# AFFIDAVIT OF HEIRSHIP/INHERITANCE

(Executed pursuant to T.C.A. Section 30-2-712, et. seq.)

FROM: J. S. Wheeler, Jr. a/k/a John S. Wheeler, Jr. (dec'd) and wife, Mazell Wheeler (dec'd) a/k/a Mazele Wheeler

TO: Billy Joe Wheeler and John Wayne Wheeler

RE: 4062 Lavergne-Couchville Road, Antioch, Tennessee
Property Tax Map 165, Parcel 23

A tract of land lying in the 2nd, formerly the 3rd, Civil District of Davidson County, Tennessee, described as follows:

Beginning in the center of the Charlton or Lavergne Road, at a point, the northeast corner of George Seats Land; thence with his line, North 87 3/4 degrees West 643 1/2 feet to his northwest corner in Jim Woods east boundary line; thence with said line, North 4 1/4 degrees East 607.2 feet to a stone, the southwest corner of George Duffle's Land; thence with his southerly line, South 88 degrees East 681.45 feet to his southeast corner; thence with his easterly line, North 4 degrees East 392.4 feet to the southwest corner of a 2.96 acre tract of land; thence South 49 degrees East 187 feet; thence North 13 degrees East 161 feet; thence North 6 degrees East 221 feet to the southwest corner of the property conveyed to Bennie Briggs Lusk by deed from Harry Warnick and wife, of record in Book 1514, Page 334, Register's Office for Davidson County, Tennessee; thence with Lusk's southerly line, South 79 degrees 15 minutes East 628.9 feet to John Griffin's, formerly J. G. Gotto's westerly line; thence with said line, South 12 degrees 15 minutes West 125.4 feet to the center of the Charlton or Lavergne Road; thence with the center of Charlton or Lavergne Road as follows: South 44 1/2 degrees West 198 feet, South 34 degrees West 396 feet, South 44 1/2 degrees West 198 feet, South 31 degrees West 165 feet, South 47 1/2 degrees West 429 feet to the beginning, containing 21.02 acres, more or less.

INCUDING BUT EXCLUDING THE FOLLOWING:
Lot No. 1 on the Map of the Harry Warnick property conveyed to John Wallace Painter and wife, by deed from Harry Warnick and wife, of record in Book 1583, page 37, and Lot Nos. 2 and 3 on said Map conveyed to J. W. Singleton, by deed from Harry Warnick and wife, of record in Book 1632, Page 322, said Register's Office and property conveyed to George L. Troupe, Jr. and wife, by deed from Harry Warnick and wife, of record in Book 1637, Page 313, Register's Office for Davidson County, Tennessee, and Lot Nos. 4 and 5 on said map conveyed to J. S. Wheeler, Jr. and wife, by deed from Harry Warnick and wife, of record in Book 1680, Page 328, Register's Office for Davidson County, Tennessee.

BEING THE SAME property conveyed to J. S. Wheeler, Jr. and wife, Mazell Wheeler by deed from Harry Warnick and wife, Lucille Warnick, of record in Book 2039, Page 91, said Register's Office, and also being the same property now divided into 4 Tracts (according to survey by J. Bruce Rainey, Surveyor #823, dated August 16, 1991 and revised September 5, 1991 and known as Job No: 910235) and deeded as such. Said (warranty) deeds are to be recorded soon after this instrument.

AFFIANTS, being duly sworn according to law, do hereby depose, state and say that:

1. Affiant Billy Joe Wheeler, is of lawful age, and presently resides (and has for the past few years) at 1301 Hickory Park Court Antioch, Davidson County, Tennessee 37013, with his wife, Donna Faye Wheeler. Billy Joe Wheeler personally knew the decedents John S. Wheeler, Jr. and wife, Mazell Wheeler, and has personal knowledge of the facts herein stated and of this family by reason of being a son of John S. Wheeler, Jr. and wife, Mazell Wheeler.

2. Affiant John Wayne Wheeler is of lawful age, and presently resides at 5353 Cane Ridge Road Apartment 1205, Antioch Davidson County, Tennessee 37013. [Previously, he resided at 4062 LaVergne Couchville Pike, Antioch, Davidson County, Tennessee 37013.] John Wayne Wheeler personally knew the decedents, John S. Wheeler, Jr., and wife, Mazell Wheeler, and has personal knowledge of the facts herein stated and of this family by reason of being a son of John S. Wheeler, Jr., and wife, Mazell Wheeler.

