THIS INSTRUMENT PREPARED BY:
CLEMENT & GIBSON
Suite 600
200 Fourth Avenue, North
Nashville, TN 37219

BOOK 8994 PAGE 580

AFFIDAVIT OF OWNERSHIP

Frank Gray Hayes and David Britton Hayes, being first duly sworn, hereby depose and say as follows:

1. Their aunt, Nellie Ruth Hayes Griffin (hereinafter "Decedent") died on the 30th day of July, 1989 at the age of eighty (80) years and that upon her death, her Last Will and Testament was entered in the Probate Court for Davidson County, Tennessee, under Docket No. 79720.

2. Pursuant to the Last Will and Testament, a copy of which is attached hereto as Exhibit "A", Decedent directed that her entire estate pass to the undersigned equally, share and share alike, upon the death of Carl Gray Hayes.

3. Decedent owned certain real property located in Davidson County, Tennessee, known as 1405 Harwood Drive, Nashville, Tennessee, 37206, and further described according to Exhibit "B" attached hereto and incorporated herein by reference.

4. Carl Gray Hayes died on the 28th day of June, 1992, and pursuant to Decedent's Last Will and Testament, the undersigned are now the sole owners of the real property described above.

5. It is the purpose of this Affidavit to outline ownership of the property previously owned by Decedent and held in trust for Carl Gray Hayes, which is now owned equally by the undersigned as Tenants in Common.

Further the Affiants saith not.

Frank Gray Hayes

David Britton Hayes

34772
IDENTIF. ↑ REFERENCE

93 JUN 28 AM 9:36
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

PICK-UP

2433 06/28 0101 01CASH 24.00

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared Frank Gray Hayes, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the foregoing instrument for the purposes therein contained.

Witness my hand and official seal at office, this 9 day of June, 1993.

Robbie J. Hargett
Notary Public

My Commission Expires: 5/24/97

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared David Britton Hayes, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the foregoing instrument for the purposes therein contained.

Witness my hand and official seal at office, this 9 day of June, 1993.

Robbie J. Hargett
Notary Public

My Commission Expires: 5/24/97

EXHIBIT "A"

LAST WILL AND TESTAMENT

BOOK 8994 PAGE 582

I, NELLIE RUTH HAYES GRIFFIN, of the City of Nashville, County of Davidson and State of Tennessee, being of sound mind and disposing memory, do make, publish and declare this to be my Last Will and Testament, hereby revoking all wills and codicils at any time by me heretofore made.

FIRST: I direct that all my just debts, funeral expenses, expenses of administration and all taxes that may be chargeable to my estate, including state inheritance taxes, be paid by my Executor, hereinafter named, as soon as conveniently may be after my death, before any distribution be made hereunder.

SECOND: I give, devise and bequeath all the rest, residue and remainder of my estate of whatsoever kind and character and wheresoever situated, real, personal or mixed, including any void or lapsed gifts, to my Trustee, hereinafter named, IN TRUST NEVERTHELESS for the use and benefit of my brother, Carl Gray Hayes, upon the following trusts and conditions:

> The Trustee will hold, manage, invest and reinvest the trust funds, will collect the income and will pay over the net income of the trust to my said brother, Carl Gray Hayes, at least semi-annually during his lifetime. The Trustee will further pay over to may said brother so much or all of the principal of the trust as the Trustee shall deem necessary for his support and general welfare, taking into consideration other funds of my said brother available for said purposes. In the event my said brother should become unable to conduct business for himself, the Trustee may pay over such funds to the persons or firms rendering necessary services for his use and benefit.
>
> Upon the death of said Carl Gray Hayes, if he survives me, otherwise following my death, the Trustee will pay over the entire principal of the trust and all income accumulated thereon to my nephews Frank Gray Hayes and David Britton Hayes, equally, share and share alike, or the survivor.

 Nellie Ruth Hayes Griffin

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

THIRD: I nominate, constitute and appoint my nephew, Frank Gray Hayes, sole Executor of this my Last Will and Testament, and sole Trustee of the testimentary trust herein created. If he shall fail to qualify or cease to act as Executor or as Trustee hereunder, I appoint my nephew, David Britton Hayes, as Executor and Trustee in his name, place and stead.

I direct that no Executor or Trustee hereunder shall be required to give any bond, and that if, notwithstanding this direction, any bond is required by any law, statute or rule of court, no sureties be required thereon.

IN WITNESS WHEREOF, I, Nellie Ruth Hayes Griffin, have to this my Last Will and Testament subscribed my name this 14 day of February, 1983.

Nellie Ruth Hayes Griffin
Nellie Ruth Hayes Griffin

Subscribed by the Testatrix in the presence of us and each of us, and at the same time published, declared and acknowledged by her to us to be her Last Will and Testament, and thereupon we, at the request of the said Testatrix, and in her presence and in the presence of each other, hereunto have subscribed our names as witnesses this 14th day of February, 1983.

Claude Callicott
Hudson M. Fisher Jr.
Attesting Witnesses

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

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

AFFIANTS, being first duly sworn, make oath as follows: On the 14th day of February, 1983, we subscribed our names as attesting witnesses to the Will of Nellie Ruth Hayes Criffin, at her request and in her sight and presence and in the sight and presence of each other. Said Will was executed by the Testatrix in our presence. We consider her to be of sound mind at the time said Will was executed, and she was more than eighteen (18) years of age, and that each of the attesting witnesses is more than eighteen (18) years of age. This affidavit is attached to the original Will.

Clayne McCulloch

Hunter M. Fisher, Jr.

SWORN TO and subscribed before me this 14th day of February, 1983.

Notary Public

My Commission Expires: 10/21/84

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

EXHIBIT "B"

A certain tract or parcel of land in Davidson County, Tennessee, described as follows:

Being Lot No. 11 on the Map of Porter Heights, Part Four, as of record in Book 1424, page 103, Register's Office for said County.

Said Lot No. 11 fronts 65 feet on the east side of Harwood Drive and runs back between lines 199.3 feet on the north line and 198.6 feet on the south line to a dead line in the rear on which it measures 65 feet.

Being the same property conveyed to Nellie R. Hayes, single (being one and the same person as Nellie Ruth Hayes Griffin), by deed from T. B. Martin and wife, Irene Y. Martin, of record in Book 1783, page 339, Register's Office for Davidson County, Tennessee.