

BK 0360 PG 0167

STATE MS. - DESOTO CO.
FILED

SEP 28 11 15 AM '99

BK 360 PG 167
W.E. DAVIS CH. CLK.

WARRANTY DEED

This Deed of Conveyance is this day made by the undersigned DOROTHY K. COLLINS, hereinafter referred to as the GRANTOR, and JAMES R. SEAY, SR., hereinafter referred to as the GRANTEE, WITNESSETH THAT:

For and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid by the GRANTEES to the GRANTORS, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged by the GRANTOR, DOROTHY K. COLLINS, the GRANTOR does hereby and by these presents sell, convey, and warrant unto JAMES R. SEAY, SR., the GRANTEE, the hereinafter described real property located in DeSoto County, Mississippi, and being described as follows, to-wit:

Lot No. 1 of DOWNEN COMMERCIAL PARK, the same being located in Section 12, Township 3 South, Range 8 West, DeSoto County, Mississippi in the City of Hernando, being more particularly described as follows: BEGINNING at the intersection of the west right of way of U. S. Highway 51 (100 feet wide) and the east right of way of Old Highway 51 (50 feet wide), said point being the southeast corner of the Downen tract; thence north 3 degrees 50 minutes east 397.47 feet along the west right of way of Highway 51 to a point; thence north 1 degree 34 minutes east 96.53 feet along said highway right of way to a point; thence north 77 degrees 27 minutes west 175.76 feet to a point in the east right of way of old highway 51; thence south 16 degrees 00 minutes east 550.0 feet to the point of beginning and containing 1.0 acres, more or less. All bearings are magnetic.

The foregoing covenant of warranty is made subject to rights of ways and easements for public roads and public utilities, subdivision and zoning regulations in effect in the City of Hernando, DeSoto County, Mississippi; and to any prior reservation or conveyance of minerals of

every kind and character, including, but not limited to, oil, gas, sand and gravel in, on and under the subject property and subject to the following rights of ways, including, but not limited to, right of way in favor of Mississippi Power and Light Company, as recorded at Book 24, Page 359; and being further subject to any unrecorded rights of way or easements and any discrepancies, conflicts, encroachments or shortages in area and boundaries which a correct survey and/or physical inspection of the property would reveal.

By way of explanation, Robert M. Collins departed this life on the 19th day of May, 1998 and that attached hereto for reference is a copy of Mr. Collins' death certificate.

That by way of further explanation, the chain of title that reflects an ownership interest in Hugh W. Downen, who subsequently passed away and whose estate was probated in the Chancery Court of Tippah County, Mississippi at Cause No. 87-12. That attached hereto is a copy of the Decree Waiving Final Accounting, Authorizing Assets to be Distributed, Terminating Estate and Discharging Administratrix and Her Bondsmen.

Taxes and assessments against said property for the year 1999 shall be prorated as of the date of this deed and taxes and assessments for the year 2000 shall be the sole responsibility of the GRANTEE, and all subsequent years are hereby excepted from the foregoing covenant of warranty.

GRANTOR warrants that the property being conveyed is no part or parcel of her homestead.

Possession shall be given upon delivery of this deed.

WITNESS the signature of the GRANTORS on this the 20th day of September, 1999.

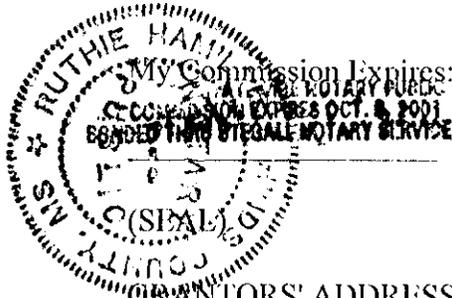
DOROTHY K. COLLINS

Dorothy K. Collins

STATE OF MISSISSIPPI
COUNTY OF Hinds

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 20th day of September, 1999, within my jurisdiction, the within named DOROTHY K. COLLINS, who acknowledged that he executed the above and foregoing instrument.

