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

2014 APR -2 AM 10: 34
RICHARD R. ROOKER, CLERK
D.C.

IN THE MATTER OF:	)	
	)	
ESTATE OF	)	**14P-** 446
ERNEST H. WILLIAMS,	)	
	)	
Deceased.	)	

ORDER GRANTING PETITION TO PROBATE WILL FOR ESTABLISHING MUNIMENT OF TITLE TO REAL ESTATE

This matter was before the Court on April 2, 2014, upon the Petition of Peggy June Williams ("Petitioner"), requesting that the last will and testament ("Will") of Ernest H. Williams ("Decedent") be admitted to probate for the limited purpose of establishing a muniment of title to Decedent's real estate without the necessity of granting letters testamentary or otherwise proceeding with administration.

Upon consideration of the verified Petition and the entire record, the Court finds that the Petition should be granted.

IT IS THEREFORE ORDERED THAT:

Decedent's Will is admitted to probate for the limited purpose of establishing a muniment of title to Decedent's real estate without the necessity of granting letters testamentary or otherwise proceeding with administration.

Honorable _____

APPROVED FOR ENTRY:

GULLETT SANFORD ROBINSON & MARTIN PLLC

By: _____

Mark H. Westlake, BPR# 6366
150 Third Avenue South, Suite 1700
Nashville, Tennessee 37201
615.244.4994

Counsel for Petitioner

BILL GARRETT, Davidson County
Trans:T20140022888 ORDER
Recvd: 04/04/14 11:32 11 pgs
Fees:57.00 Taxes:0.00
20140404-0028245

CERTIFICATE OF SERVICE

I certify that a true and exact copy of the foregoing has been served upon:

Peggy June Williams
6321 Percy Drive
Nashville, TN 37205

Ethel Jane Wade
1153 Fernbank Drive
Madison, TN 37115

Service Date: 4/2/14

Mark H. Westlake

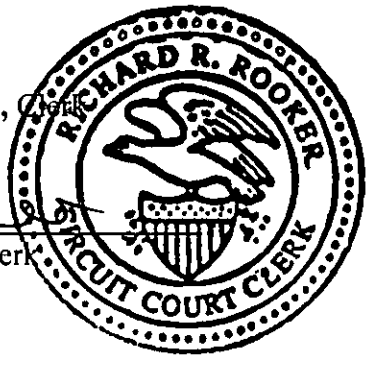
STATE OF TENNESSEE

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 Order Granting Petition to Probate Will For Establishing Muniment of Title to Real Estate heretofore assigned to Seventh Circuit Court for Davidson County, Tennessee, Case No. 14P446.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 2nd day of April in the year Two Thousand and Fourteen.

RICHARD R. ROOKER, Clerk

By: _____
Deputy Clerk



147446

FILED

2014 MAR 19 PM 12:36

R.CHARLES LEE, CLERK

D.C.

LAST WILL AND TESTAMENT

OF

ERNEST H. WILLIAMS

PREPARED BY:

PATRICIA A. MONTGOMERY, ATTORNEY
WESTLAKE, MARSDEN & MONTGOMERY, P.C.
SunTrust Center
424 Church Street, Suite 1400
Nashville, TN 37219
(615) 726-3400

COPY

LAST WILL AND TESTAMENT
OF
ERNEST H. WILLIAMS

I, ERNEST H. WILLIAMS, a resident and citizen of the State of Tennessee, being of sound and disposing mind and memory make this my Last Will and Testament, and revoke all my prior Wills and Codicils.

I. FIDUCIARIES

A. I appoint my daughter, PEGGY JUNE WILLIAMS, executrix. If my daughter, PEGGY JUNE WILLIAMS, is also unable or unwilling to serve, I appoint my daughter, ETHEL JANE WADE, executrix.

B. If any fiduciary is unable or unwilling to serve, my daughters, PEGGY JUNE WILLIAMS and ETHEL JANE WADE, acting unanimously, may appoint a successor. (If either of my daughters predecease me, the predeceased daughter may act through a majority of her issue.) Any successor fiduciary must be 1) a descendent of my parents or my wife's parents who is at least twenty-five (25) years of age, or 2) a corporation authorized as a fiduciary and managing assets exceeding Fifty Million Dollars ($50,000,000). The persons having the power to appoint a successor fiduciary may remove any fiduciary. They must sign an instrument removing the fiduciary and deliver it to him.

