

ORDER TO CLERK TO CANCEL DEED OF TRUST

4/07/06 1:33:48
BK 2,446 PG 339
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

STATE OF MISSISSIPPI
COUNTY OF DESOTO

KNOW ALL MEN BY THESE PRESENTS: That Estate of Charles D. Yates, deceased, the beneficiary, does hereby certify that a certain trust deed bearing date the 11th day of June, 1989 made and executed by Sam N. Perry, Jr., and wife, Mary Denise Perry to Charles D. Yates, and recorded in the office of the Chancery Clerk of DeSoto County, in the State of Mississippi in Real Estate Trust Deed Record No. 474, on page 618, of the Record of Trust Deeds, on the 12th day of June, 1989, is now fully paid and satisfied; and I do hereby authorize the Clerk of the Chancery Court of said DeSoto County to enter satisfaction and certificate of payment in full upon this said instrument and that this order be recorded in the records of said County also as provided by law.

By way of explanation, Charles D. Yates is deceased and the undersigned are the court appointed executors and beneficiaries of his estate. A copy of the Order Admitting Last Will and Testament to Probate and Appointing Co-Executors is attached hereto and made a part hereof.

ESTATE OF CHARLES D. YATES, DECEASED

BY: Kevin Wulff
KEVIN WULFF, Executor and Beneficiary

By: Denise Perry
DENISE PERRY, Executor and Beneficiary

Kevin Wulff
KEVIN WULFF, Individually

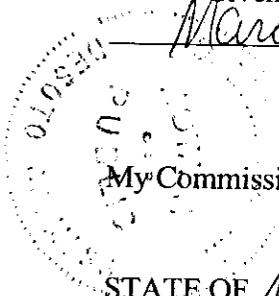
Denise Perry
DENISE PERRY, Individually

Return to + Prepared by:
NOWAK & NEYMAN, P.C.
170 WEST CENTER ST.
P. O. BOX 567
HERNANDO, MS 38632
662-429-7888

STATE OF Mississippi
COUNTY OF Desoto

Personally came and appeared before me, the undersigned authority in and for said County and State, the within named Kevin Wulff who acknowledged that he is Executor and Beneficiary of the Estate of Charles D. Yates, deceased, and that in said representative capacity he executed the above and foregoing instrument, after first having been duly authorized so to do, and that he signed and delivered the above and foregoing instrument individually, on the day and year therein mentioned, as his free act and deed, and for the purposes therein expressed and in the capacity therein set forth.

Given under my hand and official seal of office, this the 27th day of March, 2006.



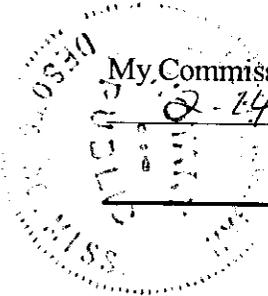
[Signature]
NOTARY PUBLIC

My Commission Expires: 2-14-09

STATE OF Mississippi
COUNTY OF Desoto

Personally came and appeared before me, the undersigned authority in and for said County and State, the within named Denise Perry who acknowledged that she is Executor and Beneficiary of the Estate of Charles D. Yates, deceased, and that in said representative capacity she executed the above and foregoing instrument, after first having been duly authorized so to do, and that she signed and delivered the above and foregoing instrument individually, on the day and year therein mentioned, as her free act and deed, and for the purposes therein expressed and in the capacity therein set forth.

Given under my hand and official seal of office, this the 27th day of March, 2006



[Signature]
NOTARY PUBLIC

My Commission Expires: 2-14-09

IN THE PROBATE COURT OF SHELBY COUNTY, TENNESSEE

IN RE:

ESTATE OF CHARLES D. YATES,
DECEASED.

NO. Q-13141

ORDER ADMITTING LAST WILL AND TESTAMENT TO PROBATE
AND APPOINTING CO-EXECUTORS

This cause came on to be heard upon the verified Petition of KEVIN WULFF and DENISE PERRY, for the admission to Probate of a three (3) page paper writing as the true, whole Last Will and Testament of CHARLES D. YATES, and for the appointment of KEVIN WULFF and DENISE PERRY, as co-Executors, and upon the production in open court of said three (3) page paper writing, upon the testimony of KEVIN WULFF and DENISE PERRY, the Petitioners, and upon the Affidavit of JUANITA S. ANDERSON and JACQUELINE PARKER, the attesting witnesses to said Last Will and Testament, from all of which it does appear to the satisfaction of the Court:

1. That CHARLES D. YATES, age 73, died on October 29, 2005, at Methodist Central Hospital, in Memphis, Shelby County, Tennessee; decedent's usual residence was at 6289 Heathcliff Cove, Memphis, Tennessee 38134;
2. That decedent was not married at the time of his death and that he had no children living at the time of his death;
3. That said decedent left as his Last Will and Testament a three (3) page paper writing ~~(filed in the Court shown and attached as an Exhibit hereto)~~ captioned "LAST WILL AND TESTAMENT OF CHARLES D. YATES" dated February 2, 2005,

Order to Open Estate
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FILED FOR ENTRY
DEC 01 2005

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subscribed by said decedent and subscribed further by JUANITA S. ANDERSON and JACQUELINE PARKER, as attesting witnesses;

4. That on February 2, 2005, said decedent was of sound mind and disposing memory and more than eighteen (18) years of age; that on said date said decedent signed, published, and declared said paper writing as and for his Last Will and Testament, in the presence of the above attesting witnesses who, in his presence, in the presence of each other, and at his request, subscribed their names as attesting witnesses;

5. That said decedent named the following individuals as all of the devisees and legatees in the said paper writing dated February 2, 2005:

- CORDOVA PRESBYTERIAN CHURCH,
- DENISE PERRY, niece, and
- KEVIN WULFF, nephew.

6. That the following individuals would be entitled to the decedent's property under the statutes of intestate succession:

- DENISE PERRY, niece,
- KEVIN WULFF, nephew,

7. That in said three (3) paper writing dated February 2, 2005, decedent nominated his nephew, KEVIN WULFF, and his niece, DENISE PERRY, to serve as the Co-Executors of decedent's Last Will and Testament, and the decedent within said Last Will "relieved" such co-Executors from "giving bond as such....from filing inventories, accountings, or other settlements with any court, person, corporation, or other entity."

8. That the Petitioners are willing and in all respects competent to serve as such Co-Executors:

9. That the Petitioners, KEVIN WULFF and DENISE PERRY, as the only persons entitled to the Decedent's estate, hereby waive the requirement of bond as permitted by T.C.A. § 30-1-201(a)(1)(c); and,

10. That the Petitioners are not aware of any instrument revoking the document being offered for Probate, and the Petitioners believe that the document being offered for Probate is the decedent's Last Will.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED:

1. That said three (3) page paper writing dated February 2, 2005, captioned "LAST WILL AND TESTAMENT OF CHARLES D. YATES " be and hereby is admitted to Probate as and for the true, whole Last Will and Testament of CHARLES D. YATES, and that said Last Will and Testament be filed and recorded as such;

2. That KEVIN WULFF and DENISE PERRY be and hereby are appointed as co-Executors of said Last Will and Testament; and

3. That the Clerk is directed to issue Letters Testamentary to KEVIN WULFF and DENISE PERRY, upon each taking the oath required by law; and,

4. That the bond for the co-Executors is waived, ^{along with filing of inventory} the same having been expressly waived in said Last Will and Testament.


JUDGE

DATE: DEC 01 2005

BY INTERCHANGE

Order to Open Estate
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APPROVED:



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