PREPARED BY:
Cindy S. Smith, P.C., Attorney-at-Law
P.O. Box 292004
Nashville, TN 37229
(Davidson County Box #27-B)

27-B

AFFIDAVIT

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State, duly commissioned and qualified, the within named Affiant, LEWIS DUNN HIX, who being first duly sworn, did depose and say:

1. I, Lewis Dunn Hix, declare that I am a resident of the County of Davidson, State of Tennessee, and that I have personal knowledge of the Estate of T. Roy Hix.

2. That T. Roy Hix died testate in 1967 a resident of Bedford County, Tennessee, and left the following survivors: A wife, Mary Taylor Hix, and two children, Lewis Dunn Hix and Dale Thomas Hix.

3. That at the time of T. Roy Hix's death, he owned certain real property, to wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

4. That the Last Will and Testament of T. Roy Hix was duly probated in the State of Tennessee in the Bedford County Court, the final order of which was filed in Minute Book DD, Page 123. A certified copy of said Will is attached hereto as Exhibit B.

5. That said real property was included in the residuary estate of T. Roy Hix's Last Will and Testament.

6. That upon motion of the certain parties involved in the probate of said estate, Mary Taylor Hix and Peoples National Bank, the Bedford County Court ordered that the Trust created by the terms of said Will was terminated and that Mary Taylor Hix was the sole owner of all the residuary estate of T. Roy Hix. A certified copy of said orders are attached hereto as Exhibit C.

7. That this Affidavit is being made at the request of Stewart Title Guaranty Company and/or its agent, Cindy S. Smith, P.C., to induce them to issue clear title to certain property with a common address of 5003 Brentview Court, Nashville, TN 37220.

IN TESTIMONY WHEREOF, I hereunto subscribe my name this 21st day of May, 1999.

Lewis Dunn Hix

Lewis Dunn Hix, Affiant

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State, the within named LEWIS DUNN HIX 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 office this 21st day of May, 1999.

Cindy S. Smith

Notary Public
My Commission Expires: 3/23/2002

File #9905-114.aff

RETURN TO REFERENCE
99 MAY 21 AM 10:39
LILL [illegible] REGISTER
DAVIDSON COUNTY, TN.
05899772

EXHIBIT A

Land in Davidson County, Tennessee being Lot No. 7 on the Map of Fieldcrest Estates, as of record in Book 2331, Page 124, Register's Office for Davidson County, Tennessee.

Said Lot No. 7 is described as follows: Beginning at a point in the west terminus of Brentview Court at the corner of Lots No. 6 and 7; thence with the line between said lots westerly 215.2 feet to a point; thence southerly 169.9 feet to a corner of Lot No. 13; thence with the line between Lots No. 7 and 13; southeasterly 143.4 feet to a corner of Lot No. 8; thence with the line between Lots No. 7 and 8, northeasterly 291. 5 feet to the margin of Brentview Court; thence with the margin of the same, northwesterly around a slight curve 50.52 feet to the point of beginning.

Being the same property conveyed to T. Roy Hix by deed from Woodhaven Homes, Incorporated, of record in Book 2590, Page 497, Register's Office for Davidson County, Tennessee.

This is property with a common address of 5003 Brentview Court, Nashville, TN 37220.

Exhibit B

I, nominate and appoint my said two sisters, C therine C. Glymp and Mary C Denton or the survivor of them, sole Executrixes of this my last will and testament and I do relieve them of the necessity of filing an inventory or executing bond as required by law.

This the 25th day of May,1957.

/s/ Nelle C. Keith

The foregoing instrument was signed, published and declared ,by Nelle C.Keith the testatrix as and for her last will and testament in the presence of us, and each of us, and we at the same time, at her request and in her presence and in the presence of each other, have subscribed our names hereto as subscribing witnesses the day and date above written.

/s/ Melvin Isom Gibbs

/s/ Edwin T Nance

STATE OF TENNESSEE

COUNTY OF BEDFORD

I, OTTO K. RENEGAR Clerk of the County court of Bedford county do hereby certify that the above and foregoing is a full, true, and complete copy of the last wi and testament of NELLE C.KEITH, dedeased, as the same was admitted to probate our October 13, 1967 term of court and the original will now being on file in my office this the 13th day of October, 1967.

/s/ Otto K Renegar
Clerk

S E A L

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LAST WILL AND TESTAMENT

I, T Roy Hix, of Shelbyville, Bedford County, Tennessee, being of sound mind and disposing memory, do hereby make and publish this my last will and testament hereby revoking all other wills by me at any time heretofore made.

