Map & Parcel No. 069 03 0 081.00

THIS INSTRUMENT PREPARED BY:

Joy S. Kimbrough, Esq.
5570 Knob Road
Nashville, TN 37209
(615) 512-0933
joykimbrough@gmail.com

Karen Johnson Davidson County
Batch# 568631 DEEDQC
02/04/2021 12:09:26 PM 4 pgs
Fees: $22.00 Taxes: $0.00
20210204-0016387

QUIT CLAIM DEED

Pursuant to the Last Will and Testament of Ruby Battle Smith, case number 20P1413 in the Davidson County Probate Court, and to more particularly describe the real property devised under said Will, and pursuant to T.C.A. §35-7-106, JOY S. KIMBROUGH, PERSONAL REPRESENTATIVE OF THE ESTATE OF RUBY B. SMITH, hereinafter "GRANTOR," does herby quitclaim, transfer, and convey (i) a one-half (1/2) undivided interest in certain real estate in Davidson County, Tennessee, more particularly described below to JAMES EDWARD WILSON, JR. as Custodian for the benefit of NORMANDY MILLER, under the Tennessee Uniform Transfers to Minors Act, and (ii) a one-half (1/2) undivided interest in certain real estate in Davidson County, Tennessee, more particularly described below to JAMES EDWARD WILSON, JR. as Custodian for the benefit of MADISON BROWN under the Tennessee Uniform Transfers to Minors Act.

> Land in Davidson County, Tennessee, being Lot No. 15 on the Plan of Enchanted Hills, Section I, as of record in Book 3300, page 96. Register's Office for said County.
>
> Said Lot No. 15 fronts 157.83 feet on the southerly side of Drakes Branch Road and runs back between lines, the easterly line being 218.0 feet and the westerly line being 224.9 feet to a broken line in the rear measuring 193.19 feet thereon.
>
> Being the same property conveyed to Thomas H. Smith and wife, Ruby Smith, by deed from N. H. Barker and H. H. Chitwood by Installment Deed on September 4, 1963, Instrument # 00003616-0000352.

Thomas H. Smith is deceased. He passed away December 8, 2014, in Davidson County, Tennessee. Ruby Smith is deceased. She passed away August 12, 2020.

Attached to this Quit Claim Deed is a two (2) page **Order** of the Davidson County, Tennessee Probate Court, dated January 22, 2021, declaring previously filed **Quit Claim Deed #20200819-0093684 and Affidavit of Heirship #20200819-0093683 null and void**.

IN TESTIMONY WHEREOF I have executed this instrument this the 4th day of February, 2021.

ESTATE OF RUBY B. SMITH

By: Joy S. Kimbrough

Joy S. Kimbrough, Personal Representative

State of Tennessee
County of Davidson

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named, JOY S. KIMBROUGH, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she is serving as Personal Representative of the Estate of Ruby B. Smith and that as such Personal Representative she executed the within instrument for the purposes therein contained.

Witness my hand and official seal, this 4th day of February, 20 21.

JASMINE MOSELEY
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 5-9-2023

NOTARY PUBLIC

My commission expires: _____

I do hereby swear or affirm that the actual consideration for this transfer is No Dollars ($-0-).

Joy S. Kimbrough

Joy S. Kimbrough, Personal Representative

Subscribed before me this 4th day of February, 2021.

JASMINE MOSELEY
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 5-9-2023

Notary's Public

My commission expires: _____

Property Address known as: 3952 Drakes Branch Road, Nashville, TN 37218

Owner's Name: James E. Wilson, Jr., Custodian

Mail Tax Bills To: 2844 Valley Heart Drive, NW, Atlanta, Georgia 30318

Owner's Address: 2844 Valley Heart Drive, NW, Atlanta, Georgia 30318

EFILED 01/22/21 09:34 AM CASE NO. 20P1413 Richard R. Rooker, Clerk

IN THE SEVENTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE
(PROBATE DIVISION)

IN RE:	)	
	)	
ESTATE OF RUBY SMITH	)	
Deceased	)	CASE NO. 20P1413
	)	
JOY S. KIMBROUGH,	)	
Petitioner	)	

ORDER GRANTING PETITION TO DEEM QUITCLAIM DEED NULL AND VOID

The above styled action came to be heard before this Court on the 21st day of January, 2021. Based on the proof presented, the Court finds the following:

1) On August 12, 2020, Mrs. Ruby Jean Battle Smith (Decedent) passed away leaving a valid *Last Will and Testament* (*Will*) dated September 3, 2015.
2) On August 19, 2020, prior to Decedent's *Will* being discovered, Quit Claim Deed #20200819-0093684 and accompanying Affidavit of Heirship #20200819-0093683 were filed with the Davidson County Register of Deeds Office transferring title of Decedent's home, 3952 Drakes Branch Road, Nashville, Tennessee 37218, to Decedent's two (2) daughters, Emilie Miller and Joy Kimbrough.
3) On November 25, 2020, Decedent's *Will* was admitted to probate.
4) According to Decedent's *Will*, located after the Quit Claim Deed had been filed; Decedent's Drakes Branch Road home was devised to her grandson, James Edward Wilson, Jr., as Custodian for the benefit of Decedent's minor great-granddaughters Normandy Miller and Madison Brown.

Based on the Court's findings of fact and conclusions of law, the ***Petition to Declare Quitclaim Deed Null and Void*** is **GRANTED.** IT IS HEREBY **ORDERED AND ADJUDGED** that the aforementioned **Quit Claim Deed and accompanying Affidavit of Heirship be deemed**

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null and void and that title of same be vested in the estate of Mrs. Ruby Jean Battle Smith for the purpose of properly transferring the property in accordance with the *Will*.

Entered this 21 day of _____, 2021.

JUDGE RANDALL KENNEDY, PROBATE COURT

Approved for Entry:

s/ Joy S. Kimbrough

Joy S. Kimbrough, #025009
Personal Representative for the Estate
5570 Knob Road
Nashville, TN 37209
Phone: (615) 512-0933
Facsimile: (615) 953-7715
Email: joykimbrough@gmail.com