BILL GARRETT, Davidson County
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20160401-0030886

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 FOR MUNIMENT OF TITLE file heretofore assigned to Seventh Circuit Court (Probate Division) for Davidson County, Tennessee, Case No.16P484.

ESTATE OF A.E. WAIR SR.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 31st day of March in the year Two Thousand and Sixteen.

RICHARD R. ROOKER, Clerk.

By: _____
Deputy Clerk.

RICHARD R. ROOKER CIRCUIT COURT CLERK

IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

FILED
MAR 31 2016
RICHARD R. ROOKER, Clerk
By ... Deputy

IN RE:	)	
MUNIMENT OF TITLE PROBATE OF	)	**No.: 16P484**
THE LAST WILL AND TESTAMENT OF	)	
A. E. WAIR, SR.,	)	
	)	
Deceased.	)	

ORDER ADMITTING WILL TO PROBATE AND ESTABLISHING TITLE TO CERTAIN REAL PROPERTY

This cause came to be heard on the 31st day of March, 2016, before the Honorable David Randall Kennedy, Sr., Probate Judge, upon the Petition of Ralph M. Wair requesting that a paper writing purporting to be the Last Will and Testament of A. E. Wair, Sr., deceased, be admitted to probate only as a muniment of title. The Court, having considered the Petition, the documents and affidavit filed in support of this Petition, the testimony of Petitioner and the entire record in this case finds as follows:

Petitioner produced a paper writing purporting to be the Last Will and Testament of A. E. Wair, Sr., said paper writing bearing date of February 10, 1997, having the name of A. E. Wair, Sr. signed thereto as testator, subscribed by Larry Williams and Tracey Bohna as attesting witnesses, naming Ralph M. Wair as Executor, and waiving any bond of said Executor in Item IX, page 9 of said Will, and waiving the requirement of filing any inventory or making any accounting to the Court in Item IX, page 9 of said Will.

And, it appearing from the testimony of the aforesaid Larry Williams and Tracey Bohna, taken upon affidavit as authorized by and in accordance with Tenn. Code Ann. § 32-2-110, that each of them did subscribe their respective name as an attesting witness to said paper writing; that said paper writing was written in the lifetime of A. E. Wair, Sr., and published, signed and

subscribed by A. E. Wair, Sr. in the presence of the attesting witnesses; that A. E. Wair, Sr. was then of sound mind; and that, at A. E. Wair, Sr.'s request, said attesting witnesses signed said paper writing at A. E. Wair Sr.'s request and in his presence and in the presence of each other on February 10, 1997.

And, it further appearing that said paper writing bears the true signature of A. E. Wair, Sr.; that A. E. Wair, Sr.'s usual place of domicile and residence at the time of A. E. Wair, Sr.'s death was Davidson County, Tennessee; and that A. E. Wair, Sr. died in Nashville, Davidson County, Tennessee on February 2, 2003 at the age of eighty-seven (87) years.

And, it appearing from Petition, the statement of Petitioner and counsel that A.E. Wair, Sr. did not revoke the will offered for probate, that the original will cannot be found after a diligent search and that A. E. Wair, Sr.'s original will dated February 10, 1997 was lost not in accord with the testator's wishes.

And, it further appearing that Decedent owned a 3/4 interest in a parcel of real property in Davidson County, Tennessee as his death, having a street address of 1005 Barnes Road, Antioch, Tennessee map number 173, parcel number 134 (hereinafter the "Property"). The Property is more specifically described as:

> Land in the 5th Civil District of Davidson County, Tennessee, being part of the George W. Wair property, of record in Book 999, Page 267, said Register's Office, and described according to a survey by Raymond E. Binkley, Surveyor, Tennessee No. 714, dated July 23, 1976, and more fully described as follows:
>
> Beginning at an iron pin in the southwesterly margin of Barnes Road, said point being 2,773.87 feet, more or less, West of the margin intersections of Old Hickory Boulevard and Barnes Road; thence running with said margin South 13 degrees 40 minutes 05 seconds East 171.87 feet to an iron pin at a point of curve in said road margin, said curve having a radius of 357.09 feet and continuing along said curve and in a southeasterly direction a distance of 228.90 feet to an iron pin; thence leaving said margin and severing part of said property South 40 degrees 17 minutes 11 seconds West 505.95 feet to an iron pin in the east margin of the Myles B. Owens property; thence running with said property line North 2 degrees