II. PERSONAL EFFECTS

I give all tangible personal property used for personal purposes, club memberships, and automobiles to my wife, SADIE HINES WILLIAMS. If she does not survive me, I give this property in shares of substantially equal value, to my surviving daughters, PEGGY JUNE WILLIAMS and ETHEL JANE WADE or the survivor if one of my daughters predeceases me. I may leave a holographic codicil (dated and signed by me entirely in my own handwriting and left with this Will) and I desire that any bequests therein be honored by my fiduciaries. If neither my wife nor my daughters survive me, I give all this property as provided for my remainder estate.

III. REMAINDER ESTATE

A. All the remainder of my property real and personal, tangible and intangible, I give to my wife, SADIE HINES WILLIAMS.

B. If my wife, SADIE HINES WILLIAMS, does not survive me, I give the remainder of my property as follows:

i. I give my real property located at 6321 Perry Drive (or the proceeds from the sale thereof if this property is sold before my death) to my daughter, PEGGY JUNE WILLIAMS.

ii. I give sixty percent (60%) of the remainder of my property to my daughter, PEGGY JUNE WILLIAMS.

iii. I give the remaining forty percent (40%) of my property to my daughter, ETHEL JANE WADE.

IV. POWERS OF FIDUCIARIES

A. In extension and not in limitation of the powers given by law or other provisions of this Will, I give my fiduciaries and any successor fiduciaries all powers and authority described in the introductory paragraph and all numbered subparagraphs of § 35-50-110 of the Tennessee Code Annotated ("T.C.A.") as it presently exists and as it may be amended from time to time, except that with respect to gifts for my wife, SADIE HINES WILLIAMS, my fiduciaries will not have the powers described in subparagraphs 18 and 19 of T.C.A § 35-50-110 or any other powers which would prevent gifts to my wife from qualifying for either state or federal death tax marital deductions.

B. All fiduciaries may serve without executing bond. No fiduciary need file any inventory, accounting or settlement because I waive all filings to the extent permitted by law. All fiduciaries must deliver statements of receipts and disbursements at least annually to the adult beneficiaries and to the guardians of minor beneficiaries.

C. If my fiduciaries join with my wife, SADIE HINES WILLIAMS, on my behalf in filing income tax returns, or consent for gift tax purposes to having gifts made by either or us during my life considered as made one-half by each of us, any resulting liability shall be borne by my estate, except such portion as my fiduciaries and my wife agree should be borne by my wife, and my estate must exonerate my fiduciaries from personal liability therefore.

D. My fiduciaries may sell all or any part of my property, real or personal, wherever located, in which event, the proceeds of the sale shall be distributed in accordance with my directions as set forth in this Will. All real property owned by me at the time of my death shall be part of my probate estate and shall be subject to administration.

E. If any beneficiary is incapacitated my fiduciaries may personally receipt to the estate for his property and store it, or deliver it to him, or deliver it to any person with whom he or she may reside in any case without requiring bond and having all powers with respect to the property in trust as are otherwise provided in this Will.

F. My fiduciaries may give each insurance policy and any insurance proceeds covering an item of my property to the recipient of that property without charge for any unearned premium previously paid.

V. DEBTS, COST OF ADMINISTRATION AND TAXES

A. My fiduciaries may pay all my just debts, funeral expenses and costs of administration out of my general estate (other than the portion passing to my wife, SADIE HINES WILLIAMS). Taxes may be imposed with respect to property not received by my fiduciaries as part of my probate estate, and my fiduciaries may seek reimbursement for the taxes from the recipients of the property. My fiduciaries may pay from my domiciliary estate all or any portion of the cost of ancillary administration and similar proceedings in other jurisdictions.

B. My fiduciaries may pay the current amounts due on any mortgage

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

We, the undersigned, after first being duly sworn or affirming, make oath or affirm that the foregoing Last Will and Testament consisting of four (4) pages, this page included, was signed by ERNEST H. WILLIAMS as and for, and that time acknowledged, published and declared by him to be his Last Will and Testament, in the sight and presence of us, the undersigned, who at his request and in his sight and presence, and in the sight and presence of each other, have subscribed our names as attesting witnesses on the same day. We further make oath or affirm that the Testator was of sound and disposing memory, and not acting under the fraud, menace or undue influence of any person, that he was more than 18 years of age and that each of the attesting witnesses is more than 18 years of age.

