STATE OF TENNESSEE

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IN RE: ***LENORA JACKSON***

Docket No: ***21P12***

Karen Johnson Davidson County
Batch # 1170624 ORDER
08/16/2024 11:56:00 AM 6 pgs
Fees: $32.00 Taxes: $0.00
20240816-0062914

I, JOSEPH P. DAY, 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 Order heretofore entered in the above styled case on June 5, 2024 in the Seventh Circuit Court for Davidson County, Tennessee, 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, on August 16, 2024.

JOSEPH P. DAY CIRCUIT COURT CLERK

JOSEPH P. DAY, Clerk,

By: _____

Deputy Clerk

EFILED 06/05/24 12:14 PM CASE NO. 21P12 Joseph P. Day, Clerk

IN THE SECOND CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE AT NASHVILLE

IN THE MATTER OF LENORA JACKSON, Respondent.	**Docket No.: 21P12**

ORDER TO VOID DEED

This cause came on to be heard on April 12, 2024, and on May 29, 2024, before the Honorable Amanda McClendon, Judge for the Second Circuit Court of Davidson County, Tennessee, upon the Petition to Void Deed and Remove Joseph Gillespie from Property as filed by Emily C. Green, Conservator, on behalf of Lenora Jackson, Respondent. Present before the Court was Emily C. Green, conservator for the Respondent, Mark King, Attorney Ad Litem for the Respondent, Joseph Gillespie, son of the Respondent, and Fatima Vann, daughter of the Respondent. Upon statement of the parties in this matter and a review of the entire record, the Court hereby finds as follows:

1. By Order of this Court, attorney Emily C. Green was appointed as Conservator over the property and person of the Respondent, Lenora Jackson, on March 9, 2021.
2. Said Order of Conservatorship revoked any authority conveyed by previously executed Powers of Attorney, including the document executed by Lenora Jackson in July 2020 conveying Power of Attorney to Joseph Gillespie.
3. A Quit Claim Deed was executed, purportedly by Lenora Jackson, on September 21, 2023, conveying any and all interest in certain real property located at 419 Fisk Street, Nashville, TN 37203 (Map & Parcel 092 08 0 133.00) (hereinafter "Real Property") from Lenora Jackson's sole name to Joseph Gillespie's sole name, said

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deed being of record in the Register's Office for Davidson County, Tennessee, Instrument Number 20230921-0074416 (hereinafter "Quit Claim Deed").

4. Said Quit Claim Deed was executed after the Conservatorship was established such that the previously executed Power of Attorney had no legal authority and such that Lenora Jackson herself did not have the legal authority to effectuate the deed.
5. The Conservator reported that the Respondent is on hospice, arouses only to stimulation, and is bedbound.
6. The Attorney Ad Litem reported he had attempted three times prior to the April 12, 2024, court date to meet with the Respondent and discuss the Quit Claim Deed with her only to be refused each time. The Attorney Ad Litem testified that he visited the Respondent within a week prior to the May 29, 2024, hearing date, and she was largely unresponsive, although she did open her eyes once while he was there.
7. Joseph Gillespie stated that he wanted to take the Respondent home, that he was told by employees of the nursing home that his mother was capable of signing legal documents, that she wanted to sign the Quit Claim Deed. He further testified that when it rained at the nursing home, the roof leaked such that the Respondent was rained on and that he had photographs from 2022 where there were rats and roaches at the nursing home.

Based upon the foregoing findings of fact, it is hereby **ORDERED, ADJUDGED, and DECREED** as follows:

1. The Quit Claim Deed of record in the Register's Office for Davidson County, Tennessee, Instrument Number 20230921-0074416, is void. The Respondent did not have legal authority or capacity to execute the Quit Claim Deed given that the

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Respondent has been under conservatorship since March 9, 2021. Further, any and all Powers of Attorney executed by the Respondent were revoked by Order of this Court.

2. Any and all interest in the real property located at 419 Fisk Street, Nashville, TN 37203, Map & Parcel 092 08 0 133.00, is hereby restored to the Respondent, Lenora Jackson, to wit:

> Being Lot Number 19A, Zone Lot Division of Lots 18-20 om the Plan of J. Hudson Plan, of record in Plat Book 6200 at Page 510, Register's Office for Davidson County, Tennessee, to which reference is hereby made for amore complete description.
>
> Being the same property acquired by the party of the first part pursuant to the provisions of the National Housing Act, as amended (12 U.S.C. 1701, et seq.) and the Department of Housing and Urban Development Act (79 Stat. 667), by deed dated and recorded in Book 8045, Page 987, Office of the Register, County of Davidson, State of Tennessee.
>
> Being the same property conveyed to Lenora Jackson by deed from the Secretary of Housing and Urban Development, under authority and by virtue of the Federal Register, Volume 35, Page 16106 (10/14/70), as amended, by deed dated May 10, 1990, and recorded in Book 8107, Page 938, Office of the Register, County of Davidson, State of Tennessee.
>
> Being the same property conveyed to Joseph Gillespie by deed of record Instrument No. 20230921-0074416, Register's Office for Davidson County, Tennessee. Said deed being declared void pursuant to Order of the Second Circuit Court for Davidson County, Tennessee, Docket No. 21P12, of record in Instrument No. _____, Register's Office for Davidson County, Tennessee.

3. Joseph Gillespie may remain residing in the Real Property at this Court's discretion. If he remains residing in the Real Property, he shall be required to maintain homeowners' property insurance on the Real Property, pay all property taxes owed on the Real Property, and file proof of the same with the Court at least annually. If Joseph Gillespie vacates the Real Property, he shall inform the Court and the Conservator.

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4. The Respondent shall remain residing in a skilled nursing facility.

IT IS SO ORDERED.

[ELECTRONIC SIGNATURE OF JUDGE TO FOLLOW]

APPROVED FOR ENTRY:

/s/ Emily C. Green

EMILY C. GREEN, #033317
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110 West 6th Ave, Springfield, TN 37172
(615) 667-1073 *Office* | (615) 433-5103 *Fax*
Emily.Green@JGTLegal.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been sent to the following on this the 30th day of May, 2024:

Mark King
Via email: mark.king@markkinglegal.com
Respondent's Attorney Ad Litem

Joe Gillespie
Via email: memphis9370@gmail.com
Respondent's Son

Fatima Vann
Via email: Fatimavann@mac.com
Respondent's Daughter

Office of Conservatorship Management
Via email: lindsaythomeer@jisnashville.gov
Via email: AmyBryant@jisnashville.gov

/s/ Emily C. Green

EMILY C. GREEN

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Case Title: NASHVILLE CENTER FOR REHABILITATION AND HEALING V JACKSON

Case Number: 21P12

Type: ORDER

The foregoing is hereby ORDERED, ADJUDGED AND DECREED:

Judge Amanda McClendon, Second Circuit