First . I desire and direct that my funeral expenses and all my just debts be first paid out of any funds left by me at my death, add in the event that sufficient funds are not left by me for the payment of same, I hereby athorize and empower my Executor, at his discretion, to sell such of my property, personal or real, disposing first of any perishable property, as is necessary to pay the same.

Second. I hereby give, devise, and bequeath unto my beloved wife, Mary Hix, the sum of Two Thousand ($2,000.00) Dollars.

Third . All the rest and residue of my estate not herein disposed of, of every kind and character, in possession, expectancy or action, I hereby direct that my Executor, hereinafter named, shall take same into his possession and within twenty-four (24) months aftery my death , he shall convert said personalty and realty into ca by sale at public auction or by private sale, whichever method he deems advisable and wise under the econimic conditions which my be prevalent at the time of my deahh.

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

CONTINUED WILL OF T. ROY HIX.

Relative to my real estate and to the personalty, I herebyauthorize and empower my Executor to execute proper deeds of conveyance and bills of sale and I specifically direct that it shall not be incumbent upon the purchaser of either the real estate or the person alty to see that the proceeds of said sale shall be properly handled by my Executor or by the Trustee hereinafter named.

At the conclusion of a period of twenty-four (24) months after my death, I direct that said Executor shall then convey all of the cash which has been derived from the sale of my personalty and realty into a trust fund to be held, managed and opereated by the Trustee, hereinafter named, for the use and benefit of my wife, Mary Hix, and my children who survive me at the time of my death and the heirs and representatives of such children as may be deceased, and to be disbursed by said Trustee in the manner hereinafter set out.

I direct that said Trustee shall execute such appropriate bond or bonds as will be necessary for the handling of said funds and that siad bonds shall be paid from the trust estate. Said Trustee is hereby empowered and authorized to invest the funds received byhim in real estate or in chattles, negotiable instruments, government bonds, or such other types of investments which he may deem to be proper and wise in order to return the maximum yearly income, I direct that said Trustee shall pay monthly into the hands of my wife, Mary Hix, for the use and benefit of herself and my children, all income from said trust fund less any expensex incurred in obtaining same. In the event that said income is not sufficient to maintain my wife and my children in thier present standard of living, I direct that the Trustee may encroach upon the corpus and pay such sums as are necessary to keep my wife and my children in said present standard of living. In the event large sums are needed for the education of my children, for medical attention of my wife or my children or for any other extraoridnary purpose I direct that said Trustee shall encroach upon the corpus of my trust estate for sufficient funds to meet these expenses and pay same into the hands of my wife on these occasions.

When my oldest child shall have reached the age of Twenty-one (21) years or shall marry, I direct that said Trustee shall pay into his hands a child's share of said trust fund with my wife s part included as a child's share. In other words, if I shall have two (2) children, I direct that the said trustee shall pay to the older child upon his becoming of age or upon his marriage one-third (1/3) of the trust fund then left in his hands.

As each child becomes of age or shall marry, I then direct that said Trustee shall pay into his hands the child's portion of the trust fund that remains in the hands of the Trustee at the time that particular child shall become of age or shall marry. I direct that when my younger child shall beoome of age or shall marry, the trustee then divide all of the trust estate left remaining in his hands between my wife, Mary Hix, and said child.

In the event that my wife, Mary Hix shall die before my younger child shall become of age, I direct that the share to which she would be entitled be divided among my children, share and share alike.

For the purposes of carrying out the provisions of this trust fund, I hereby nominate the People's National Bank, Shelbyville, Tennessee, as Trustee, with all the powers and express authority to handle siad trust fund according to its true and intedded meaning.

CONTINUED WILL OF T. ROY HIX.

Fourth I herebynominate and appoint my wife, Mary Hix, Executrix of this mt last will and testament with full power and authority to execute the same according to its true and intended meaning, and , having perfect confidence in her judgment and integrity, I direct that said Executrix shall not give security.

Witness hereunto my signature this the 13th day of July, 1951.

/s/ T. Roy Hix.
Testator

Signed by the said T . Roy Hix as and for his last will and testament, in the presence of us, the undersigned who at his request and in his sight and peesence and in the presence of each other, have subscribed our names the date and day above writt

/s/ James L.Bomar,Jr.
/s/ Beatrice Balings

CODICIL NO 1

I hereby give, devise and bequeath unto my friend, Hollis Watkins, the sum of Five Hundred ($500.00) Dollars as a remembrance of faithful services rendered to me.

