Executor's deed
This Instrument Prepared By
Joseph Underwood, Attorney at Law
Ph: (615) 390-7679

Karen Johnson Davidson County
Batch# 314775 DEEDWARR
11/13/2019 09:12:01 AM 8 pgs
Fees: $42.00 Taxes: $0.00
20191113-0116797

Map & Parcel No.: 71-11 130

Parcel ID: 07111013000

Mail tax bill to:
New owner:
Joseph Underwood
937 Cherry Grove Road
Franklin, TN 37069

EXECUTOR'S DEED

Edward Harrison Beene died on April 3, 2019, leaving a will dated September 5, 2018. The will was admitted to probate on May 24, 2019, in the Chancery Court, DeKalb County, Tennessee, Docket No. 2019PR29. Joseph Michael Underwood was appointed executor and duly qualified. All debts of the decedent have been paid. A copy of the TennCare Release is attached as Exhibit A. A certified copy of Letters Testamentary is attached as Exhibit B. A certified copy of Edward Harrison Beene's will is attached as Exhibit C. The executor by signing this Deed releases any right the executor has to recover this property in the event of the subsequent insolvency of this estate. In accordance with the provisions of the will of Edward Harrison Beene, sells, bequeaths, transfers and conveys to Joseph Michael Underwood, the following described real estate in Davidson County, Tennessee:

Land in Davidson County, Tennessee, being the westerly 50 feet of Lot No. 60 on the Map of Trinity Heights Addition, as of record in Book 161 page 38, Register's Office for Davidson County, Tennessee.

Said Part of Lot No. 60 fronts 50 feet on the southerly side of Marshall Avenue and runs back between parallel lines 150 feet to an alley.

Being the same property conveyed to Ben Close by deed from John R. Parker, Trustee of record in Book 5669, page 135, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to Ed Beene by deed from Ben Close and wife June Close, recorded February 26, 1985 in Book 6499, page 691, Register's Office of Davidson County, Tennessee.

Ed Beene and Edward Harrison Beene are one and the same person.

Property address: 302 Marshall Street, Nashville, Tennessee 37206

TO HAVE AND TO HOLD said real estate, with all its appurtenances, to the said Joseph Michael Underwood, his successors and assigns, forever with full power to sell, lease, transfer convey or otherwise deal said real estate. Subject to the terms and conditions and matters as shown on the aforementioned plat of record, I, as executor only, do covenant with the said grantee, that I, as the executor only, are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered.

And I, as executor only, do further covenant and bind myself and representatives, to warrant and forever defend the title to said land to the said grantee, his successors and assigns, against the lawful claims of all persons whomsoever.

Estate of Edward Harrison Beene

By _____

Joseph Michael Underwood

STATE OF TENNESSEE
COUNTY OF DAVIDSON
The actual consideration or true value, whichever is greater for this transfer is
$ 0.00 _____, **Affiant**
Subscribed and sworn before me this the
13 **Day of** NOV, **20**19.
AHAYES, **Deputy Register**

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, a Notary Public, duly appointed, commissioned and qualified in and for said State and County, , the within named bargainor, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, who signed, sealed and delivered the foregoing instrument in my presence, and, who acknowledged that such bargainor executed the within instrument for the purpose therein contained as such bargainor's free act and deed.

WITNESS my hand, this 12th day of November, 2019.

_____
NOTARY PUBLIC

JILL A WILDER
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 3-8-2021

My Commission Expires: 3-8-21

State of Tennessee
Department of Finance and Administration
Bureau of TennCare
Third Party Liability Division
310 Great Circle Road, 4th Floor
Nashville, Tennessee 37243
Toll Free: 866-389-8444 • FAX: 615-413-1941

Bill Haslam
Governor

Larry B. Martin
Commissioner

6/7/2019

JOSEPH UNDERWOOD
REPRESENTATIVE
937 CHERRY GROVE RD
FRANKLIN, TN 37069

RE: EDWARD BEENE
Last Four Of SSN 1879

Dear JOSEPH UNDERWOOD:

The Division of TennCare releases its claim against the probate estate of the above decedent for the marked reason:

X T.C.A. §71-5-116(c) (2) - Based upon a review of the information you provided, we do not find long-term TennCare benefits paid by the State of Tennessee on behalf of the decedent

____ T.C.A. §71-5-116(c) - The decedent is survived by a spouse; therefore, the claim is deferred. TennCare reserves the right to assert a claim upon the death of the surviving spouse.

____ T.C.A. §71-5-116(c) - The decedent was under the age of fifty-five at the time of death; therefore, the estate recovery claim is waived.

