This Instrument Prepared By:

Kane & Crowell, PLLC
133 S. College Street
Lebanon, Tennessee 37087
(615) 784-4800

RECORDER'S STAMP

Karen Johnson Davidson County
Batch # 1206786 DEEDWARR
11/19/2024 03:51:53 PM 14 pgs
Fees: $72.00 Taxes: $0.00
20241119-0089955

EXECUTOR'S DEED

ADDRESS OF NEW OWNERS:
Tracey Trumphour
5009 Dell Drive
Mount Juliet, Tennessee 37122

Gary S. Boles
1082 Timberhaven Court
Scottsburg, Indiana 47170

SEND TAX BILLS TO:
Tracey Trumphour
5009 Dell Drive
Mount Juliet, Tennessee 37122

MAP PARCEL NO.
Map: 95-08
Parcel: 040

Tommie Lou Boles died on the 19th day of March 2024, leaving a Last Will and Testament dated March 25, 1998. The Last Will and Testament was admitted to probate on May 13, 2024, in the Probate Court, Davidson County, Tennessee, Docket No. 2024P917. Pursuant to the Last Will and Testament, the Decedent bequeathed the real property located at 316 Tamworth Drive, Nashville, Tennessee to Tracey Trumphour and Gary S. Boles and, therefore, said real property is to be bequeathed to them. Said *Order* further appointed Tracey Trumphour and Gary S. Boles as Co-Executors of the Estate of Tommie Lou Boles. A copy of said *Order* is attached hereto as *Exhibit A*. A copy of the Letters Testamentary issued to Tracey Trumphour and Gary S. Boles is attached hereto as *Exhibit B*. A copy of the Last Will and Testament is attached hereto as *Exhibit C*. All known debts of Tommie Lou Boles have been paid or adjudicated. A copy of the TennCare Release is attached hereto as *Exhibit D*. The Co-Executors, by signing this Deed, release any right the Co-Executors have to recover this property in the event of the subsequent insolvency of this estate. The real property as described in the Last Will and Testament of Tommie Lou Boles is more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 149 on the Map of Eva-Mor Heights, Section Two, of record in Book 1835, page 30, Register's Office for said County.
>
> Said Lot fronts 75 feet on the west side of Tamworth Drive and runs back between lines, 167.16 feet on the north line and 170 feet on the south line, to a dead line in the rear, which is a broken line, on which it measures 75 feet.

Being the same property conveyed to Tommie L. Boles by Quitclaim Deed from Tildon S. Boles, Jr., dated September 26, 1983, and of record in Deed Book 6148, Page 311, in the Register's Office of Davidson County, Tennessee.

This property is improved property known as 316 Tamworth Drive, Nashville, Tennessee 37214.

TO HAVE AND TO HOLD said real estate, with all its appurtenances, to the said Tracey Trumphour and Gary S. Boles, their 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, We, as the Co-Executors only, do covenant with the said grantees, that we, as the Co-Executors, are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, except by liens of record.

And we, as Co-Executors, do further covenant and bind ourselves and representatives, to warrant and forever defend the title to said land to the said grantees, their successors and assigns, against the lawful claims of all persons whomsoever.

T.C.A. § 67-4-409(a)(3)(D) exempts this transfer from recordation tax.

- THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK -

STATE OF TENNESSEE
COUNTY OF WILSON

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.

Tracey Trumphour
TRACEY TRUMPHOUR, Executor

WITNESS my hand, this 21st day of October, 2024.

Kim Rogers
NOTARY PUBLIC

My Commission Expires: 4/22/2028



STATE OF Indiana

COUNTY OF Scott

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.

Gary S. Boles

GARY S. BOLES, Executor

WITNESS my hand, this 23rd day of October, 2024.

Kim D Ragusa

NOTARY PUBLIC



My Commission Expires: 10/08/2030

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

IN RE: Estate of TOMMIE LOU BOLES

TRACEY TRUMPHOUR AND
GARY S. BOLES, **FILE NO. 2024-PR-**
Co-Petitioners.

