IN THE SEVENTH CIRCUIT COURT (PROBATE DIVISION)
TWENTIETH JUDICIAL DISTRICT,
METROPOLITAN NASHVILLE AND DAVIDSON COUNTY, TENNESSEE

In re: Probate of Last Will and Testament of
BRUCE D. HERTZ, deceased.

2017 APR -5 PM 12:52 error
RICHARD R. ROOKER, CLERK

Case No. 17P-0395
D.C.

Davidson County ORDER
Recvd: 06/05/17 10:06 10 pgs
Fees:52.00 Taxes:0.00
20170605-0055641

2017 MAY -2 PM 12:
RICHARD R. ROOKER, CLERK
D.C.

**ORDER TO RECORD FOREIGN WILL WITHOUT FORMAL ADMINISTRATION TO ESTABLISH MUNIMENT OF TITLE**

This matter was presented on the 23rd day of March 2017, before the Honorable RANDY KENNEDY, Judge, Seventh Circuit Court (Probate Division), Twentieth Judicial Division, Metropolitan Nashville and Davidson County, Tennessee, upon the Complaint of JACK BEATY, to probate the Last Will and Testament of BRUCE D. HERTZ, deceased, a resident of the State of Illinois, without formal administration and establish a muniment of title for Real Estate situated in the State of Tennessee pursuant to ***Tennessee Code Annotated, Section 32-5-101 et seq.***

Complainant, JACK BEATY, produced though his counsel and presented the paperwriting dated 07 July 2016, purporting to be the Last Will and Testament of BRUCE D. HERTZ, deceased.

Complainant, JACK BEATY, presented through his counsel copies of the following duly certified and authenticated as required by Tennessee Code Annotated, Section 32-5-107, to wit:

1. Petition for probate of Will, Letters Testamentary and Request for Independent Administration filed in the Circuit Court, Fourth Judicial Circuit, Montgomery County, Illinois;

2. Paperwriting dated 07 July 2016, and identified as the Last Will and Testament of BRUCE D. HERTZ, deceased; and



RICHARD R. ROOKER CIRCUIT COURT CLERK

I hereby certify that this is a true copy of original instrument filed in my office
This 5th day of May 20 17
RICHARD R. ROOKER Clerk
By: Deputy Clerk

3. Order admitting will to probate in the Circuit Court, Fourth Judicial Circuit, Montgomery County, State of Illinois.

And it appearing to this Court as follows, to wit:

1. That **BRUCE D. HERTZ** died **14 August 2016**, at the age of **sixty-nine (69)** years;

2. That **BRUCE D. HERTZ** had his usual residence in Nokomis, Montgomery County, Illinois, at the time of his death;

3. That **BRUCE D. HERTZ** died seized and possessed of certain real property in this jurisdiction and identified as 213 Linda Lane, Madison, Davidson County, Tennessee 37115; and

4. That the paperwriting dated **07 July 2016**, and titled Last Will and Testament of **BRUCE D. HERTZ** was duly proved, allowed and admitted to probate in the State of Illinois and therefore may be allowed and recorded in this jurisdiction where the deceased, **BRUCE D. HERTZ**, died seized and possessed of certain Real Property; and

5. The paperwriting dated 07 July 2016, is entitled to probate in the State of Tennessee and is sufficient to pass title to Real Estate in the State of Tennessee.

It therefore is **ORDERED, ADJUDGED** and **DECREED** the said paperwriting dated **07 July 2016**, be and is hereby admitted to probate without formal administration to establish a muniment of title to Real Estate in the State of Tennessee pursuant to **Tennessee Code Annotated, Section 32-5-109.**

It further is **ORDERED, ADJUDGED and DECREED and the Clerk is directed** to file and record the said paperwriting dated 07 July 2016, as the whole, true and Last Will and Testament of Bruce D. Hertz, deceased.

It further is **ORDERED, ADJUDGED and DECREED** as follows, to wit:

1. That no Personal Representative be appointed nor Letter Testamentary issued pursuant to ***Tennessee Code Annotated, Section 32-2-111;*** and

*2.* That formal court supervised administration of this Estate be excused and waived pursuant to ***Tennessee Code Annotated, Section 32-2-111.***

It further is **ORDERED** the costs of this proceeding are taxed to the Complainant and the Real Property located in this jurisdiction for which let execution issue if necessary.

