

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF
WILLIE K. GRAHAM, DECEASED,

RAINEY GRAHAM, ADMINISTRATOR.

NO. 85-1-27

ORDER WAIVING FIRST AND FINAL ACCOUNTING,
DISCHARGING ADMINISTRATOR AND CLOSING ESTATE

This cause came on to be heard this day by the Court, a day in vacation, upon the sworn petition of Rainey Graham, Administrator of the Estate of Willie K. Graham, deceased, requesting waiver of first and final accounting, discharge of Administrator and closing of the estate. The Petitioner, the husband of the decedent and sole surviving heir, joined in this petition in his individual capacity and as Administrator of the estate and requested that the relief prayed for be granted. And the Court being fully advised in the premises, finds as follows:

1. That the Petitioner is the duly appointed Administrator of the estate of the decedent, having been appointed as such by order of this Court dated January 17, 1985.

2. That the decedent, Willie K. Graham, died intestate on April 29, 1984 while she was a bona fide resident of Memphis, Shelby County, Tennessee, leaving the Petitioner herein, Rainey Graham, as her sole statutory beneficiary under Mississippi law.

3. That the decedent died siezed and possessed of real property located in the State of Mississippi, Desoto County, described as follows:

Five acres situated in Sec. 20, Township 1, Range 7 West, and being the South 5 acres of the following described 10 acre tract:

Beginning at an iron pin (which pin is offset 10 feet to the East) 1430 feet south of the Northwest corner of Section 20, Township 1 Range 7 West, as measured along the west section line of said Section; thence southerly 550 feet to a point; thence 792 feet Easterly to a point; thence Northerly 550 feet to an iron pin; thence Westerly 792 feet to the point of beginning, and containing 10 acres, as shown by the survey Plat of J.E. Lauderdale, engineer, made about 15 years from the date of April 9, 1973.

BUT SUBJECT TO THE EXISTING EASEMENT for Swinea road on the West side of said lands. Said 10 acre tract is the same land in which Rainey Graham and wife, Willie K. Graham, created an ownership with the right of survivorship, as shown by deed dated March 13, 1968, and or record in Book 73, page 481 of the Deed of Records of Desoto County, Mississippi.

FILED
JUL 31 1985

H. G. FERGUSON, CLERK
BY _____ D. C.

This is the same property conveyed to Willie K. Graham, the decedent, from Rainey Graham by Deed of Division dated April 9, 1973 and recorded in Book 103, page 276 in the Desoto County Chancery Clerk's office.

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4. That in accordance with the law, notice to creditors was published by the administrator in the Desoto Times, a newspaper of general circulation in Desoto County, Mississippi and qualified by law to publish such notices, on the dates of JANUARY 31, 1985, FEBRUARY 7, 1985 and FEBRUARY 14, 1985, and the time within which claims might be probated against the estate has expired. There remain no outstanding claims against the estate except for possible court costs, which will be paid promptly after closing of the estate. The Administrator has waived any fee for serving as such and no estate taxes were due to have been filed with the State Tax Commission for the State of Mississippi or the Internal Revenue Service for the United States of America, and no fiduciary income taxes are due and owing.

5. The Petitioner has completed the administration of the estate and the estate should now be closed with the distribution of assets to be made to the heirs of the decedent, which consists solely of the real property described in paragraph 3 above. It would be in the best interest of all concerned to waive the first and final accounting pursuant to the Petitioner's request, since the Petitioner, as sole heir, has joined in the petition requesting this as part of the relief.

IT IS, THEREFORE, ORDERED ADJUDGED that the first and final accounting of the Administrator in this matter be and is hereby waived; the Administrator is hereby authorized to pay all accrued court costs and other expenses of administration and distribute all assets to the of the estate to the heirs of the decedent; that the Petitioner, Rainey Graham, as sole heir of the decedent under Mississippi law, is now the owner of the above described real property, formerly owned by the decedent, in fee simple, and the Clerk of this Court is hereby directed to record a copy of this decree in the Land Deed records of his office to show ownership in the Petitioner; that the Administrator, upon payment of all costs accrued in this action, shall be discharged from all duties and the Clerk of this Court shall return to the Petitioner any and all amounts deposited as bond in this matter.

SO ORDERED this the 31st day of ^{JULY}~~June~~, 1985.

Ernie Boher
 CHANCELLOR

Filed @ 3:55 P M, Aug 1, 1985
 Recorded in Book 179 Page 583
 H. G. Ferguson, Clerk