ORDER GRANTING PETITION TO OPEN TESTATE ESTATE AND APPOINT EXECUTRIX

This matter was set to be heard on May 16, 2024. The Court has reviewed the Petition of **Tracey Trumphour and Gary S. Boles** to open the testate estate of **Tommie Lou Boles,** and appoint Co-Executors. The Court has conducted a hearing if necessary.

The Court finds that all information required by local rule and statute including Tennessee Code Annotated Section 30-1-117 is in the record, that the decedent's original will has been tendered to the Circuit Court Clerk and it appears upon the representations of counsel that all interested persons were given a copy of the Petition and notice of the hearing.

The Court concludes upon consideration of the Petition, witness testimony and arguments of counsel (if applicable) and entire record that the Petition should be granted.

IT IS THEREFORE ORDERED THAT:

1. The estate of **Tommie Lou Boles,** is opened as a testate estate.

2. The Last Will and Testament of Tommie Lou Boles, dated March 25, 1998 is admitted to probate in common form (and not in solemn form).

3. **Tracey Tumphour and Gary S. Boles are** appointed as the Co-Executors.

4. Upon the Co-Executors signing the oath of office and posting bond (if required), the Circuit Court Clerk shall issue letters testamentary to the co-executors.

5. The Circuit Court Clerk shall cause the Notice to Creditors to be published as required by statute.

6. Bond, Inventory, and Accounting are all waived pursuant to Article I of Decedent's Last Will and Testament.

7. The Co-Exeuctors shall file a status report on the date that is 15 months from the date of appointment, and annually thereafter so long as the estate remains open.

8. Court costs are taxed to the estate.

9. All other matters are reserved.

{ELECTRONIC SIGNATURE PAGE OF JUDGE OR SPECIAL MASTER ATTACHED}

APPROVED FOR ENTRY:

KANE & CROWELL, PLLC

/s/Kayla M. Costley
KAYLA M. COSTLEY, BPR #37775
Attorney for Co-Executors
133 South College Street
Lebanon, Tennessee 37087
(615) 784-4800
kcostley@kane-law.com

Case Title: TRUMPHOUR V BOLES

Case Number: 24P917

Type: APPOINTING ORDER - ESTATES

So Ordered

Judith Lojek, Probate Special Master

IN THE CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

(PROBATE DIVISION)

LETTERS TESTAMENTARY

TO: **TRACEY TRUMPHOUR and GARY BOLES** DOCKET NO: **24P917**

*It appearing to the Court that **TOMMIE LOU BOLES** has died leaving a written Will in which you are appointed **Co-Executors** and which has been duly approved by the Court; and you having been qualified according to law, and it having been ordered by said Court that Letters Testamentary issue to you;*

*THESE ARE, THEREFORE, to empower you, the said **TRACEY TRUMPHOUR and GARY BOLES**, to enter upon the execution of said Will, and take into your possession all of the property, and to make, within **sixty (60) days** from this date, a perfect inventory thereof, and make due collection for all debts, and after paying all the just demands against the Testator, and settling up the business according to law, you will pay over and deliver the property and effects that may remain in your hands, and do all other things that may be required, according to the provisions of the said will and the laws of the land.*

*WITNESS, Joseph P. Day, Clerk of the Probate Court, at office, this **May 22nd, 2024**.*

JOSEPH P. DAY, Clerk

_____ D.C.

STATE OF TENNESSEE)

DAVIDSON COUNTY)

I, JOSEPH P. DAY, Clerk of the Probate Court of said County, do hereby certify that the foregoing is a true and perfect copy of the Letters Testamentary issued to **TRACEY TRUMPHOUR and GARY BOLES** as **Co-Executors** of the estate of **TOMMIE LOU BOLES**, deceased, and I do further certify that **TRACEY TRUMPHOUR and GARY BOLES** are still acting **Co-Executors** of the estate of **TOMMIE LOU BOLES** and all acts as such are entitled to full faith and credit as it appears from the official record in my office in Nashville, Tennessee, this the _____ day of _____, 20___.

