THIS INSTRUMENT PREPARED BY: HOMER R. AYERS, Attorney at Law
Bank of Goodlettsville, Suite 201
112 Long Hollow Pike
Goodlettsville, Tennessee 37072

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AFFIDAVIT OF HEIRSHIP

STATE OF FLORIDA }
COUNTY OF BREVARD }

The undersigned, ROY E. WINN, being more than 18 years of age and sui juris, after being duly sworn, makes affidavit, under oath, as follows:

1. That I am a widower residing at 2103 Grant Place, Melbourne, Florida 32902.
2. That my wife, Mary Virginia Ellis Winn, died on June 17, 1991, at the age of 66 years, a citizen and resident of Florida.
3. That there were two (2) children born to Mary Virginia Ellis Winn during her lifetime, namely: Samuel David Winn and Ronald Roy Winn.
4. That at the time of her death, Mary Virginia Ellis Winn owned a one-fifth (1/5) undivided interest in certain real property in Davidson County, Tennessee, located at 634 Campbell Road, Madison, Tennessee 37115, the title to which property was derived from an inheritance from her parents, Sam Polk Ellis, who died intestate on November 26, 1990, and Metta G. Ellis, who died intestate on November 15, 1984, said property being more specifically and particularly described as follows, to-wit:

A certain tract or parcel of land in Davidson County, Tennessee, described according to a survey dated August 5, 1991, by James Allen Crawford, Registered Land Surveyor, Number 1455, as follows:

BEGINNING at an iron pin in the northerly margin of Campbell Road, (451 feet more or less east of the intersection of Campbell Road and Graycroft Drive), a corner to the property conveyed to Willow Brook Towers of record in Book 8337, page 665, Register's Office for Davidson County, Tennessee; thence, with the line of Willow Brook Towers North 11 deg. 41 min. 36 sec. East 280.34 feet to an iron pin in the line of the property conveyed to Claude Ferrell by deed of record in Book 5393, page 596, said Register's Office; thence, North 82 deg. 03 min. 24 sec. East 111.12 feet to a concrete monument, marking the southwest corner of the property conveyed to Billy Bracy by deed of record in Book 4621, page 354, said monument marking a corner for Primrose Acres, Section I, as shown in Plat Book 2663, page 106, said Register's Office; thence, with the line of Bracy South 80 deg. 30 min. 43 sec. East 77.28 feet to an iron pin marking the northwest corner of the property conveyed to Robert Thompson by deed of record in Book 5383, page 703, said Register's Office; thence, with the line of Thompson South 22 deg. 14 min. 18 sec. West 349.14 feet to an iron pin in the northerly margin of Campbell Road; thence, with said margin of said road North 67 deg. 28 min. 17 sec. West 120.12 feet to the point of beginning and containing 1.10 acres, more or less.

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING
UNSATISFACTORY IN THIS DOCUMENT

BEING a part of the same property conveyed to Sam Polk Ellis by Quitclaim Deed from J. Vernon Ellis, Trustee, on May 26, 1950, of record in Book 1853, page 101, Register's Office for Davidson County, Tennessee. The said Sam Polk Ellis died testate on November 26, 1990, predeceased by his wife, Metta G. Ellis a/k/a Metta M. Ellis a/k/a Metta Mai Ellis who died on November 15, 1984. At the time of his death, Sam Polk Ellis was unmarried and was survived by his children, Harrell Victor Ellis, Mary Virginia Ellis Winn, Sam Polk Ellis a/k/a Samuel Polk Ellis, Jr., Martha Gail Ellis Baker and Elizabeth Jane Ellis Thaxton a/k/a Bettye Thaxton. Mary Virginia Ellis Winn died testate on June 17, 1991, devising all of her real and personal property to her husband, Roy E. Winn. At the time of her death, Mary Virginia Ellis Winn was survived by her husband, Roy E. Winn, and two children, namely, Samuel David Winn and Ronald Roy Winn, both of whom have executed Quitclaim Deeds on the real property hereinabove described to their father, Roy E. Winn. Therefore, ownership and title to the said property is now vested in Harrell Victor Ellis, Roy E. Winn, Sam Polk Ellis, Martha Gail Ellis Baker and Elizabeth Jane Ellis Thaxton a/k/a Bettye Thaxton.

5. That Mary Virginia Ellis Winn died testate, leaving all of her estate, real, personal or mixed to the undersigned, Roy E. Winn, to be his absolutely, pursuant to a Last Will and Testament, a copy of which is attached as Exhibit A.