Enter this 7 day of May 2017, **nunc pro tunc 23 March 2017.**

JUDGE

PREPARED and APPROVED for ENTRY:

**JOHN R. REYNOLDS**
Suite 2702, The Office Tower
611 Commerce Street
P. O. Box 190481
Nashville TN 37219-0481
Tel: (615) 256-2694
Fax: (615) 256-2361
E-mail: JRReynLaw@aol.com

Attorney for Complainant,
**JACK BEATY.**

**CERTIFICATE OF SERVICE**

I certify that a true and exact copy of the foregoing has been hand delivered and/or sent and/or forwarded by (1) U. S. Mail with sufficient postage prepaid thereon, and/or (2) hand delivery, and/or (3) facsimile transmittal, and/or (4) electronic mail to the following, to-wit:

1. Jake Beaty
   419 South Maple Street
   Nokomis, IL 62075

2. Greg Beaty
   430 N. Williams Street
   Nokomis, IL 62075

This 05th day of April, 2017.

JOHN R. REYNOLDS

Cc: Mr. Jack Beaty
421 Frederick Street
Nokomis, IL 62075

__VIA FACSIMILE TRANSMITTAL NO. (217) ___-_____W/ATTACHMENTS(S).
__VIA REGULAR MAIL DELIVERY ___W/ENCLOSURE(S).
__VIA E-MAIL: _____ ___W/ATTACHMENT(S).

17P395

2017 MAY -2 PM 12:07

RICHARD R. ROOKER CIRCUIT CLERK D.C.

# LAST WILL AND TESTAMENT OF BRUCE HERTZ

I, Bruce Hertz, a resident of 421 Frederick Street, Nokomis, Montgomery County, Illinois, being of sound and disposing mind for the purpose of making disposition on my death of my entire estate, whatsoever and wherever situated, which I may have the power to dispose of, whether owned or possessed by me at the date of the execution of this my Last Will and Testament, or thereafter acquired by me, do of my own free will without coercion, duress or undue influence from anyone, hereby revoke all former wills and codicils heretofore made by me and make, subscribe and declare this to be my Last Will and Testament.

FILED
Will for Safekeeping

OCT - 7 2016

Holly Lemons
4th Judicial Circuit Court Clerk

## ARTICLE I

## STATEMENT AS TO FAMILY

I hereby declare that I am not married. I further declare that I have no children, either biological or adopted, but do have three step-children now living, namely:

| | |
|---|---|
| Jack Beaty | 421 Frederick St.. Nokomis, IL 62075 |
| Jake Beaty | 419 South Maple St., Nokomis, IL 62075 |
| Greg Beaty | 430 N. Williams St. Nokomis, IL 62075 |

## ARTICLE II

## EXECUTOR

I nominate and request the appointment of my stepson Jack Beaty, to serve as my

Dated: 7/7/2016

Initialed:

RICHARD R. ROOKER CIRCUIT COURT CLERK

I hereby certify that this is a true copy of original instrument filed in my office this 2nd day of May 2017
RICHARD R. ROOKER Clerk
By
Deputy Clerk

Executor of this will. I direct that the Executor nominated by me be exempted from the requirements of furnishing bond.

## ARTICLE III

## DISPOSITION OF PROPERTY

I give, devise and bequeath all of my property of whatever kind or wherever situated as follows:

A. First, I state that all just debts and last expenses should be paid from the proceeds of my estate, prior to any distributions;

B. I give as a specific bequest to my stepson , Jack Beaty, My house, garage and real property located at 421 Frederick St.,Nokomis,Illinois 62075, and all the furnishings and contents contained within the house and garage.

C. I give as a specific bequest to my stepson, Jack Beaty, my 2013 Black Diamond Avalanche.

D. I give as a specific bequest to my stepson, Jake Beaty, Diana's Supper Club, 20110 Illinois Route 16, and the contents therein.

E. I give as a specific bequest to my stepson, Jake Beaty, My 1978 Chevrolet El Camino

F. I give as a specific bequest to my friend William (Bill) Johnson, of 124 East Lincoln Ave., Coalton, Illinois, my 1975 Chevrolet Corvette, and all the tools contained in my garage at 421 Frederick Street, Nokomis, Illinois.

G. I then give, devise and bequest all the rest, residue and remainder of my property of whatever or wherever located to my three stepsons, Jack Beaty, Jake Beaty, and Greg

Beaty, including all financial accounts with a dollar value, including but not limited to:

The Georgeson Securities DuPont Company Account #C0001454765

The Regions Account # 0002410995

The Fidelity Account # 6863 0678 6436

The Ohio National Financial Services-Johnson Dev Retirement Plan

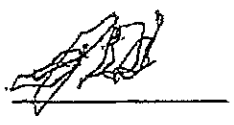
The Nashville Tennessee Electric Service, Account#0114293-01114455 funds if any also, the house I own which is located at 213 Linda Lane, in Madison Tennessee, to share as tenants in common, so that if any of my stepsons pass away prior to my death, then their shares shall go to their surviving children, per stirpes.