3. Affiant Donald R. Griffin, is of lawful age, and presently resides (and has for many years) at 4094 LaVergne Couchville Pike, Antioch, Davidson County, Tennessee. Donald R. Griffin personally knew the decedents, John S. Wheeler, Jr. and wife, Mazell Wheeler, and has personal knowledge of the facts herein stated and of this family of by reason of being a neighbor and friend to them for more than 40 years. Affiant, Donald R. Griffin, makes oath as to the following paragraphs 5, 6, 7 and 8 to the best of his knowledge, information and belief.

4. J. S. Wheeler, Jr. and wife, Mazell Wheeler, acquired fee simple title to the above-described property from by deed from Harry Warnick and wife, Lucille Warnick of record in Book 2039, Page 91, said Register's Office. J. S. Wheeler, Jr. and John S. Wheeler, Jr. was one and the same person. Mazell Wheeler and Mazele Wheeler was one and the same person.

5. J. S. Wheeler, Jr. died intestate on April 10, 1954, in Davidson County, Tennessee where he had resided for several years prior to his death (see the copy of the death notice attached hereto as Exhibit "A", and hereby incorporated by reference). The decedent, J. S. Wheeler, Jr. was survived by his wife and widow, Mazell Wheeler, who acquired said real property by survivorship as surviving tenant by the entirety. J. S. Wheeler, Jr. and wife, Mazell Wheeler were continuously married until his death, from March 11, 1952 to April 10, 1954.

6. There were two children born from the marriage of J. S. Wheeler, Jr., and wife Mazell Wheeler, namely Billy Joe Wheeler and John Wayne Wheeler. Neither Mazell Wheeler nor J. S. Wheeler, Jr. had any other children, adopted or otherwise. J. S. Wheeler, Jr. was only married once; Mazell Wheeler was only married once.

7. The said Mazell Wheeler died intestate on February 18, 1991 (see the certificate of death, a copy of which is attached hereto as Exhibit "B", and is hereby incorporated by reference). She resided in Davidson County, Tennessee for many years prior to her death. The said Mazell Wheeler never remarried after the death of her husband, the said J. S. Wheeler, Jr.; she was unmarried at the time of her death.

8. The real property (described herein) of the decedent(s), J. S. Wheeler, Jr. and wife, Mazell Wheeler, passed to their heirs at law and issue, namely Billy Joe Wheeler and John Wayne Wheeler, under the Tennessee state laws of descent and distribution concerning intestate succession.

9. There are no unpaid debts nor taxes due upon the estates of the deceased. Attached hereto as Exhibit "C", and hereby incorporated by reference, is a copy of the paid funeral and burial bills of Mazell Wheeler deceased. Attached hereto as Exhibit "D", and hereby incorporated by reference, is a copy of the State of Tennessee Department of Revenue non-taxable certificate for Mazell Wheeler, deceased.

10. The parties and affiants join in the execution of this instrument for the purposes of stating that the above facts are true and for the purpose of inducing the issuance of title insurance on the above-referenced property.

11. Affiants Billy Joe Wheeler and John Wayne Wheeler will, and do hereby agree to save, hold harmless and indemnify Lawyers Title Insurance Corporation from any loss or expense (specifically including, but not limited to, court costs and attorneys fees) arising by reason of claims (whether valid or not) against said Estates of J. S. Wheeler, Jr. and/or Mazell Wheeler, both deceased.

FURTHER, Affiants saith not. BUT NOT AS TO DONALD R GRIFFIN

WITNESS OUR HANDS this the 12TH day of September, 1991, at office in said State and County. J.W.W.

Billy Joe Wheeler
BILLY JOE WHEELER

John Wayne Wheeler
JOHN WAYNE WHEELER

X Donald R. Griffin
DONALD R. GRIFFIN

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Billy Joe Wheeler, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Brentwood, Tennessee on this day; Subscribed and sworn to before me, the undersigned Notary Public on this the 12TH day of September, 1991.

David Coffman
Notary Public

NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

My commission expires: 5/22/93.