JOSEPH P. DAY, Clerk

_____ D.C.

LAST WILL AND TESTAMENT

of

TOMMIE LOU BOLES

I, Tommie Lou Boles, a resident and citizen of 316 Tamworth Drive, Nashville, Davidson County, Tennessee, being of sound mind and disposing memory, do hereby make, publish and declare this instrument to be my Will, and I hereby revoke any and all wills and codicils heretofore made by me, including but not necessarily limited to that certain Will which I made on or about January 3, 1980.

I.

I hereby nominate and appoint my Children, Tracey Boles Trumphour and Gary S. Boles, or the survivor of the two of them, should one of them predecease me, as Co-Executors of this Will, and I do hereby expressly relieve and exempt them from the necessity of giving bond or other security for the faithful performance of any and all fiduciary duties herein, or to make or file any inventory, settlement or accounting with any Court in which my Co-Executors may be called upon to act in the administration of my Estate.

II.

In the event my neither of my Co-Executors shall survive me, or should they each resign or cease to act for any reason, then I appoint my son-in-law, Tony Trumphour, to be my alternate Executor, to serve with the same powers and exemptions.

III.

I hereby direct that all of my just debts and funeral expenses be paid from my Estate as soon as practicable, and I authorize and direct my Co-Executors to pay the same out of whatever property my Co-Executors deems advisable, and I hereby direct and authorize my Co-Executors to sell whatever property, real or personal, that my Co-Executors deem necessary or advisable to pay said debts and expenses. I further direct

 Tommie Lou Boles

Tommie Lou Boles

my Co-Executors to pay all estate, inheritance, succession and other death taxes which may be payable by, or chargeable against, my Estate, or any beneficiaries thereof, as an expense of administration, without apportionment or proration among the beneficiaries, legatees, or devisees, out of my residuary estate.

IV.

I hereby give, devise and bequeath one-half (50%) of my Estate, including but not limited to both real and personal property of every description, unto my Son, Gary S. Boles, provided he shall survive me by at least 30 days. If my Son shall fail to survive me as aforesaid, then his bequest hereunder shall lapse.

V.

I hereby give, devise and bequeath all of the rest, residue and remainder of my Estate, of whatever nature and wherever situated, including but not necessarily limited to all personal property and real estate, unto my Daughter, Tracey Boles Trumphour. If my said Daughter fails to survive me, then I direct that her inheritance under this Will shall pass instead in equal shares among the child or children of my Daughter who are living at the time of my death.

VI.

I have intentionally made no provision in this Will for any child or step-child of my Son, Gary S. Boles; not out of any lack of love and affection for them, but for reasons entirely satisfactory to me.

VII.

In the event any beneficiary who takes under this Will shall be fewer than twenty-five (25) years of age at the time of my death, then I direct that said beneficiary's inheritance under this Will shall be held in a separate trust by my Trustee, for that beneficiary's use and benefit. My Trustee shall hold, manage and control the principal and income of the said trust, and shall expend so much of the principal and income from the trust as my Trustee shall, in his or her sole discretion, determine is necessary for the normal health, maintenance and education of the said beneficiary.

On the date of the beneficiary's twenty-first (21st) birthday, I direct that an amount equal to twenty-five (25%) percent of the principal and accrued interest then on hand in the beneficiary's trust be paid directly to the beneficiary entitled. On the beneficiary's twenty-third (23rd) birthday, I direct that an amount equal to another twenty-five (25%) percent of the principal and accrued interest then on hand in the beneficiary's trust be paid directly to the beneficiary entitled. When the beneficiary reaches the age of 25 years, I direct that the trust shall terminate, and my Trustee shall pay the balance of the undistributed principal and income directly to the beneficiary of the trust.

In the event any beneficiary shall die before final disbursement or distribution of all sums in his or her trust, then the undistributed assets in said trust shall pass to the remaining beneficiary(ies) under this will, as if the deceased trust beneficiary had not survived me at all.

Neither the principal nor the income of any trust created hereunder shall be pledged, assigned, transferred, sold, or in any manner whatsoever accelerated, anticipated, or encumbered by any beneficiary, nor shall any income or principal of said trust estate be in any manner subject or liable in the hands of the Trustee for the debts, contracts or engagements of any beneficiary, or be subject to any assignment, or any other voluntary or involuntary alienation or disposition whatever. All distributions of income or principal shall be paid only upon receipt to the beneficiary entitled, or to others for his or her use and benefit.