This 23rd day of March, 1962.

/s/ T. Roy Hix
TESTATOR

CODICIL NO. 2

In the event that I should predecease my Mother, Mrs. W.L.Hix, I hereby authorize and direct the Trustee of my estate to pay to the proper party the sum of Fifty (50.00) Dollars per month as long as she may live, or as long as she may have need for such, as contribution toward her maintenence.

This 2nd day of April, 1962.

/s/ T. Roy Hix.
Testator

STATE OF TENNESSEE

COUNTY OF BEDFORD

I, OTTO K. RENEGAR Clerk of the County Court of Bedford County do hereby certify that the above and foregoing is a full, true, and complete copy of the last will and testament of T. ROY HIX, deceased, as the same was admitted to probate our October 26, 1967 term of court and the original will now being on file in my office this the 25thday of October, 1967.

/s/ Otto K.Reneger
CCC

S E A L

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Certified True Copy
This 13 day of MAY 1999
Kathy Prater am/dc
County Clerk

55

Exhibit C

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BE IT REMEMBERED, that on the 25th day of October, 1968, the County Court of Bedford County, Tennessee, met with the Hon. Mac Farrar, Judge, etc., present and presiding Otto K. Renegar, Clerk, B.H. Sanders, Sheriff, and proclamation having been made by the Sheriff, Court was opened in legal form when the following proceedings were had to wit;-

IN THE MATTER OF THE ESTATE OF
EULA L. CROWELL, DECEASED

ORDER TO RECORD INVENTORY

The Clerk presented to the Court the inventory of the estate of Eula L. Crowell, deceased, returned into his office by Edward C. Crowell, administrator, properly verified; and said inventory appearing to be regular, it is ordered by the Court that it be recorded in the book of inventories.

This the 25 day of August, 1968.

/s/ Mac Farrar
County Judge

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IN THE MATTER OF THE ESTATE
OF STELLA LON BRYAN, DECEASED

ORDER TO RECORD

The final settlement of Joseph Lon Bryan, executor of the last will and testament of Stella Lon Bryan, deceased, made with the Clerk of this Court on the 25 day of October, 1968, and reported to the present term, being unexcepted to and appearing to be in all respects regular and proper is by the Court confirmed, and ordered to be recorded, and said Joseph Lon Bryan, discharged as such and bondsmen released.

This the 25th day of October, 1968.

/s/ Mac Farrar
County Judge

ENDORSED, FILED OCTOBER 25, 1968
OTTO K. RENEGAR, C.C.C.

No further business appearing, Court was adjourned,

AFFIRMED: _____
County Judge

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BE IT REMEMBERED, that on the 26th day of October, 1968, the County Court of Bedford County, Tennessee, met with the Hon. Mac Farrar, Judge, etc., present and presiding Otto K. Renegar, Clerk, B.H. Sanders, Sheriff, and proclamation having been made by the Sheriff, Court was opened in legal form when the following proceedings were had to wit;-

IN THE MATTER OF THE ESTATE
OF J.P. BRAMBLETT, DECEASED

ORDER

In this cause it duly appeared to the Court that J.P. Bramblett, deceased, departed this life in 1955; that his will was duly probated on December 12, 1967, in this Court for the purpose of perfecting the chain of title of the real estate of said decedent; and that no administration of his estate was necessary.

It further appeared to the Court that the debts and funeral expenses of the decedent have been paid; that the Statute of Limitations for filing an inheritance tax return has expired; and that therefore a release from the Tennessee Department of Revenue is not necessary.

IT IS, THEREFORE, ORDERED by the Court that this Cause be and is hereby dismissed upon payment of the costs of recording this order.

/s/ Mac Farrar
County Judge

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IN THE MATTER OF THE PETITION OF
PEOPLES NATIONAL BANK, TRUSTEE

ORDER

This matter came on to be heard on this 25th day of October, 1968, before the Honorable Mac Farrar, County Judge, holding County Court in Bedford County, Tennessee, upon the original Petition of the Peoples National Bank to qualify as Trustee under the terms of the Last Will and Testament of T.Roy Hix, deceased.

WHEREUPON, the Court finds that the said Last Will and Testament directs that said Bank qualify in such capacity, that it is competent to qualify, and that the Clerk of this Court enter papers of qualification therfor.

The bond is fixed at $10,000.00, which may be signed by personal security or surety bond.

Enter:

/s/ Mac Farrar
Judge

ENDORSED, FILED, OCTOBER, 26, 1968
OTTO K. RENEGAR, C.C.C.