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named John Wayne Wheeler, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Brentwood, Tennessee on this day; Subscribed and sworn to before me, the undersigned Notary Public on this the 12TH day of September, 1991.

David Coffman
Notary Public

NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

My commission expires: 5/22/93.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Donald R. Griffin, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, on this day; Subscribed and sworn to before me, the undersigned Notary Public on this the 12th day of September, 1991.

Notary Public

My commission expires: 3-3-1992

This instrument was prepared by:
DAVID COLEMAN, Attorney
9000 East Church Street B-102
Brentwood, TN 37027

## Mrs. Mazell Wheeler

Services for Mrs. Mazell Climer Wheeler, 70, La Vergne Couchville Pike in Antioch, who died at home Monday, are scheduled for 1 p.m. Thursday at Woodfin Chapel in Smyrna, with burial in Mapleview Cemetery. Jack Bailey will officiate.

A native of Macon County, her parents were the late Stanton and Bessie Dycus Climer.

Her husband, the late John Wheeler, died in 1954.

She is survived by two sons, John Wayne Wheeler and Billy J. Wheeler, both of Antioch; a daughter-in-law, Donna Wheeler of Antioch; six sisters, Pauline Hesson, Nell Bailey, Elise Ryan, Ruby Jocobs, all of Murfreesboro, Mildred Redlich of Delaware, Josie Sage of California; a brother, Frank Climer of New Jersey; a granddaughter, Marina Warren of La Vergne and a great-granddaughter, Amber Rose Warren of La Vergne.

A member of the Church of Christ, she was a retired employee of Mays Hosiery Mill in Nashville after 37 years service.

Pallbearers will be Greg Bailey, Gary Bailey, Tim Page, Jason Page, Terry Ryan, Jerry Hesson, Cleve Jacobs, James Climer, Glen Climer, Ronnie Climer and Gary Ferrell.

Visitation with the family will be held from 4 to 9 p.m. today at Woodfin Chapel.

EXHIBIT A

*Metropolitan Government of Nashville and Davidson County*

**Bill Boner, Mayor**

METROPOLITAN HEALTH DEPARTMENT
311 23rd AVENUE, NORTH
NASHVILLE, TENNESSEE 37203
(615) 327-9313

MAR -8 1991

**This is to certify that this is a true and correct copy of the record filed with the Tennessee Department of Public Health, Vital Records, by the Metropolitan Health Department of Nashville and Davidson County.**

Freda S. Wad ley, M.D.
LOCAL REGISTRAR

**This is valid only when the seal of the Metropolitan Health Department of Nashville and Davidson County is affixed.**

149 C

TYPE/PRINT IN PERMANENT BLACK INK FOR INSTRUCTIONS SEE HANDBOOK

9101005

TENNESSEE DEPARTMENT OF HEALTH AND ENVIRONMENT
**CERTIFICATE OF DEATH**
STATE FILE NUMBER

**DECEDENT**

1. DECEDENT'S NAME (First, Middle, Last): MAZELL (NMN) WHEELER
2. SEX: F
3. DATE OF DEATH (Month, Day, Year): 2-18-1991
4. SOCIAL SECURITY NUMBER (If Deceased): [redacted]-2397
5a. AGE – LAST BIRTHDAY (Years): 70
5b. UNDER 1 YEAR – MOS. / 5c. UNDER 1 DAY – HOURS, MIN.
6. DATE OF BIRTH (Month, Day, Year): 3-28-1920
7. BIRTHPLACE (City and State or Foreign Country): MACON CO., TN.
8. WAS DECEDENT EVER IN U.S. ARMED FORCES? 1 [ ] Yes 2 [X] No
9a. PLACE OF DEATH (Check only one): HOSPITAL: 1 [ ] Inpatient 2 [ ] ER/Outpatient 3 [X] DOA; OTHER: 4 [ ] Nursing Home 5 [ ] Residence 6 [ ] Other (Specify)
9b. FACILITY NAME (If not institution, give street and number): Metro General Hospital
9c. CITY, TOWN, OR LOCATION OF DEATH: Nashville
9d. COUNTY OF DEATH: Davidson
10. MARITAL STATUS – Married, Never Married, Widowed, Divorced (Specify): WIDOWED
11. SURVIVING SPOUSE (If wife, give maiden name): NONE
12a. DECEDENT'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired): PRODUCTION WORKER
12b. KIND OF BUSINESS/INDUSTRY: HOSIERY MILL
13a. RESIDENCE – STATE: TN.
13b. COUNTY: DAVIDSON
13c. CITY, TOWN OR LOCATION: ANTIOCH
13d. STREET AND NUMBER OR RURAL LOCATION: 4062 LAVERGNE COUCHVILLE PK.
CENSUS TRACT: 3
13e. INSIDE CITY LIMITS? 1 [ ] Yes 2 [ ] No
13f. ZIP CODE: 37013
14. WAS DECEDENT OF HISPANIC ORIGIN? (Specify Yes or No – If yes, specify Cuban, Mexican, Puerto Rican, etc.) [ ] Yes [X] No. Specify, if yes:
15. RACE – American Indian, Black, White, etc. (Specify): WHITE
16. DECEDENT'S EDUCATION (Specify only highest grade completed): Elementary/Secondary (0-12): 6; College (1-4 or 5+):

