0261522

IDENTIF. # REFERENCE

This Instrument Prepared By:
T. Richard Travis
Manier, Herod, Hollabaugh & Smith,
a Professional Corporation
2200 First Union Tower
150 Fourth Avenue, North
Nashville, TN 37219

97 JAN -3 PM 3:51

REGISTER'S OFFICE
DAVIDSON COUNTY, TN.

BOOK 10310 PG 760

AFFIDAVIT OF HEIRSHIP TO REAL PROPERTY

KNOW ALL MEN BY THESE PRESENTS, that Helon C. Eller, the undersigned, after being duly sworn, makes oath as follows:

1. That on the fourth (4th) day of September, 1995, William Robbins Eller, Sr. ("Decedent") died a resident of Rutherford, County, State of Tennessee.

2. That at the time of his death, Decedent and his wife, the Affiant, owned certain real property with improvements thereon as tenants by the entirety which is known as 1813 Stewart Place, Nashville, Tennessee, 37203 and which is more fully described in Exhibit A attached hereto ("the Property").

3. That Decedent left a Last Will and Testament which was submitted to Clerk of County Court, Rutherford County, Book 001146, Page 713 in which all of Decedent's property both real and personal was left to Decedent's surviving spouse, Helon C. Eller.

4. That Decedent's estate is not insolvent and that the Personal Representative has not taken any action to subject the Property to debts of Decedent, if any.

5. That in accordance with Tennessee law, the Affiant, Helon C. Eller became the owner in fee simple of the Property upon Decedent's death.

6. That there is no other surviving heirs of Decedent who have any interest in the Property.

WITNESS MY HAND this 18 day of December, 1996.

Helon C. Eller
Helon C. Eller, Affiant

STATE OF TENNESSEE)
COUNTY OF Davidson)

On this 18 day of December, 1996, before me personally appeared Helon C. Eller, to me known or proved to me on the basis of satisfactory evidence to be the person described in and who executed the foregoing instrument for the purposes therein contained and acknowledged that she executed the same as her free act and deed.

WITNESS MY HAND and notarial seal.

PATRICIA ... NOTARY PUBLIC ... COMMISSION

Notary Public
My Commission Expires: 9-18-1999

EXHIBIT A

BK/10310:701

Land in Davidson County described as:

BEING Lot No. 40 on the Plat of Hamilton's Subdivision of Lot No. 15 and re-subdivision of parts of Lots Nos. 11, 12, and 13 of the Horton property, of record in Book 974, page 91, Register's Office for Davidson County, Tennessee, described as follows:

BEGINNING on the westerly margin of Stewart Place, at the corner of Lots Nos. 39 and 40; thence with the westerly margin of said Place, southwardly 50 feet to the beginning of a curve; thence around said curve in a southwesterly direction, to the northerly margin of Wedgewood Avenue; thence with said Avenue, westwardly 133 feet; thence northwardly 54 feet to the corner of Lots 39 and 40; thence with the line between said two lots, eastwardly 150 feet to the beginning.

BEING the same property conveyed to William R. Eller and wife, Helon C. Eller, from Earliene Patricia Richey by Deed dated April 12, 1991, of record in Book 8331, page 374, Register's Office for Davidson County, Tennessee.

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