Mail

This Instrument Prepared By:
JAMES D. JORDAN
Guenther & Jordan
Suite 302, 315 Union Street
Nashville, Tennessee 37201

**AFFIDAVIT OF INHERITANCE**

STATE OF TENNESSEE )

COUNTY OF DAVIDSON )

This affidavit is made this 27TH day of May, 1988, by E. Stanley Rust and Judith Carlanna Rust Kirby, who after being duly sworn depose and say as follows:

We are the sole surviving children of Charles Edward Rust and Elizabeth Stanley Rust. The only other child born to Charles Edward Rust and Elizabeth Stanley Rust died in infancy, without issue.

Elizabeth Stanley Rust died in Davidson County, Tennessee on October 20, 1987. At the time of her death, Elizabeth Stanley Rust was unmarried, being the widow of Charles Edward Rust. Charles Edward Rust died on November 15, 1962.

At the time of her death, Elizabeth Stanley Rust was the sole owner of Unit 304 of the Deer Lake Retirement Community, which is more particularly described in the Exhibit A attached to this affidavit.

12.00

At the time of her death, Elizabeth Stanley Rust had a Last Will and Testament dated 3/11/85. A copy of the Will is attached to and made a part of this affidavit as Exhibit B. The Will names E. Stanley Rust and Judith Carlanna Rust Kirby as the sole beneficiaries of Elizabeth Stanley Rust.

The Will of Elizabeth Stanley Rust has been deposited with the Probate Clerk of Davidson County, Tennessee, as an unprobated Will. There being no reason or cause to probate the Will, we have elected to inherit from Elizabeth Stanley Rust by intestate succession. We are both the sole testamentary beneficiaries and the sole heirs-at-law of Elizabeth Stanley Rust.

There are no debts of Elizabeth Stanley Rust or claims which could be filed against the estate of Elizabeth Stanley Rust which would constitute a lien on the property described in Exhibit

A. There are no unpaid state or federal taxes (including income taxes, sales taxes, inheritance taxes, estate taxes or any other taxes) which are payable by Elizabeth Stanley Rust or the estate of Elizabeth Stanley Rust, nor is there any basis for a lien against the property described in Exhibit A by reason of any such unpaid taxes. E. STANLEY RUST AND EDWARD STANLEY RUST ARE ONE AND THE SAME PERSON.

We make this affidavit on our own personal knowledge.

Further affiants saith not.

E. Stanley Rust
E. Stanley Rust

Judith Carlanna Rust Kirby
Judith Carlanna Rust Kirby

STATE OF TENNESSEE )

COUNTY OF DAVIDSON )

Before me, a Notary Public in and for the aforesaid county, personally appeared E. Stanley Rust and Judith Carlanna Rust Kirby, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who, after being duly sworn, acknowledged the facts contained in the foregoing document to be true.

Witness my hand and seal this 27 day of May, 1988.

NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

Notary Public

My Commission Expires: 7-9-89

EXHIBIT A



Unit No. 304 in Deer Lake Retirement Community, a horizontal property regime, as shown on the Plat of Deer Lake Retirement Community recorded in Book 5050, Pages 28 and 29, and as amended in Book 5050, Pages 62 and 63, Register's Office for Davidson County, Tennessee, and described in a Master Deed recorded in Book 5097, Pages 529 through 539 and in Bylaws of Deer Lake Retirement Association, Inc., of record in Book 5141, Pages 82 through 118 of the Register's Office of Davidson County, Tennessee to which reference is hereby made. The easements, restrictive covenants, conditions and regulations imposed upon and relating to the property, apartment owners and tenants of Deer Lake Retirement Community contained in the aforesaid Master Deed, Bylaws and the Rules and Regulations adopted pursuant to the Bylaws are incorporated in this deed by reference and made a part hereof the same as though copied herein verbatim. The purchasers by acceptance hereof expressly assume and agree to be bound by and comply with all of the covenants, terms, provisions and conditions set forth in the aforesaid documents including but not limited to the obligation to pay monthly assessments for the maintenance and operation of Deer Lake Retirement Community in accordance with the Master Deed and Bylaws. The purchasers further specifically acknowledge that their right to transfer ownership of the above described apartment unit or to lease said unit is subject to certain

options and restrictions contained in the Master Deed and Bylaws.

Being the same property conveyed to Elizabeth Stanley Rust, an unmarried person, by warranty deed from Harry M. Rowland and William T. Gregg, D/B/A Retirement Housing Services of record in Deed Book 5274, Page 946, Register's Office for Davidson County, Tennessee.

IDENTIFICATION REFERENCE

MAY 27 3 36 PM '88

FELIX Z WILSON II REGISTER
DAVIDSON COUNTY, TN

3 4 7 5 9

LAST WILL AND TESTAMENT
OF
ELIZABETH STANLEY RUST

BOOK 7556 PAGE 349

I, Elizabeth Stanley Rust, of Nashville, Davidson County, Tennessee, being of sound mind and disposing memory, do hereby make and publish this my last will and testament, revoking any and all former wills made by me.

ITEM I: I direct that my Executor hereinafter named pay all of my just debts, including my funeral expenses.

ITEM II: I give, devise and bequeath all of my property of every kind and nature, both real and personal, that I may die seized and possessed of, to my children, Edward Stanley Rust, and Judith Carlanna Rust Kirby, to be theirs equally.

ITEM III: I hereby name and appoint my son, Edward Stanley Rust as Executor of this my last will and testament to serve without bond.

IN TESTIMONY WHEREOF, I have hereunto set my signature this the 11th day of March, 1985 (E.S.R.)

Elizabeth Stanley Rust
Testator

Signed by the said Elizabeth Stanley Rust as and for her last will and testament in the presence of us, the undersigned, who at her request and in her sight and presence, and in the presence of each other, have subscribed our names as attesting witnesses, on the day and date above written.

Attesting Witness

Attesting Witness

EXHIBIT B