NAME OF DECEDENT: For use by physician or institution

**PARENTS**

17. FATHER'S NAME (First, Middle, Last): STANTON CLIMER
18. MOTHER'S NAME (First, Middle, Maiden Surname): BESSIE DYCUS

**INFORMANT**

19a. INFORMANT'S NAME (Type/Print): BILLY J. WHEELER
19b. RELATIONSHIP TO DECEASED: SON
19c. MAILING ADDRESS (Street and Number or Rural Route Number, City or Town, State, Zip Code): 1301 HICKORY PARK CT., ANTIOCH, TN. 37013

**DISPOSITION**

20a. METHOD OF DISPOSITION: 1 [X] Burial 2 [ ] Cremation 3 [ ] Removal from State 4 [ ] Donation 5 [ ] Other (Specify)
20b. PLACE OF DISPOSITION (Name of cemetery, crematory, or other place): MAPLEVIEW CEMETERY
20c. LOCATION – City or Town, State: SMYRNA, TN.
21a. SIGNATURE OF FUNERAL DIRECTOR: Donnie L. Gordy
21b. LICENSE NUMBER OF FUNERAL DIRECTOR: 3645
21c. SIGNATURE OF EMBALMER: Donnie L. Gordy
21d. LICENSE NUMBER OF EMBALMER: 3871
22a. NAME AND ADDRESS OF FUNERAL HOME: WOODFIN FUNERAL CHAPEL, INC. P.O. BOX 636, MURFREESBORO, TN. 37130
22b. LICENSE NUMBER OF FUNERAL HOME: 179

BOOK 8443 PAGE 281

**REGISTRAR**

23. REGISTRAR'S SIGNATURE: Mary C. Penticost
24. DATE FILED (Month, Day, Year): March 7, 1991

**CERTIFIER**

25a. PHYSICIAN – To the best of my knowledge, death occurred at the time, date and place, and due to the cause(s) and manner as stated. 1 [ ] SIGNATURE AND TITLE OF PHYSICIAN
25b. LICENSE NUMBER
25c. DATE SIGNED (Month, Day, Year)
26a. MEDICAL EXAMINER – On the basis of examination and/or investigation, in my opinion, death occurred at the time, and place, and due to the cause(s) and manner as stated. 2 [X] SIGNATURE AND TITLE OF MEDICAL EXAMINER: Charles W. Harlan, M.D.
26b. LICENSE NUMBER: 7778
26c. DATE SIGNED (Month, Day, Year): 2/26/91
27. NAME AND ADDRESS OF CERTIFIER (PHYSICIAN OR MEDICAL EXAMINER) (Type/Print): Charles W. Harlan, M.D. 84 Hermitage Ave.,Nashville, TN 37210-2110

PHYSICIAN OR MEDICAL EXAMINER EXECUTING CERTIFICATE MUST COMPLETE AND SIGN MEDICAL CERTIFICATION WITHIN 48 HOURS.