6. That the said Last Will and Testament of Mary Virginia Ellis Winn has not been filed for probate but that all of the debts and obligations owing by Mary Virginia Ellis Winn during her lifetime or by reason of her death, including but not limited to funeral and burial expenses, taxes and debts to general creditors have been fully paid and satisfied or will be fully paid and satisfied by the undersigned.

7. That Roy E. Winn, Samuel David Winn and Ronald Roy Winn are the only heirs at law or persons who might or could have an interest in the Estate of Mary Virginia Ellis Winn and that Samuel David Winn and Ronald Roy Winn have this date executed Quitclaim Deeds conveying any and all interest they may have in the real property hereinabove described in Davidson County, Tennessee, to Roy E. Winn.

8. That the said real property in Davidson County, Tennessee, is owned by Harrell Victor Ellis, Samuel Polk Ellis, Jr., Martha Gail Ellis Baker, Elizabeth Jane Ellis Thaxton a/k/a Bettye Thaxton and Roy E. Winn, as tenants in common, each owning a one-fifth (1/5) undivided interest.

9. That I agree to indemnify and hold harmless the purchasers of the said real property in Davidson County, Tennessee, and Commonwealth Land Title Insurance Company from any cost, expense or judgment

relating to any claim, demand or suit involving the Estate of Mary Virginia Ellis Winn, including their respective attorney fees, court costs and other litigation expenses.

WITNESS my hand on this the 13 day of August, 1991.

ROY E. WINN

Sworn to and subscribed before me on this the 13 day of Aug., 1991.

NOTARY PUBLIC

My commission Expires: My Co...

EXHIBIT A

Last Will and Testament of

MARY VIRGINIA WINN

a/k/a MARY E. WINN

THAT I, MARY VIRGINIA WINN a/k/a MARY E. WINN, of Brevard County, Florida being of sound and disposing mind and memory and being under no restraints, do make, publish and declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils by me at any time heretofore made, that is to say:

ARTICLE I

It is my wish and I hereby direct that all my just debts which I incurred during my lifetime or am otherwise legally obligated to pay at the time of my death and are not barred by any statute of limitation or other defense be paid as soon as practicable after my decease together with my funeral and administration expenses and that my body be cremated. It is also my direction that the foregoing sentence shall not be interpreted as requiring the prepayment of any mortgage, debt or other obligation owed by me at the time of my death, but not due to be paid in full at such time. My Personal Representative and any Alternate Personal Representative, who may serve, is authorized to have full power, authority, and control over my mortal remains and my funeral arrangements.

ARTICLE II

All the rest, residue and remainder of my property and estate which I own at the time of my death, whether real, personal or mixed and wheresover situate, and including all

Mary Virginia Winn

MARY VIRGINIA WINN

lapsed, disclaimed and void gifts, I hereby give, devise and bequeath unto my Husband, **ROY E. WINN**, provided he does not predecease me.

ARTICLE III

Should my said Husband, **ROY E. WINN**, predecease me, all the rest, residue and remainder of my property and estate which I own at the time of my death, whether real, personal or mixed and wheresoever situate, and including all lapsed, disclaimed and void gifts, I hereby give, devise and bequeath unto my two children, **SAMUEL DAVID WINN** and **RONALD ROY WINN**, to be equally divided between them share and share alike.

Should either my said sons predecease me leaving no children or grandchildren who survive my death, then such deceased beneficiary's portion of my estate shall lapse and instead be equally divided and given and distributed as part of the portion belonging to my other son named hereinabove in this Article. Should either of my said sons predecease me leaving one or more children, (whether they are the beneficiary's "natural" children or have been adopted), such deceased beneficiary's portion of my estate shall not lapse but shall be given to and equally divided among those of the deceased beneficiary's said children as survive my death to the exclusion of grandchildren and other descendants. Should either of the above-named beneficiaries predecease me leaving no children but leaving one or more grandchildren (whether they are the beneficiary's "natural" grandchildren or have been adopted), such deceased beneficiary's portion of my estate shall not lapse but shall be given to and equally divided

Mary Virginia Winn

MARY VIRGINIA WINN

among those of the deceased beneficiary's grandchildren as survive my death (to the exclusion of other lineal descendants).

ARTICLE IV

I hereby nominate and appoint my Husband, **ROY E. WINN, Personal Representative of this**, my Last Will and Testament, he to serve without bond. If my said Personal Representative does not survive me or fails to qualify as Personal Representative, or having qualified should die, resign or become incapacitated, then and in that event, I nominate and appoint my son, **RONALD ROY WINN**, Alternate Personal Representative, he likewise to serve without bond.