Ruthie Hammett
NOTARY PUBLIC



My Commission Expires:
OCT. 6, 2001
BONDED THROUGH LEGAL NOTARY SERVICE

GRANTORS' ADDRESS:
550 Houston Avenue, Apt. #1205
Jackson, MS
RES. TEL.: N/A
BUS. TEL.: N/A

GRANTEES' ADDRESS:
11 West Park Street
Hernando, MS 38632
RES. TEL.: (662) 429-6108
BUS. TEL.: N/A

Prepared by: KENNETH E. STOCKTON
ATTORNEY AT LAW
5 WEST COMMERCE STREET
HERNANDO, MS 38632
601-429-3469

99209

Indexing Instructions:
SE 1/4 in Section 12,
Township 3 South,
Range 8 West, DeSoto County, MS.

IN THE CHANCERY COURT OF TIPPAAH COUNTY, MISSISSIPPI

SHIRLEY DOWNEN

VS.

ADMINISTRATRIX
CAUSE NO. 87-12

ESTATE OF HUGH WATSON DOWNEN, DECEASED INTESTATE

DECREE WAIVING FINAL ACCOUNTING, AUTHORIZING ASSETS TO
BE DISTRIBUTED, TERMINATING ESTATE AND DISCHARGING
ADMINISTRATRIX AND HER BONDSMEN

BE IT REMEMBERED that this day, this cause came on for hearing on a day in Vacation of the Chancery Court of Tippah County, Mississippi, on petition of SHIRLEY DOWNEN, the duly appointed, qualified and acting Administratrix of the Estate of Hugh Watson Downen, and SHIRLEY DOWNEN, the widow of Hugh Watson Downen and his adult son, HUEY DOWNEN, and his daughter, NANCY DOWNEN, an adult, whose disabilities of minority have been removed generally and for all purposes by Order of this Court, which proceedings are filed herein, all of whom would show that they are the sole surviving heirs at law of Hugh Watson Downen, and as such the only persons entitled to share in the estate of the deceased, to Waive Final Accounting, To Authorize Disbursement of Assets, To Discharge Administratrix and her Bondsmen, and Terminate the Estate, and in support this Honorable Court finds as follows:

1.

That Notice to Creditors has been duly and lawfully given in the manner and form and for the time required by law, beginning on January 29, 1987 as shown by Proof of Publication on file herein, and that the time allowed for probating and registering claims against this Estate expired on May 12, 1987. One claim was filed against this estate by the widow, Shirley Downen, and an agreement has been reached by the heirs at law that the claim is valid with one offset and that the estate shall reimburse the widow, Shirley Downen, the sum of \$6,147.40, which represents debts, funeral expenses, court costs, taxes, etc. as itemized on the probated claim filed April 14, 1987, paid by Shirley Downen from her personal funds, LESS \$585.60

*Filed July 20, 1987
from Shirley Downen*

paid for car insurance and tags for the petitioner, Nancy Downen. This amount shall be reimbursed by the petitioner, Nancy Downen to the Estate Account from her pro-rata share of the assets. That the time for filing, probating and registering claims have long expired and if there were any other such claims, the same are now forever barred.

2.

The estate consisted of certain real and personal property located and situated in Tippah and Desoto Counties, Mississippi. The total value of which is such that there are no federal or state estate taxes due and owing.

3.

The petitioners have heretofore sold one acre of land in Desoto County, Mississippi, pursuant to Order of this Court, and the funds were deposited into an estate account at First National Bank, Ashland, Mississippi; the 1976 Ford Torino has been sold for the sum of \$450.00 to be deposited into the estate account; and a settlement has been reached with the co-petitioners to deed their respective interests to the property located in Tippah County, Mississippi, to petitioner, Shirley Downen. The petitioner, Nancy Downen, shall receive the 1985 Cavalier Chevrolet and shall assume all payments due and owing GMAC and shall reimburse the estate from her share, the sum of \$585.60 (which represents insurance paid on her car on July 14, 1986 and January 14, 1987, and her car tag) and the administratrix shall transfer the title to the petitioner, Nancy Downen. The Petitioner, Huey Downen, shall receive the 1966 Chevrolet Pickup, one gun to be selected by the Administratrix and given to him, and the items previously received by him. The administratrix shall transfer the title to Huey Downen. The Petitioner, Shirley Downen, shall receive the remainder of the personal property and the 1985 Chevrolet Celebrity, and the administratrix shall transfer title to Shirley Downen.

4.