**CAUSE OF DEATH**

28. PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line.

| | | Approximate Interval Between Onset and Death |
|---|---|---|
| IMMEDIATE CAUSE (Final disease or condition resulting in death) → a. | ARTERIOSCLEROTIC CARDIOVASCULAR DISEASE | |
| DUE TO (OR AS A CONSEQUENCE OF) | | |
| Sequentially list conditions, if any, leading to immediate cause. Enter UNDERLYING CAUSE (Disease or injury that initiated events resulting in death) LAST. b. | | |
| DUE TO (OR AS A CONSEQUENCE OF) | | |
| c. | | |
| DUE TO (OR AS A CONSEQUENCE OF) | | |
| d. | | |

SEE INSTRUCTIONS ON OTHER SIDE

PART II. Other significant conditions contributing to death but not resulting in the underlying cause given in Part I

28a. WAS AN AUTOPSY PERFORMED? 1 [ ] Yes 2 [X] No
28b. WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH? 1 [ ] Yes 2 [ ] No

30. MANNER OF DEATH: 1 [X] Natural 2 [ ] Accident 3 [ ] Suicide 4 [ ] Homicide 5 [ ] Pending Investigation 6 [ ] Could not be Determined
31a. DATE OF INJURY (Month, Day, Year)
31b. TIME OF INJURY M
31c. INJURY AT WORK? 1 [ ] Yes 2 [ ] No
31d. DESCRIBE HOW INJURY OCCURRED
31a. PLACE OF INJURY – At home, farm, street, factory, office building, etc. (Specify)
31f. LOCATION (Street and Number or Rural Route Number, City or Town, State)

BIRTH NO.

PH-1659
REV 1/89

202-06-002 (Rev. 10/89)

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

EXHIBIT B

[redacted]

# Woodfin Funeral Chapels

915 NORTH TENNESSEE BLVD. P.O. BOX 636 MURFREESBORO, TENNESSEE 37133-0636

February 21, 1991

BOOK 8443 PAGE 282

Mrs. Mazell Climber Wheeler

| | |
|---|---|
| Our traditional service includes removal of remains, embalming, other care of the body, professional staff services, directing the funeral, visitation, graveside service, basic use of the facilities, use of the chapel, family room, hearse, flower van and service car, acknowledgement cards and register, and administrative service. | $1635.00 |
| Casket, Batesville 18 ga. Tuscany | 1750.00 |
| Vault, Clark 12 ga. Standard | 850.00 |
| | $4235.00 |
| Cash Accommodations: | |
| Newspaper | 61.20 |
| Death certificates, 3 | 15.00 |
| Cemetery equipment | 100.00 |
| Opening and closing grave | 200.00 |
| Sales Tax | 162.75 |
| | $4773.95 |

Paid in Full
3-19-91
D. A. Taylor



Woodfin Memorial Chapel • Murfreesboro • (615)893-5151

National Selected Morticians

NSM

Member by Invitation



Woodfin Chapel • Smyrna • (615)459-3254

EXHIBIT C

TENNESSEE DEPARTMENT OF REVENUE

**NON-TAXABLE CERTIFICATE**

**NT 30603**

MR. BILLY J. WHEELER
ESTATE REPRESENTATIVE

BOOK 8443 PAGE 283

ACCT. NO. 91-05029

To MR. BILLY J. WHEELER
1301 HICKORY PARK CT.
ANTIOCH, TN 37013

Estate of:
WHEELER, MAZELL CLIMER
DAVIDSON (19)
02/18/91

**THIS IS TO CERTIFY that a sworn Return for Inheritance Tax has been filed with this Department by the duly qualified representative of the above named Estate; that investigation has been made of the values placed upon all forms of property set out in the Schedules filed with said Return and found to be correctly appraised, and that, after allowing all lawful debts and other deductions and the statutory exemption applicable thereto, it was ascertained that said Estate was not subject to tax, hence no assessment was made thereon.**

**As provided in Section 67-8-420, Tennessee Code, this certificate shall be authority for the Probate Court of the County wherein said Estate was administered to permit a final settlement or accounting by the aforesaid representative.**

**This, the** 29th **day of** May, **19** 91.

**COMMISSIONER OF REVENUE**

**By** Jerry Davis
**Director of Miscellaneous Tax Division**

RV-0194 (REV. 5-88)

06-002-090

47172

INHERITANCE

SEP 16 12 38 PM '91

1182 09/16 0101 03CHECK 24.00

EXHIBIT D