## ARTICLE IV
## POWERS OF EXECUTOR

Accordingly, I intend hereby to grant to my Executor all inlcusive and absolute powers , without detailing them, such that without necessity of application to, or approval by, any court he may execute all documents of every kind and character that are necessary and advisable for the disposition of my property in accordance with this will. It is my intention that all property not specifically Bequestd, or listed as part of the general division between my three stepsons, is to be sold at public sale, with the proceeds to be divided as listed in Article III above. If my stepsons desire to purchase any of the property of my estate, then I decree that such purchases should be made at the sale.

Dated: 7/7/2016



Initialed: 

## ARTICLE V

## EXECUTOR FEES

I hereby request the Court to allow the Executor herein named, a reasonable fee for his services.

IN WITNESS WHEREOF, I have hereunto set my hand to this my Last Will and Testament this 7th day of July, 2016.

Bruce Hertz

The foregoing instrument, consisting of four (4) pages, each pages of which bears the initials of the Testator, was signed, published and declared by the above-named Testator to be the Testator's Will, in the presence of us who in the Testator's presence, at the Testator's request, and in the presence of each other, have subscribed our names as witnesses on the date of this instrument and we declare that at the time of the execution of this instrument the Testator, according to our best knowledge and belief was of sound mind and under no constraint or undue influence.

Witness

209 South Maple Street
Address

Witness

214 W Walnut APTA
Address

The foregoing instrument is a full, true and correct copy of the original on file in this office

Attest November 29th 2016
HOLLY LEMONS; Clerk of Circuit Court of the Fourth Judicial Circuit, Montgomery County, Illinois

By Holly Lemons Circuit Clerk

Dated: 7/7/2016



Initialed:

CLERK'S CERTIFICATE OF COPY - WITH JUDGE'S VERIFICATION

STATE OF ILLINOIS, )
) SS.
COUNTY OF MONTGOMERY )

I, HOLLY LEMONS, CLERK of the CIRCUIT COURT in and for said County, in the State aforesaid, do hereby certify the foregoing to be a true, perfect and complete copy of

Case Number 16-P-66
- Petition for Probate of Will, Letters Testamentary and Request for Independent Administration
- Order Admitting Will to Probate
- Last Will and Testament of Bruce Hertz

Dated November 29th 2016

(Seal of the Court)

Holly Lemons

By: Alexandra Scott
(Deputy)

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STATE OF ILLINOIS, )
) SS.
COUNTY OF MONTGOMERY ) I, Douglas L Jarman

Judge of the Circuit Court of said County, do hereby Certify that Holly Lemons, whose name is subscribed to the foregoing Certificate of Attestation, now is, and was at the time of signing and sealing the same, Clerk of the Circuit Court of Montgomery County aforesaid, and Keeper of the Records and Seal thereof, duly elected and qualified to office; that full faith and credit are and of right ought to be given to all his official acts as such in all Courts of Record and elsewhere; and that his said attestation is in due form of law, and by the proper officer.

(Seal of Court)

(Judge)

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STATE OF ILLINOIS, )
) SS.
COUNTY OF MONTGOMERY )

I, HOLLY LEMONS, CLERK of the Circuit Court in and for said County, in the state aforesaid, do hereby certify that Douglas L Jarman, whose genuine signature appears to the foregoing certificate, was at the time of the signing the same, Judge of the Circuit Court of said County duly commissioned and qualified; that full faith and credit are and of right ought to be given to all his official acts as such in all Courts of Record and elsewhere.

(Seal of Court)

Dated November 29th 2016

Holly Lemons
(Clerk of the Circuit Court)

By: Alexandra Scott
(Deputy)

Certificate of Authenticity

I, ASHLEE D PAGE, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Ashlee D Page

Signature

State of Tennessee

County of Davidson

Personally appeared before me, Venikkia Cunningham, a notary public for this county and state, Ashlee D. Page, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Notary's Signature

My Commission Expires: 9/25/19.

VENIKKIA CUNNINGHAM
STATE OF TENNESSEE NOTARY PUBLIC
SUMNER COUNTY
MY COMMISSION EXPIRES 9-25-2019