45 minutes 10 seconds East 150.00 feet to a point; thence North 2 degrees 33 minutes 12 seconds 244.70 feet to a point; thence North 2 degrees 00 minutes 12 seconds East 90.79 feet to a point; thence North 4 degrees 45 minutes 37 seconds East 267.76 feet to an iron pin; thence leaving said East boundary and severing part of said property South 86 degrees 13 minutes 36 seconds East 123.97 feet to the point of beginning.

Being the same property conveyed to Wendell Byron Wair and A. E. Wair, Sr. by deed from George W. Wair, dated August 31, 1976, of record in Book 5066, Page 365, Register's Office for Davidson County, Tennessee. The said Wendell Byron Wair, deceased, having predeceased A. E. Wair, Sr. and Veatrice Campbell Wair, his one-half undivided interest vested in A. E. Wair, Sr. and Veatrice Campbell Wair as heirs at law.

Being the same property conveyed to Arthur W. Wair, Jr., Juanita Wair Jackson, Ralph M. Wair and Sidney W. Wair, as tenants in common, their heirs and assigns, by Executor's Quitclaim Deed from Ralph M. Wair, as Executor of the Estate of Veatrice Campbell Wair, dated January 25, 2008, of record in Instrument Number 20080318-0027314 in Register's Ofice of Davidson County, Tennessee. Arthur W. Wair, Jr. is one and the same person as Arthur Edward Wair, Jr.

And, it appearing, pursuant to the Amended Affidavit of Heirship recorded in the Davidson County Register of Deeds on March 18, 2016 bearing instrument number 20160318-0025789, that at the time of Decedent's death he owned ¾ interest in 1005 Barnes Road, Antioch, Tennessee map number 173, parcel number 134.

And, it further appearing that Decedent had no personal estate and no formal administration is required.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that said paper writing is the true, whole and Last Will and Testament of A. E. Wair, Sr., deceased; that the same is hereby admitted to probate as a muniment of title; and that the Clerk is directed to file and record the same, and that no formal administration is required.

It is further **ORDERED** that Decedent's ¾ interest in 1005 Barnes Road, Antioch, Tennessee, map number 173, parcel number 134 vests in equal shares to Arthur E. Wair, Jr., Juanita Wair Jackson, Ralph M. Wair (Ralph M. Wair is one in the same as Ralph W. Wair) and Sidney Wair pursuant to Decedent's February 10, 1997 Last Will and Testament.

THE HONORABLE DAVID RANDALL KENNEDY, SR.

APPROVED FOR ENTRY:

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CERTIFICATE OF SERVICE

I, **ASHLEY LADD, ATTORNEY**, hereby certify that a true and exact copy of the foregoing has been served upon the following via United States first class mail, postage prepaid:

Veatrice Campbell Wair
c/o Ralph M. Wair, Executor
1098 Barnes Road
Antioch, TN 37013

Traci Daun Wair
1042 Barnes Road
Antioch, TN 37013

Arthur E. Wair, Jr.
c/o Larry Mullins, Executor
320 Seven Springs Way, Ste. 120
Brentwood, TN 37027

Ewing T. Wair, Jr.
c/o Tonya Wair
7272 Highway 41 North
Cedar Hill, TN 37302-4751

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Attorney for Larry Mullins

Ralph M. Wair
1098 Barnes Road
Antioch, TN 37013

Juanita Wair Jackson
6007 Cloverland Drive
Brentwood, TN 37027

Sidney W. Wair
3036 Fieldstone Drive
Antioch, TN 37013

On this 31st day of March, 2016.

ASHLEY LADD