No further business appearing, Court was adjourned;

AFFIRMED: _____

The Clerk and Special Commissioner is hereby authorizied and directed to pay out of the proceeds from said sale, first, the cost of this proceeding, including the sum of $750.00 to Grizzell, Shoffner, & Taylor, solicitors for petitioner, which the Court considers a reasonable amount for legal services rendered by them in this sale. The Clerk and Special Commissioner may also retain the sum of $400.00 in handling the sale and in receiving and paying out the proceeds thereof.and he is also authorized and directed to determine the amount of any taxes that constitute a lien on said property, and to pay any such taxes, including,penalty and interest, from the proceeds thereof, with the exception of the 1969 taxes assumed by the purchaser.

After payment of all costs of this proceeding and after payment of the amounts hereinabove directed, the Clerk and Special Commissioner will retain the balance for distributi as provided by law, according to the further orders of the Court.

Enter this 9th day of June, 1969.

/s/ Mac Farrar
County Judge

ENDORSED, FILED JUNE 9, 1969
OTTO K. RENEGAR. C.C.C.

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BE IT REMEMBERED, that on the 8th day of July, 1969, the County Court of Bedford County, Tennessee, met with the Hon. Mac Farrar, Judge, etc., present and presiding Otto K. Renegar, Clerk, B H. Sanders, sheriff, and proclamation having been made by the sheriff, court was opened in legal form when the following proceedings were had to wit;-

IN THE COUNTY COURT OF BEDFORD COUNTY, TENNESSEE

IN THE MATTER OF
PEOPLES NATIONAL BANK, TRUSTEE
FOR THE ESTATE OF T. ROY HIX, DECEASED

O R D E R

This matter came on to be heard before the Honorable Mac Farrar, Judge, holding the County Court for Bedford County, Tennessee upon the petition of the Peoples National Bank, Trustee under the terms of the Last Will and Testament of T. Roy Hix, to be permitted to terminate the trust estate and be discharged of all responsibilities thereof.

And it appeared to the Court under the Last Will and Testament of T. Roy Hix that the Peoples National Bank was named Trustee until the children of T. Roy Hix, deceased, attained their majority, that subsequent thereof, the said Lewis Dunn Hix and Dale Thomas Hix, the two (2) children of T. Roy Hix, deceased, have transferred all of their interests to Mary Taylor Hix, the widow of T. Roy Hix, deceased, and that she has executed a full receipt therefor; and, therefore, all of the assets in the Trust Department have now been fully distributed by the said Peoples National Bank.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the prayer set forth in the petiti is hereby granted, that the Peoples National Bank be permitted to file this petition and that the Clerk is directed to close said Estate upon the payment of its costs. The said Bank, together with any sureties on its bond, are hereby dismissed.

ENTER: /s/ Mac Farrar
Judge

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IN THE COUNTY COURT OF BEDFORD COUNTY, TENNESSEE

IN THE MATTER OF THE ESTATE OF
T. ROY HIX, DECEASED

Certified True Copy
This 13th day of May, 1999
Kathy Prater, am/dc

O R D E R

This cause came on to be heard on this 8th day of July, 1969, before the Honorable Mac Farrar, Judge, holding County Court in Bedford County, Tennessee, upon the petition of Mary Taylor Hix, Executrix of the Estate of R. Roy Hix, deceased, to be allowed to file a short form settlement in lieu of a long form settlement.

And it appeared to the Court that the Petitioner had qualified as Executrix on the 25th day of October, 1967, that notice to creditors was published in accordance with the Statutes, that the time for filing of claims has expired, that all debts have been paid, including the inheritance tax to the U. S. Treasury Department and the State of Tennessee, Inheritance Tax Division, that all assets have been turned over to Mary Taylor Hix individually by transfer from her two (2) sons, Lewis Dunn Hix and Dale Thomas Hix, and that by the terms of the Last Will and Testament of T. Roy Hix and by the transfer of said assets, she is now the sole owner of all the residuary estate, and that every statutory requirement has been met; and, therefore, the Estate has been fully administered and the prayer in the petition should be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Petitioner, Mary Taylor Hix, be permitted to file a short form settlement in lieu of a long settlement, and that upon the filing of same by the Clerk of this Court and the payment of the final costs, the said Executri together with the sureties on her bond, be discharged, and the Estate is directed to be closed.

ENTER: /s/ Mac Farrar
Judge

ENDORSED, FILED JULY 8, 1969
OTTO K. RENEGAR, C.C.C.

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