kristy Michell Harlan had remarried and was then known as "Kristy Michell Scales."

It also appearing to the Court that the Petitioners are not aware of any instrument subsequently executed by the Decedent, Joyce M. Munford, revoking the Last Will and Testament of Joyce M. Munford; dated April 5, 1999, or the Codicil No. 1 to the Last Will and Testament of Joyce M. Munford dated March 21, 2001, and the Petitioners aver and believe that the foregoing documents constitute the Decedent's Will and Codicil.

It appearing to the Court that the Codicil No. 1 to the Last Will and Testament of Joyce M. Munford dated March 21, 2001, required the posting of bond by the Co-Executors; however, as shown by the Petition and by the separate affidavit of Kristy Harlan Scales, all interested parties have waived the requirement of bond.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED THAT

1. The paper writings bearing the date of April 5, 1999, and March 21, 2001, be admitted to probate as the Last Will and Testament of Joyce M. Munford and the Codicil No. 1 to the Last Will and Testament of Joyce M. Munford for the purpose of establishing a muniment of title to the real property located at municipally known 218 Lake Chateau Drive, Hermitage, Tennessee, and more particularly described in the Warranty Deed dated September 22, 1983, and recorded in Book 6144, Page 943, at the Register's Office of Davidson County, Tennessee; and

2. That Eleanor Nicolle Rhoads and Jason Fortner be appointed as Co-Executors of the Estate of Joyce M. Munford and that the Clerk be and is hereby requested to issue Letters Testamentary to Eleanor Nicolle Rhoads and Jason Fortner upon each taking the oath prescribed by law without the necessity of said Co-Executors giving bond to secure the faithful performance of his and her duties.

JUDGE: _____

DATE: February 12, 2014

JOHN B. BURNS (#14253)
JONATHAN R. PATTON (#31260)
Attorneys for Petitioner

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I hereby certify that this is a true copy of original instrument filed in my office this 12 day of Feb, 2014.
RICHARD R. ROOKER, Clerk
By _____ Deputy Clerk