IN THE CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

PROBATE DIVISION

FILED
SEP 13 2018
RICHARD R. HUCKEBY, Clerk
By

IN RE: ESTATE OF
Mary Nell Burchard,]
Deceased,]
] NO 18P 1332
Mary Ann Carter]
petitioner

ORDER FOR PROBATE ONLY

This cause came on to be heard on the 13th day of September, 2018, before Judge Randy Kennedy, upon Petition for Probate Only of the Last Will and Testament dated February 9th 1995 of **Mary Nell Burchard**, whereupon **Mary Ann Carter** the Petitioner, produced a paper writing purporting to be the Last Will and Testament of the said **Mary Nell Burchard**, who died on December 30 2010, and subscribed to by **Barbara Thompson, Lisa Collins, and Lisa Looper** as attesting witnesses thereto and moved the Court that the same be admitted to Probate and recorded as the Last Will and Testament of the said **Mary Nell Burchard**, deceased. Sworn Testimony from Mary Ann Carter was she was the only child of Mary Nell Burchard and would inheriet the home if Ms Burchard would not have had a Will.

It appearing to the Court from the testimony through the affidavit of the subscribing witnesses **Barbara Thompson, Lisa Collins, and Lisa Looper** that the said **Mary Nell Burchard** did sign the purported Last Will and Testament in the presence of the attesting witnesses and each witness signed in the presence of the Testator and in the presence and sight of each other on the day and date it bears as and for her Last Will and Testament and at the time **Mary Nell Burchard** was of sound mind and was more that eighteen (18) years of age.

It further appearing to the Court that the said **Mary Nell Burchard** died on the 30th day of December, 2010, in Davidson County, Tennessee and the same was her usual place of residence.

Karen Y Johnson Davidson County
Batch# 140883 ORDER
09/14/2018 01:19:30 PM 6 pgs
Fees: $32.00 Taxes: $0.00
20180914-0091483

IT IS, THEREFORE, ORDERED that the instrument presented to the Court is the true and correct Last Will and Testament of **Mary Nell Burchard**, Deceased, and the same is hereby directed to file and record the same for the purposes of passing a muniment of title to the property of the deceased, and not for administration.

IT IS FURTHER ORDERED that Mary Ann Carter, receive the Property located at 403 School Pass, Madison, TN 37115 and further described as follows;

Land in Davidson County, Tennessee, being lot 38, on the Plan of Marlin Meadows, Section IV, as of record in book 2133, page 66 and 67, Register's Office for said County.

Said Lot 38 fronts 120 feet on the easterly side of School Pass and runs back 145 feet on the Northerly line and 254.2 feet on the Southerly line to a dead line measuring 129 feet thereon.

Being the same property conveyed to Nell W. Burchard by Deed in Book 8125 page 212, RODC.

Mary Nell Burchard and Nell W. Burchard are one in the same.

Entered this 13 day of September, 2018.

Judge Randy Kennedy

Approved for Entry:

J. Blake Freeman, 010959
Attorney for Petitioner
323 Emery Dr.
Nashville, Tn. 37214
615-391-3480

STATE OF TENNESSEE

I, RICHARD R. ROOKER, Clerk of the Circuit Court for Davidson County, do hereby certify that the foregoing is a true and complete copy of the **ORDER FOR MUNIMENT OF TITLE** heretofore assigned to Seventh Circuit Court (Probate Division) for Davidson County, Tennessee, Case No. **18P1332**.

ESTATE OF MARY NEIL BURCHARD.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 13th day of SEPTEMBER in the year Two Thousand and Eighteen.

RICHARD R. ROOKER, Clerk

By: _____
Deputy Clerk

EXHIBIT

STATE OF TENNESSEE

I, RICHARD R. ROOKER, Clerk of the Circuit Court for Davidson County, do hereby certify that the foregoing is a true and complete copy of the **LAST WILL & TESTAMENT** heretofore assigned to Seventh Circuit Court (Probate Division) for Davidson County, Tennessee, Case No. **18P1332.**

ESTATE OF MARY NEIL BURCHARD.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 13th day of SEPTEMBER in the year Two Thousand and Eighteen.

RICHARD R. ROOKER, Clerk

By: _____
Deputy Clerk

RICHARD R. ROOKER
CIRCUIT COURT CLERK

18P1332

FILED
SEP 13 2016

Last Will and Testament
of
Mary Nell Burchard

I,Mary Nell Burchard, Social Security number -8718, currently a resident of Nashville in the County of Davidson and the State of Tennesse, and being of sound mind and memory, do hereby make, publish and declare this my LAST WILL and TESTAMENT, hereby revoking all former wills by me made, in manner following that is to say:

FIRST—I acknowledge this to be my family members:

A. **Daughter:**
Mary Ann Carter

B. **Grandchildren:**
(1) Sheryl Gentry
(2) Sylvia Broaderick
(3) Alisa Cardin
(4) Marvin Edward Carter, Jr

SECOND—I desire to disinherit no family member.

THIRD—I hereby nominate and appoint my daughter, Mary Ann Carter, to be the Executrix of this my Last Will and Testament, serving without bond. If this representative dies or is unable to serve as my executrix, then I designate my oldest grandchild, Sheryl Gentry to serve as executrix.

FOURTH—If my daughter, Mary Ann Carter, survives me, I give to my daugthter all my property both Real and Personal wheresoever located.

FIFTH---If my daughter fails to survive me, I give to my grandchildren all my property both Real and Personal, to be divided equally among my four grandchildren.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 9th day of February in the year of our Lord One Thousand Nine Hundred and Ninety Five.

Mary Nell Burchard (Signator)

The above instrument, consisting of ____ sheets, was now here subscribed by Mary Nell Burchett, the Signator, in the presence of each of us, was at the same time declared by her to be her Last Will and Testament, and we, at her request, sign our names hereto in her presence and in the presence of each other as attesting witnesses.

Barbara Thompson of Madison Tn.
Lisa Collins of Madison, TN
Lisa Cooper of Madison, TN

On this 9th day of February, 1995, before me, the undersigned Notary Public, personally appeared the above Signator and Witnesses, respectively, known to me or satisfactorily proven to be the person whose names are subscribed to this instrument. These persons, being duly sworn, did hereby declare that Signator signed and executed this instrument as Signator's Last Will and Testament and had signed willing or directed another to sign and executed it as Signator's free and voluntary act for the purposes therein expressed, and that each of the Witnesses, in the presence of Signator, signed this Last Will and Testament as witnesses and that to the best of their knowledge, Signator was at the time an adult, of sound mind and under no constraint or undue influence. This instrument was subscribed, sworn and acknowledged before me.

Barbara White
Notary Public for the State of Tennessee
Residing at 1009 Gallatin Rd- Madison, TN 37115
My Commission expires 11-22-97