VIII.

I hereby nominate and appoint Tony Trumphour to be Trustee of any Trust created under the terms of this Will; and I direct that he shall be allowed to so serve without bond. In the event my said Trustee declines or fails to qualify, resigns, or ceases to act for any reason, then I appoint Gary S. Boles as my Alternate Trustee. Said Alternate shall serve with the same powers and exemptions.

IN WITNESS WHEREOF, I, Tommie Lou Boles, have hereunto subscribed my name to this, my Will, contained in four (4) pages, not including attached Affidavit of Witnesses, on each of which I have subscribed my name in the sight and presence

 Tommie Lou Boles

Tommie Lou Boles

of the undersigned attesting witnesses, who at my request and in my sight and presence, and in the sight and presence of each other, have subscribed their names as attesting witnesses in the City of Mt. Juliet, County of Wilson, State of Tennessee, this the 25 day of March, 1998, and pursuant to *Tennessee Code Annotated* §32-2-110, I request the attesting witnesses to make the Affidavit which is attached to this Will.

Tommie Lou Boles

Tommie Lou Boles

Attest to Execution of Will:

Patricia M. Gwin

Patricia M. Gwin
Witness

Amy S. Conatser

Amy S. Conatser
Witness

STATE OF TENNESSEE)
COUNTY OF WILSON)

We, Patricia M. Gwin and Amy S. Conatser, the undersigned attesting witnesses, after first being duly sworn according to law, make oath or affirm as follows:

1. That Tommie Lou Boles signed the foregoing Will on the same date as the date of this Affidavit, and at the time of such signing she informed us that she signed it as her Will.

2. That Tommie Lou Boles signed this Will when we were both in her sight and presence. Contemporaneously with the signing, she requested us to sign the Will as her attesting witnesses, which we did in her sight and presence and in the sight and presence of each other.

3. That Tommie Lou Boles is more than eighteen (18) years of age, and we are both more than eighteen (18) years of age; and in our judgment, Tommie Lou Boles is legally competent to make a Will.

Witness our hands this the 25 day of March, 1998.

Patricia M. Gwin

Patricia M. Gwin
1714 Valleyview Drive
Mount Juliet, Tennessee 37122

Amy S. Conatser

Amy S. Conatser
108 Oakmont Drive
Mount Juliet, Tennessee 37122

Sworn to or affirmed and subscribed before me, a Notary Public in and for said County and State, this the 25 day of March, 1998.

JOHN T. CAIN NOTARY PUBLIC AT LARGE WILSON CO. TENN.

NOTARY PUBLIC

My Commission Expires: January 30, 2001

TN Division of TennCare

RFR PROCESSING UNIT
310 GREAT CIRCLE RD., 3W
NASHVILLE, TN 37243
Phone: (615) 741-0636, Fax (615) 413-1941
Email: RFR.TENNCARE@TN.GOV

June 7, 2024

Tracey Trumphour
133 S. College St.
Lebanon, TN 37087

RE: Boles, Tommie Morrow Date of Death: 3/19/2024 SSN: xxx-xx-6505
Our File Number: 130032

Tracey Trumphour:

The referenced decedent did not receive TennCare Long-Term Services and Supports. Therefore, the State of Tennessee hereby releases the TennCare claim against this estate pursuant to Tenn. Code Ann. § 71-5-116(c)(2). This release is not a waiver of the right of the State of Tennessee to pursue criminal or civil penalties if fraud or abuse is found to exist pursuant to Tenn. Code Ann. § 71-5-2601, et seq.

This document is only relevant to TennCare's claim against the Decedent's probate estate. It does not apply to annuities, Special Needs Trusts, Pooled Special Needs Trust, Qualified Income Trusts, or any other type of trust that contains a Medicaid payback provision. If you need a payoff for this type of trust or annuity, you must contact TennCare at 844-629-0941, 2 at prompt, or via email at estate.recovery@tn.gov. Please provide the Decedent's death certificate and copy of the trust or annuity when making such a request.

Sincerely,

Joan Jackson

TennCare RFR Processing Unit