The petitioners shall own as co-tenants the following described land and property located and situated in Desoto County, Mississippi, to-wit:

LOT NO. 2 of DOWNEN COMMERCIAL PARK, located in Section 12, Township 3 South, Range 8 West, City of Hernando, Desoto County, Mississippi, and being the balance of the property conveyed to Hugh Downen by Larry Hammons, recorded in Land Deed Book No. 127, at page 765, on January 12, 1977, and as surveyed by J. F. Lauderdale, MS. No. 2214, dated September 14, 1984, reference to both of which are made in aid hereof, containing 1.0 acre.

That the Clerk of Desoto County, Mississippi shall index a copy of the Decree of the Court as a muniment of title to said property to the co-petitioners.

5.

The petitioners acknowledged that they have been furnished a settlement sheet containing a complete report of all cash assets accumulated and a distribution of the same to be made to each of the parties herein according to their respective undivided interests; that there is no necessity for the continued administration of the estate; that each of the petitionersexpressly and unequivocably waived all formal accounting to this court, being satisfied that the settlement sheet prepared by the Administratrix contained a full and accurate disclosure of all assets belonging to this estate, and waived all accounting, notice, time, inventory, appraisement, vouchers, reports and all other formalities, of every kind, character, and description whatsoever, and agreed that this matter may be heard without further notice or process as an ex parte proceeding during any time in vacation of this Court or during a day of the regular term thereof, and further, requested that the Administratrix be authorized to make distribution to each of the petitioners herein, in accordance to their respective undivided interest as contained in the aforementioned settlement sheet.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. The recitals contained in the preamble of this Decree are hereby incorporated into and made a part of the mandate hereof as though fully copied and set out at length herein.
2. The final report in this case be and the same is hereby waived and the Administratrix's actions in these premises be and they are hereby approved and ratified.
3. That the firm of Farese, Farese, & Farese, PA., solicitors, is hereby awarded a fee in the amount of \$2,000⁰⁰ for their services rendered herein.
4. The Administratrix is hereby awarded a commission of \$1500⁰⁰ for her services rendered herein.
5. The Administratrix shall pay to Shirley Downen the sum of \$6147.40 in payment of the claim filed (which amount is less the offset to be reimbursed by Nancy Downen).
6. The Clerk of the Court is hereby directed to place a copy of this Decree on the land rolls of DeSoto County, Mississippi as a muniment of title to the properties hereinabove described.
7. The continued administration of this estate is declared to be unnecessary and upon the payment of attorney's fees, administratrix's commission, claim owed by the estate, and court costs, and the remaining funds disbursed to the heirs at law as hereinabove provided in the amount of one-third each, this estate be and the same is finally terminated and Shirley Downen, be and she is forever discharged as Administratrix and her bondsmen are hereby discharged, and this Estate finally and forever closed.

ORDERED, ADJUDGED AND DECREED, this the 20th day of July, 1987.

STATE OF MISSISSIPPI
County of Tippah

I, Daniel Shawkelford, Clerk of the Chancery Court of said county and of said County, do hereby certify that the foregoing is a true and correct copy of the original.

Given under my hand and seal of office this 3rd day of September, 1987.

DANIEL SHAWKELFORD, Chancery Clerk

BY Shirley Downen

Anthony J. Farese
CHANCELLOR

STATE OF MISSISSIPPI

PK0360PG017

MISSISSIPPI STATE DEPARTMENT OF HEALTH VITAL RECORDS

TYPE OR PRINT WITH BLACK INK

FILING DATE

NOV 09 1998

CERTIFICATE OF DEATH
STATE OF MISSISSIPPI

STATE FILE NUMBER

123- 98E09541

DECEASED

1 NAME First: Robert Middle: Monroe Last: Collins			2 SEX Male		3a HOUR OF DEATH 11:30A m		3b DATE OF DEATH (Month, Day, Year) May 19, 1998		
4 RACE (Specify White, Black, American Indian, etc.) White		5a AGE AT LAST BIRTHDAY 78 Years		5b MOS 5c DAYS 5d HOURS 5e MINS		6 DATE OF BIRTH (Month, Day, Year) Dec. 6, 1919		7a COUNTY OF DEATH Desoto	
7b CITY OR TOWN OF DEATH Hernando			7c HOSPITAL OR OTHER INSTITUTION NAME AND NUMBER (If not in either, give street address, route number or other location) 1745 Hwy 51 South			7d IF IN HOSP. OR INST. SPECIFY - INPT., OUTPT., EMER. RM OR DOA N/A		8. STATE OF BIRTH IL	
9 DECEDENT'S EDUCATION (Specify only highest grade completed) Elementary High School, College (0-12) 12 (1-4, 5-)			10 MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify) Divorced		11 SURVIVING SPOUSE (If wife, give maiden name) N/A		12 WAS DECEASED EVER IN U.S. ARMED FORCES? (Yes or No) No		
13 ORIGIN OR DESCENT (Specify Cuban, Afro-American, Mexican, etc.) American			14 SOCIAL SECURITY NUMBER 415-09-3076		15a USUAL OCCUPATION (Kind of work done, most of working life) Heavy Equipment Operator		15b KIND OF BUSINESS OR INDUSTRY F. Pearlmen & CO		
16a RESIDENCE--STATE MS		16b COUNTY Desoto		16c CITY OR TOWN Hernando		16d INSIDE CITY LIMITS (Specify Yes or No) Yes		16e STREET AND NUMBER OR RURAL LOCATION 1745 Hwy 51 South	