Patricia M E

Deborah Trotter

Sworn and affirmed and subscribed to before me this 19th day of March, 2003.

Lora Daniels

NOTARY PUBLIC
My Commission Expires: 5/30/04

LORA DANIELS NOTARY PUBLIC AT LARGE DAVIDSON COUNTY TENN.

L:\1332.01\New Estate Planning\Mr Will.wpd

indebtedness or other installment indebtedness and need not pay the entire principal balance of such indebtedness except such payments as may be in accordance with my wishes, however made known, but I do not impose any enforceable obligation in this connection.

VI. **ORDER OF DEATH PRESUMPTION**

If any beneficiary and I (other than my wife, SADIE HINES WILLIAMS) die under circumstances in which the order of our deaths cannot be factually determined, my estate must be administered and distributed as though I survived my beneficiary.

VII. **JOINT PROPERTY**

All property held by me jointly with right of survivorship I intend to vest in the surviving joint tenant at my death.

IN WITNESS WHEREOF, I have hereunto subscribed my name in Nashville, Tennessee this 19th day of March, 2003 to this my Last Will and Testament, and have also initialed each of the pages for identification.

Ernest H. Williams
ERNEST H. WILLIAMS

Signed, published and declared by ERNEST H. WILLIAMS, as his Last Will and Testament, in the presence of us, the undersigned, who at his request, and in his sight and presence, and in the sight and presence of each other, have subscribed our names hereto as attesting witnesses on this 19th day of March, 2003.

Patricia M
WITNESS

Nashville, TN
ADDRESS

Deborah Trotter
WITNESS

Smyrna, TN
ADDRESS

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

IN RE:	)	
	)	
ESTATE OF	)	
ERNEST H. WILLIAMS	)	No. 13P 446
	)	
Deceased.	)	

AFFIDAVIT OF PEGGY JUNE WILLIAMS

Before me, the undersigned, a Notary Public in and for said County and State, on this day, personally appeared, PEGGY JUNE WILLIAMS who, having been duly sworn on oath says:

1. The Decedent retained the original of the Will following its execution.

2. My sister, ETHEL JANE WADE, and I have conducted a diligent and thorough search of the Decedent's important papers and other personal effects in an effort to locate the original of the Will, but have not located the original Will. Attached to this affidavit is a photocopy of the Will.

3. My sister, ETHEL JANE WADE, and I believe that the original of the Will has been lost or inadvertently destroyed. We do not believe that the Decedent ever revoked or amended the Will, either by act or by instrument and we believe that the attached photography of the Will represents the Decedent's testamentary wishes in their entirety.

Peggy June Williams
AFFIANT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Sworn to and subscribed before me, Notary Public, this 17 day of December 2013

Patricia Pedrosa
Notary Public
My Commission expires: 3/7/2017

PATRICIA PEDROSA
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires MAR. 7, 2017

541028.1/2013536

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

IN RE:	)	
	)	
ESTATE OF	)	
ERNEST H. WILLIAMS	)	**No. 13P 446**
	)	
Deceased.	)	

AFFIDAVIT OF ETHEL JANE WADE

Before me, the undersigned, a Notary Public in and for said County and State, on this day, personally appeared, ETHEL JANE WADE who, having been duly sworn on oath says:

1. The Decedent retained the original of the Will following its execution.

2. My sister, PEGGY JUNE WILLIAMS, and I have conducted a diligent and thorough search of the Decedent's important papers and other personal effects in an effort to locate the original of the Will, but have not located the original Will. Attached to this affidavit is a photocopy of the Will.

3. My sister, PEGGY JUNE WILLIAMS, and I believe that the original of the Will has been lost or inadvertently destroyed. We do not believe that the Decedent ever revoked or amended the Will, either by act or by instrument and we believe that the attached photography of the Will represents the Decedent's testamentary wishes in their entirety.

Ethel Jane Wade
AFFIANT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Sworn to and subscribed before me, Notary Public, this 16 day of December 2013

Wm Carson
Notary Public
My Commission expires: 5-3-16

WILLIAM CARSON, JR.
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

My Commission Expires May 3, 2016

541029.1/2013536

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 Last Will and Testament heretofore assigned to Seventh Circuit Court for Davidson County, Tennessee, Case No. 14P446.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 2nd day of April in the year Two Thousand and Fourteen.

RICHARD R. ROOKER, Clerk

By: _____
Deputy Clerk