If there are questions, you may contact the Estate Recovery Unit at (866) 389-8444.

Note this release only applies to decedent's probate estate and does not apply to trusts or any assets held in trust. For trust inquires, please contact us by phone for referral to TennCare's Office of the General Counsel.

Sincerely,

Jamela J. Howard

EXHIBIT
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A

LETTERS TESTAMENTARY

STATE OF TENNESSEE, DeKALB COUNTY

TO: JOSEPH MICHAEL UNDERWOOD, A CITIZEN OF WILLIAMSON COUNTY, TENNESSEE

WHEREAS, it appears to the Court here that Edward Harrison Beene, late of said County, is dead and hath made his Last Will and Testament in writing, in which he hath appointed Joseph Michael Underwood executor to the same, which Will hath been exhibited in Court, and proven as the law directs; it is therefore ordered by the said Court that Letters Testamentary of all and singular the goods and chattels, rights and credits of Edward Harrison Beene, deceased, issue to the said Joseph Michael Underwood, having been qualified according to law.

These are, therefore to empower you, the said Joseph Michael Underwood, to enter into and upon all and singular the goods and chattels, rights and credits of the said Edward Harrison Beene, deceased, and the same in your possession take wheresoever the same may be found, and all just debts of the said Edward Harrison Beene, deceased, to pay and also well and truly pay and deliver all the legacies contained and specified in said Testament, as far as the said goods, chattels and credits will thereunto extend and the law charge you.

WITNESS, Debra Malone, Clerk of said Court at office this 24th day of May, 2019.

Debra Malone
CLERK & MASTER

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STATE OF TENNESSEE, DeKALB COUNTY

I, Joseph Michael Underwood, do solemnly swear or affirm that I will honestly and faithfully discharge the duties of executor of the estate of Edward Harrison Beene, according to law, to the best of my knowledge and ability. So help me God.

Joseph Michael Underwood
JOSEPH MICHAEL UNDERWOOD

Subscribed and sworn to before me this 24th day of May, 2019.

Debra Malone
CLERK & MASTER

CHANCERY COURT CLERK AND MASTER SEAL DeKALB COUNTY, TENNESSEE

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STATE OF TENNESSEE, DeKALB COUNTY

I, Debra Malone, Clerk of the Chancery Court of DeKalb County, Tennessee, do hereby certify that the within is a full, true and complete copy of the Letters Testamentary issued on the 24th day of May, 2019, to Joseph Michael Underwood as executor of the estate of Edward Harrison Beene, deceased. And that the said Joseph Michael Underwood is now the duly qualified and acting executor of said estate.

WITNESS my hand and official seal at office in Smithville, Tennessee, this the 24th day of May 2019.

Debra Malone
CLERK & MASTER

CHANCERY COURT CLERK AND MASTER SEAL DeKALB COUNTY, TENNESSEE

EXHIBIT
B

LAST WILL AND TESTAMENT
OF
EDWARD HARRISON BEENE

I, Edward Harrison Beene, Testator, declare this to be my Last Will and Testament.

STATEMENTS AND DECLARATIONS

1.01 Revocation of Prior Wills. I revoke all prior Wills, Testaments, Codicils and any other instruments of a Testamentary character previously made by me.

1.02 Domicile. I am a resident of DeKalb County, Tennessee. I am a United States citizen.

1.03 Marital and Paternal Status. I am not married. I have no children.

1.04 Appointment of Executor. I nominate and appoint my nephew, Joseph Michael Underwood, as Executor of this my Last Will and Testament.

1.05 General Powers. I authorize the Executor, in the exercise of a reasonable discretion with respect to all property, real or personal, at any time forming part of my estate, to exercise any or all the powers set forth in T.C.A. § 35-50-110 (including any amendments thereto) to the extent applicable, all of which provisions and powers are incorporated herein by reference as fully as if copied herein verbatim. These powers (as set out in said statute on the date of the execution of this Will) are granted notwithstanding that said statute may be amended at the time of my death.

