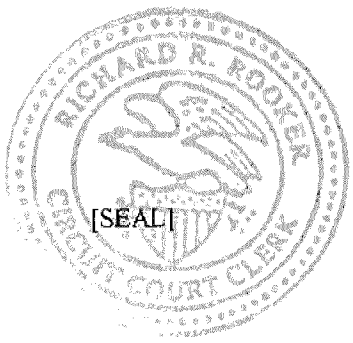
STATE OF TENNESSEE

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 PETITION ORDER heretofore filed in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 02 day of JUNE, 2022, in Docket Number 22P851, IN RE: LEUTHAUSER, NICHOLAS KARL, as same remains of record in the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 30 day of AUGUST in the year 2022 and in the 246 year of American Independence.

RICHARD R. ROOKER, Clerk,



[SEAL]

By: _____
Deputy Clerk

Karen Johnson Davidson County
Batch# 910504 ORDER
08/30/2022 03:58:30 PM 6 pgs
Fees: $32.00 Taxes: $0.00
20220830-0097946

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EFILED 06/02/22 12:35 PM CASE NO. 22P851 Richard R. Rooker, Clerk

IN THE SEVENTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE AT NASHVILLE (PROBATE DIVISION)

IN RE: THE ESTATE OF NICHOLAS KARL LEUTHAUSER, Decedent.	)))	**No. 22P851**

ORDER TO ADMIT LAST WILL AND TESTAMENT TO PROBATE, FOR ISSUANCE OF LETTERS TESTAMENTARY AND TO CONSTRUE WILL

This cause came to be heard this the 2nd day of June 2022, before the Honorable Randy Kennedy, Seventh Circuit Court Judge for Davidson County, Tennessee, upon the Petition to Admit Last Will and Testament to Probate, for Issuance of Letters Testamentary and to Construe Will filed by Charles Armin Leuthauser, Petitioner. Based upon the unopposed Petition, a review of the record as a whole, the Court finds the Petition to be well-taken and, therefore, granted.

All interested persons were provided notice of this proceeding and sent a copy of the pending Petition. The original Last Will and Testament of Decedent, executed on December 21, 2012, (the "Will") was held on file at the Clerk's office under file number 13L13. The Will was witnessed by Cynthia J. Bohn, Esq, and Susan D. Hyde. An affidavit was sworn to and executed by Cynthia J. Bohn, Esq., on May 18, 2022, and filed with this Honorable Court. Furthermore, the court makes the following findings:

1. Karen M. Flowers died on January 30, 2021 and pre-deceased Nicholas Karl Leuthauser. Karen Flowers died without issue and as such, the provisions of T.C.A §32-3-105 do not apply.
2. The Decedent Last Will and Testament did not have a residuary clause to dispose

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of the remaining assets of the Estate.

3. As the Decedent's will contained no residuary clause to dispose of the assets of the Decedent, the Decedent's property, both real and personal, shall pass via intestate succession. Charles Leuthauser, Martin Leuthauser and Winnifred Ferrill are the appropriate beneficiaries of the Estate of Nicholas Leuthauser, representing the Decedent's heirs-at-law.
4. Furthermore, the *In Terrorem* Clause contained in Clause IX of the Decedent's Will is of no effect as the Decedent failed to dispose of any of his property.

It is, therefore, **ORDERED, ADJUDGED** and **DECREED** that the Last Will and Testament of the Decedent, dated December 21, 2012, shall be admitted for the purpose of probate. Notice to Creditors shall be given by the Clerk of the Court through publication or as otherwise required by law.

It is, further, **ORDERED** that Petitioner, Charles Armin Leuthauser, shall be appointed Executor of the Estate of Nicholas Karl Leuthauser. The Clerk of the Court shall issue Letters Testamentary accordingly.

It is, further, **ORDERED** that Bond is set at $17,000.00 and that Executor shall file an Inventory with the Court within Sixty (60) days from the date of entry. An interim Accounting shall be filed after Fifteen (15) months and annually thereafter, pursuant to T.C.A. §10-2-601.

It is, further, **ORDERED** that the bequest to Karen Flowers contained in Clause V of the will has lapsed as Karen Flowers predeceased the Decedent and died without issue.

It is, further, **ORDERED** that notwithstanding the execution of the Last Will on

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December 21, 2012, the Decedent failed to dispose of any of his assets, whether real or personal, and as such the Decedent's real and personal property shall pass via intestate succession.

It is, further, **ORDERED** that pursuant to T.C.A. §31-2-103, the real property owned by the Decedent vested in Charles Leuthauser, Martin Leuthauser and Winnifred Ferrill at the time of the Decedent's passing.

It is, further, **ORDERED** that the costs and attorneys' fees incurred in connection with this cause shall be taxed to Decedent's estate.

It is so **ORDERED**.

ENTERED this 2nd day of _____ 2022.

HONORABLE RANDY KENNEDY

APPROVED FOR ENTRY:

Jennifer Sheppard (024699)
Adam Barber (031014)
MARTIN HELLER POTEMPA & SHEPPARD, PLLC
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Nashville, TN 37212
(615) 800-7096 Office
jsheppard@mhpslaw.com
abarber@mhpslaw.com

Attorneys for the Estate

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been forwarded to the following persons via United States Postal Service, postage prepaid, and/or electronically to the address(es) as indicated:

Charles Armin Leuthauser
3810 South Fenton Street
Denver, CO 80235

Martin J. Leuthauser
1419 E. Kettle Ave.
Centennial, CO. 80122

Winifred J. Ferrill
2900 Purcell St #E-1
Brighton, CO 80601

this 24th day of May 2022.

Adam Barber

Tennessee Certification of Electronic Document

I, Kate Nyquist, do hereby make oath that I am a licensed attorney and/or the custodian of the original version of the electronic document tendered for registration herewith and that this electronic document is a true and exact copy of the original document executed and authenticated according to law on 8/30/2022 (date of document).

Affiant Signature

8/23/2022
Date

State of Tennessee
County of Davidson

Sworn to and subscribed before me this 23rd day of August, 2022.

Notary's Signature

MY COMMISSION EXPIRES: 5/5/2025

NOTARY'S SEAL