PARENTS

17. FATHER--NAME First: Frank Middle: Monroe Last: Collins			18 MOTHER--NAME First: Lottie Middle: Mae Maiden: Wilson		
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INFORMANT

19a INFORMANT--NAME (Type or print) Dorothy Kirk Collins		19b MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) 1745 Hwy 51 South, Hernando, MS 38632	
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DISPOSITION

20a BURIAL, CREMATION, REMOVAL (Specify) Burial		20b CEMETERY, CREMATORY--NAME Hernando Mem. Park		20c LOCATION (City and State) Hernando, MS		21a EMBALMER--SIGNATURE AND NUMBER Egon A. Buehl 25794	
21b FUNERAL HOME--NAME AND MISSISSIPPI ID NUMBER Hernando Funeral Home 17S			21c MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) 315 Loshier St, Hernando, MS 38632				

PRONOUNCEMENT

22a PERSON WHO PRONOUNCED DEATH--NAME AND TITLE (Type or print) Jeffery Pouders, Desoto CMEI		22b PRONOUNCED DEAD (Month, Day, Year) 5/21/1998		22c PRONOUNCED DEAD (Hour):15A AT ON	
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CERTIFIER

23a CERTIFIER--NAME (Type or print) Jeffery Pouders		23b MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) 4942 Pouders Rd. Nesbit, Ms. 38651			
Mississippi State Board of Health Form No. 511 Revised 1-1-89	24a To the best of my knowledge, death occurred due to the cause(s) and manner as stated SIGNATURE		24c STATE LICENSE NUMBER MD		24e On the basis of examination and/or investigation, in my opinion, death occurred due to the cause(s) and manner as stated SIGNATURE <i>Jeffery Pouders</i>
	24b DATE SIGNED (Month, Day, Year)				
	24d NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or print)		24f TITLE Desoto CMEI		
			24g DATE SIGNED (Month, Day, Year) 5/31/1998		

CAUSE OF DEATH

Conditions, if any, which gave rise to immediate cause stating the underlying cause last	25 PART I. IMMEDIATE CAUSE (Enter one cause only)			Interval between onset and death	
	(a) ASCD				
	(b) DUE TO OR AS A CONSEQUENCE OF (Enter one cause only).			Interval between onset and death	
(c) DUE TO OR AS A CONSEQUENCE OF (Enter one cause only).			Interval between onset and death		
26 PART II. OTHER SIGNIFICANT CONDITIONS- Conditions contributing to death but not resulting in the underlying cause given in PART I					
27 AUTOPSY (Yes or No) No		28 WAS CASE REFERRED TO MEDICAL EXAMINER? (Yes or No) Yes			
29a ACCIDENT, SUICIDE, HOMICIDE, PENDING INVESTIGATION, OR UNDETERMINED (Specify)		29b DATE OF INJURY (Month, Day, Year)		29c HOUR OF INJURY	
29d DESCRIBE HOW OR BY WHAT MEANS INJURY OCCURRED		29e INJURY AT WORK (Yes or No)		29f PLACE OF INJURY (Specify Home, Farm, Street, Factory, Office building, etc.)	
29g LOCATION		Street or route number		City or town State	

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE.

F. E. Thompson Jr. MD
F. E. Thompson, Jr., M.D., M.P.H.
STATE HEALTH OFFICER

Nita Cox Gunter
Nita Cox Gunter
STATE REGISTRAR

SEP 21 99

WARNING:

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