1.06 Dealing with Real Estate. The Executor is specifically directed to administer, as a part of my probate estate, which is subject to the control of the Executor, all real property in which I have any interest at my death. It is my specific intent to vest title to the real property in my Executor. The Executor named or appointed herein shall have full discretionary power, in their sole, absolute and uncontrolled discretion, to purchase, sell, convey, alter, repair, improve, partition and mortgage or otherwise encumber any real estate, and to make and execute any leases thereon for any period, however long, and beyond the terms of the estate, and to execute and deliver any deeds, conveyances,

(initials)

EXHIBIT
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STATE OF TENNESSEE, COUNTY OF DeKALB
I, Debra Malone, Clerk and Master for DeKalb County, do hereby certify this instrument to be a true, correct and perfect copy of the original as it appears of record in this office.
Witness my hand and seal of office in Smithville, Tennessee this 24 day of October 2019
CLERK & MASTER DEKALB COUNTY CHANCERY COURT
BY: Debra D Malone

FILED
DEKALB CO. CHANCERY COURT
MAY 24 2019
9:02
A.M. SMITHVILLE, TN P.M.
BY: D D Malone
Will BK 12-P 82-85

mortgages, deeds of trust, transfers and assignments, without the approval of any court, joinder of any beneficiary, and without disclosing any beneficiary of the estate. No person or entity dealing with the Executor named or appointed herein shall look to the application of any proceeds that may result from any acts of the Executor under the provisions of this paragraph.

1.07 Designated Beneficiary. I designate my nephew, Joseph M. Underwood, as the designated beneficiary of all my assets, personal and real property. Upon my death, all property including personal effects, automobiles, furniture, furnishings and household articles, jewelry and clothing shall pass to my nephew, Joseph Michael Underwood, as sole beneficiary. I hereby give, devise and bequeath to Joseph Michael Underwood all the rest, residue and remainder of my property, real, personal, and mixed, tangible and intangible, of whatever kind and character, and wheresoever located, including the proceeds of any insurance policies payable to my estate or my Executor.

1.08 Classification. All questions as to whether any specific articles shall be included in the foregoing bequest shall be conclusively determined by the Executor.

1.09 Statement of Testator. All assets held will generally pass to the surviving beneficiary and that other assets which pass by contract, such as life insurance or retirement benefits, will generally pass to the designated beneficiary, or in the event of no designated beneficiary will pass to my estate.

1.10 Waiver of Filings. I hereby waive the requirement that my Executor file an inventory or accounting of my estate with the court having probate jurisdiction over my estate. This waiver shall include, but not be limited to, the inventory as required by T.C.A. § 30-2-301, and the accounting as required by T.C.A. § 30-2-601, or any amendments or successors to such sections.

1.11 Debts and Expenses. I direct that all debts which shall be legally owing by me (except debts secured by mortgages or deeds of trust which may be paid or retained in the discretion of the Executor), my funeral expenses, and the expenses of the administration of my estate shall be paid by the Executor as soon after my death as is practicable. The Executor may, in accordance with applicable state and



(initials)

Federal Tax laws, deduct such expenses either for State and Federal Estate Tax purposes or State and Federal Income Tax purposes, or partly for one and partly for the other.

1.12 Taxes. I direct the Executor to pay all Federal and State Estate and Inheritance Taxes (but excluding Generation-Skipping Taxes which shall be charged to the property constituting the transfer in the manner provided by applicable law) which shall be imposed by reason of my death, including taxes on proceeds of insurance on my life, whether or not the property, transfer, or proceeds, with respect to which said taxes are levied, are a part of my probate estate at my death. Said taxes shall be charged against and paid from the property comprising the residuary estate. I waive any right of reimbursement for recovery of, or contribution toward, the payment of any such taxes, except for rights of recovery under the Internal Revenue Code, as amended.

1.13 Life Insurance Not Charged. If my estate is insolvent without taking into account life insurance payable to the estate, it is my specific intention and direction that any life insurance payable to the Executor or my estate shall not be subject to or charged with the payment of my debts, but rather shall be distributed to the beneficiaries of my estate in accordance with the other provisions contained herein below.

IN WITNESS WHEREOF, I have hereunto set my hand on this 5th day of September, 2018, to this my Last Will and Testament and have signed the foregoing three (3) pages at the bottom thereof for the purpose of identification.

Edward Harrison Beene, Testator

END OF TEXT

E
(initials)

STATE OF TENNESSEE
COUNTY OF DeKalb

Roy N. Pugh and
Katelynn Bayles

after being first duly sworn or affirming, make oath and affirm that the foregoing Last Will and Testament was signed by Edward Harrison Beene as and for his Last Will and Testament, and at 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 this the 5 day of September, 2018, and we further make oath or affirm that the Testator was of sound mind and disposing memory, and not acting under the fraud, menace or undue influence of any person, and was more than eighteen (18) years of age, and that each of us is more than eighteen (18) years of age.

Roy N Pugh
Witness

Katelynn Bayles
Witness

WITNESS my hand and Notarial Seal at office this 5 day of September, 2018.

Shycottia Orrand
NOTARY PUBLIC

My Commission Expires:
12/14/2020

SHYCOTTIA ORRAND
STATE OF TENNESSEE NOTARY PUBLIC
WILSON COUNTY

(initials)