ADDRESS NEW OWNER (S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
Michael Lee Berkley	Mrs. F. Scott Kefauver	Map 083-06
(NAME:) 2304 Weona Dr.	(NAME:) 231 Green Harbor Rd #8	Par 182
(STREET ADDRESS OR ROUTE NUMBER) Nashville, TN 37214	(STREET ADDRESS) Old Hickory, TN 37138	27W15800
(CITY) (P. O. ZONE) (STATE)	(CITY) (ZONE) (STATE)	

This instrument was prepared by:
Jno. B. Cobb, Jr., Attorney
P.O. Box 150345
Nashville, TN 37215

SEE EXHIBIT "A"

REGISTER: Index pursuant to the provisions of TCA 30-2-712:

J. T. KELLY and wife,
NETTIE MAI KELLY (both deceased)

TO

MICHAEL LEE BERKELY

BOOK 9219 PAGE 613

AFFIDAVIT OF HEIRSHIP

I, JACQUELINE MITCHELL KELLY, (now KEFAUVER), a resident and citizen of Tennessee, residing at No. 8, 231 Green Harbor Road, Old Hickory, Tennessee, 37138, pursuant to the provisions of Tennessee, Code Annotated, Section 30-2-712, et seq., after having been duly sworn according to law, depose and say:

I

There are no persons living today who were alive at the time of the earliest events mentioned in this affidavit and who could upon personal knowledge attest to them, Affiant being, so far as she knows the only one available to attest to early events in her life; thus this affidavit is, of a necessity, self serving, but clearly subject to all of the penalties prescribed by the referenced statutes.

II

By an instrument of record in Book 919, page 65, Register's Office for Davidson County, Tennessee, United Realty Company conveyed to J.T. Kelly and wife, Nettie Mai Kelly, the following described tract or parcel of land in said County, to-wit:

> Land in Davidson County, Tennessee, being parts of Lots No. 14 and 19 on the Plan of Part of First Subdivision of Brownsville, as of record in Book 21, page 112, Register's Office for Daavidson County, Tennessee, described as follows:
>
> Beginning at the southeasterly corner of Benjamin (formerly Locke) Street and Gentry Avenue, being the southwesterly corner of Lot No. 19; thence with the southerly margin of Benjamin Street, eastwardly 50 feet to a point; thence southwardly along a line parallel to Gentry Avenue, 150 feet to a point; thence westwardly along a line parallel to Benjamin Street, 50 feet to a point in the easterly margin of Gentry Avenue; thence with the easterly margin of Gentry Avenue, northwardly 150 feet to the point of beginning.
>
> Being the same property conveyed to J.T. Kelly and wife, Nettie Mai Kelly, by deed from United Realty Company of record in Book 919, page 65, Register's Office for said County.
>
> (improved property-2018 Benjamin St., Nashville,37206)

III

Both J.T. (James Thomas) Kelly (Sr) and his wife, Nettie Mai Kelly, died intestate in Nashville, Tennessee, in about the year 1935, the only marriage for each of them, survived by a son, James Thomas Kelly, Jr., the only child of their marriage.

IV

The aforesaid James Thomas Kelly, Jr. was married to Affiant, then known as Jacqueline Mitchell, in November, 1941.

V

James Thomas Kelly, Jr. was killed in an accident while working for Tennessee Central Railroad, dying intestate, May 1, 1942, survived by his widow, Jacqueline Mitchell Kelly, the Affiant, and an unborn child later born on October 16, 1942, and named Jimmie Louise Kelly, a pretermitted daughter.

VI

Affiant, Jacqueline Mitchell Kelly (now Kefa uver) remarried in November, 1947, and had a son, Michael Lee Berkley, born January 26, 1953.

VII

The said daughter, Jimmie Louise Kelly, was hit by a train and killed in 1957, and was survived by her mother, the Affiant, and the said half-brother, Michael Lee Berkley, there being no other brothers and sisters by either the whole or the half-blood.

VIII

By Decree of the County Court of Davidson County, Tennessee, recorded on April 15, 1943, Rule No. 94507, Re: James T. Kelly, Jr., Deceased, Affiant was awarded homestead in a portion of the within described land.

IX

Affiant, now known as Jacqueline Mitchell Kefauver, further saith not.

WITNESS my signature this the 16 day of December, 1993.

Jacqueline Mitchell Kefauver

Jacqueline Mitchell Kefauver

Subscribed and sworn to before me,
this the 16 day of December, 1993.

Linda S. McAdams

NOTARY PUBLIC

My Commission expires: 5-24-97



STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

BOOK 9210 PAGE 615

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named JACQUELINE MITCHELL KEFAUVER, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrumentfor the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this the 16 day of December, 1993.

Glenda S McAdams
Notary Public

My Commission expires: 5-24-97

STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

04185
IDENTIF. ← REFERENCE

94 JAN -5 AM 10:31

FELIX ZANDLER REGISTER
DAVIDSON COUNTY, TN.

6025 01/05 0101 01CASH 20.00

EXHIBIT "A" TO AFFIDAVIT

JNO. B. COBB, JR.
ATTORNEY AT LAW
2200 ABBOTT MARTIN ROAD
P. O. BOX 150345
NASHVILLE, TENNESSEE 37215

TELEPHONE
(615) 383-4237

January 4, 1994

Mrs. F. Scott Kefauver
231 Green Harbor Road # 8
Old Hickory, Tenn. 37138

BOOK 9219 PAGE 616

Re: Opinion of title
2018 Benjamin Stret, Nashville, Tenn.

Dear Mrs. Kefauver:

Upon an examination of the facts stated in the Affidavit of Heirship dated December 16, 1993, to which this opinion is attached, I submit the following opinion:

The premises described in the attached affidavit were conveyed to J.T. Kelly and wife, Nettie Mai Kelly, by deed from United Realty Company, of record in Book 919, page 65, Register's Office for Davidson County, Tennessee. Thereafter, both parties died and upon the death of the survivor of them the title to the premises became vested in their son, James Thomas Kelly, Jr.

James Thomas Kelly, Jr., the fee owner, died on May 1, 1942, survived by his wife, Jacqueline Mitchell Kelly and an unborn child, Jimmie Louise Kelly. Pursuant to the applicable Statutes of Tennessee at that time the said posthumous child inherited the title to the premises subject to the homestead and dower rights of the surviving wife (1932 Tennessee Code, Sections 8380 and 8386).

The homestead was set aside to the said Jacqueline Mitchell Kelly by decree of the County Court of Davidson County, Tennessee. (Rule No. 94507)

Jimmie Louise Kelly, the fee owner, died in 1957 survived by her mother who had remarried, and a half-brother, Michael Lee Berkley.Pursuant to the applicable provisions of Tennessee

Code Annotated, Vol. 6, 1955 Ed., Section 31-101 (1) (a), the said half-brother inherited the fee title, also subject to the homestead and dower interests of Jacqueline Mitchell Kelly.

Accordingly, Michael Lee Berkley is the owner of the land described in the affidavit, subject to the aforesaid homestead and dower interests of Jacqueline Mitchell Kefauver. The premises may be conveyed to a purchaser by deed executed by both parties.

Yours Very Truly,

Jno. B. Cobb, Jr.

JBC:ps

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