ARTICLE V

I hereby empower my Personal Representative to serve with full power and authority without any Order of Court to sell, transfer and convey all property real, personal, or mixed which is a part of my estate at such time and price and upon such terms and conditions (including credit) as my Personal Representative may deem advisable or proper for the preservation of the estate, and without Order of Court to pay expenses that are reasonable in the judgment of my Personal Representative for the delivery of gifts and to compromise, settle, or adjust any claim or demand by or against my estate and to agree to any rescission or modification of any contract or agreement, and to perform any other act or thing necessary or appropriate to the complete administration of this Will, granting my said Personal Representative any and all powers, discretions and authority conferred upon Personal

Mary Virginia Winn

MARY VIRGINIA WINN

Representatives by the laws and statutes of the State of Florida now or hereafter in force as of the date of my death. My Personal Representative is further empowered to pay all or any portion of administration expenses, debts and taxes out of income or principal and to accumulate the income of the estate for this purpose. Unless otherwise provided by this instrument, the amounts paid from income shall be charged against income, and those payments shall require no reimbursements or adjustment of the accounts of the estate or of the shares that the beneficiaries shall be entitled to receive in income or principal. All powers and discretions granted by this Article of my Will unto my Personal Representative shall be exercisable by and I hereby grant unto my Alternate Personal Representative named herein.

My Personal Representative shall not be liable for damage or loss caused by honest errors of judgment made by my Personal Representative, my Personal Represenative's agents or employees, or by any good faith exercise of the discretions given to my Personal Representative. To the extent allowable under the laws of the State of Florida, I direct that I only expect my Personal Representative to act in such manner as is reasonable and equitable in view of the interest of the beneficiaries and the manner in which men of ordinary prudence would act in the management of the property of another. The provisions of this paragraph shall also apply to any Alternate Personal Representative.

Mary Virginia Winn

MARY VIRGINIA WINN

ARTICLE VI

Although my husband and I are executing our Wills at about the same time, they are not intended to be and shall not be construed to be contractual even though certain provisions are reciprocal. Each Will shall be subject to revocation by its maker.

Mary Virginia Winn

MARY VIRGINIA WINN

IN TESTIMONY WHEREOF, I, MA GINIA WINN, have to this my Last Will and Testament, conta n six (6) sheets of paper to each sheet thereof, subscribed ame and to this, the last sheet thereof I have subscribed my this 26th day of May, 1989.

Mary Virginia Winn

MARY VIRGINIA WINN

The foregoing instrument consisting of six (6) p s including this page, was at the date hereof, signed, sealed, published and declared by **MARY VIRGINIA WINN** to be her Last Will and Testament, in the presence of us the undersigned, who at her request and in her sight and presence, and the sight and presence of each other, have also seen the said Testatrix's name written by her at the bottom of the preceding pages thereof.

Robert L. Lawrence, Jr. — Melbourne, Florida

Delbert L. Linden — Palm Bay, FL

41505

AUG 26 8 24 AM '91

MAIL ENV.

RECORDER'S NOTICE
Legibility of Writing, Typing or Printing in This Document Unsatisfactory When Received

[redacted]

STATE OF FLORIDA

COUNTY OF BREVARD

We, **MARY VIRGINIA WINN**, **Deborah L. Nordin** and **Richard A. Lawrence, Jr.**, the Testatrix and the Witnesses, respectively, whose names are signed to the attached or foregoing instrument, having been sworn, declared to the undersigned officer that the Testatrix in the presence of witnesses, signed and that each of the witnesses in the presence of the Testatrix, and in the presence of each other, signed the Will as a Witness.

Mary Virginia Winn

MARY VIRGINIA WINN

Richard A. Lawrence, Jr.

RICHARD A. LAWRENCE, JR.

Deborah L. Nordin

DEBORAH L. NORDIN

Subscribed and sworn to before me by, **MARY VIRGINIA WINN**, the Testatrix, and by **Deborah L. Nordin** and **Richard A. Lawrence, Jr.**, the Witnesses, on the 26th day of May, 1989.

Pamela A. Mills

Notary Public

(Notarial Seal)

My Commission Expires:

NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES SEPT. 26, 1992
BONDED THRU TROY FAIN INSURANCE, INC.

STATE OF FLORIDA, COUNTY OF BREVARD
I HEREBY CERTIFY that the above and foregoing is a true
copy of the original presented at the Melbo[redacted]

[redacted]