PREPARED BY
JASON A. GOLDEN
ATTORNEY AT LAW
COLUMBIA, TENN.

# AFFIDAVIT OF HEIRSHIP

STATE OF TENNESSEE

COUNTY OF DAVIDSON

BOOK 11523 PG. 529

We, Freeda K. Potts, Donald B. Kincaid, William B. Kincaid, Jr. and Ronald Scott Kincaid, after being duly sworn, depose and state as follows:

1. We are the owners of the property described on the attached Exhibit A. This property was owned by Mabel C. Kincaid who died intestate on May 30, 1999 and was survived by the undersigned, being one niece and three nephews.

2. Mabel C. Kincaid did not marry and had no children during her life. Her parents and her two brothers and one sister predeceased her. Her sister, Winnie Kincaid, died without issue. Her brother Jim B. Kincaid died in 1976, leaving Freeda K. Potts and Donald B. Kincaid as his surviving heirs. Her brother William B. Kincaid died in 1985, leaving William B. Kincaid, Jr. and Ronald Scott Kincaid as his surviving heirs.

3. Accordingly, the owners and their respective interests of the property as shown on said Exhibit are as follows:

| | | |
|---|---|---|
| Freeda K. Potts | one-quarter | (1/4) interest |
| Donald B. Kincaid | one-quarter | (1/4) interest |
| William B. Kincaid, Jr. | one-quarter | (1/4) interest |
| Ronald Scott Kincaid | one-quarter | (1/4) interest |

FURTHER AFFIANTS SAITH NAUGHT.

0598639

99 JUN 10 PM 4:11

REGISTER
DAVIDSON CO. TN.

Freeda K. Potts
Freeda K. Potts

Donald B. Kincaid
Donald B. Kincaid

William B. Kincaid, Jr.
William B. Kincaid, Jr.

Ronald Scott Kincaid
Ronald Scott Kincaid

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, Freeda K. Potts, Donald B. Kincaid, William B. Kincaid, Jr. and Ronald Scott Kincaid, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 9th day of June, 1999.

My commission expires:
23 May 2000

Notary Public

**EXHIBIT A**



Real property located at and known as **125 Cottage Place, Nashville, Davidson County, Tennessee 37214**
**Map No. 95-2A, Parcel No. 125.**
**Field Book No. 3DZ-85987.**

Land in Davidson County, Tennessee, being Unit No. 57 on the Plan of Cottage Place Condominums, of record in Book 6520, pages 816-823, of the Register's Office for said County, Tennessee, to which plan reference is hereby made for a more complete and detailed description of said lot.

Being the same property conveyed to **Mabel C. Kincaid** by deed from Bette Cantrell Jones, unmarried, of record in Book **6829**, page **389**, Register's Office for **Davidson** County, Tennessee.

Mabel C. Kincaid died intestate on 30 May 1999, and Grantors herein, **FREEDA K. POTTS, DONALD B. KINCAID, WILLIAM B. KINCAID, JR. and RONALD SCOTT KINCAID**, are the heirs-at-law of **MABEL C. KINCAID, deceased**. See Affidavit of Heirshop recorded herewith pursuant to ***Tennessee Code Annotated, Section 30-2-712***.

Freeda K. Potts is the duly appointed and acting Administratrix of the Estate of MABEL C. KINCAID, deceased, with Letters of Administration issued 04 June 1999, in the Chancery Court, Maury County, Tennessee, Rule No. P-121-99.

BOOK 11523 PG. 531

# Chancery Court of Maury County, Tennessee

P-121-99
NO.

IN THE MATTER OF THE ESTATE OF

Mabel C. Kincaid, DECEASED

PROBATE

Resident of Maury County, Tennessee

Address: 125 Cottage Place, Nashville, Tennessee 37214

Date of Death: 5/30/99

Administrator(s): Freeda K. Potts

## Letters of Administration

It appearing to the Chancery Court that the above named deceased person left no will, and said Court having appointed the above named Administrator(s) upon making bond and qualifying as directed by law;

It is, therefore, ORDERED that Letters of Administration are hereby issued to the above named Administrator(s), being now empowered to enter into and take possession of all property rights and credits of this deceased person, and to administer this estate as required by law.

Inwitness whereof, I have issued these Letters of Administration, this the 4 day of Jun, 1999.

CHERYL P. CHURCH, CLERK AND MASTER

By

STATE OF TENNESSEE
COUNTY OF MAURY

I do solemnly swear that I will honestly and faithfully discharge the duties imposed on me, including the filing of inventory, settlement, and inheritance tax return, as required by law.

X Freeda K. Potts

Freeda K, Potts

Subscribed and sworn to before me, this the 4 day of June, 1999.

CHERYL P. CHURCH, CLERK AND MASTER

By

## Certificate

I, Clerk and Master of this Court, certify that: (i) this is a Court of Record; (ii) the above is a true, full, and correct copy of the Letters of Administration issued by this Court in this estate; (iii) these Letters are still in full force and effect as of this date; and (iv) these Letters appear of record in this Court's Administrator's Bonds and Letters Record Book No. _____, page _____.

Witness my hand and seal, this the 4th day of June, 1999.

CHERYL P. CHURCH, CLERK AND MASTER

By

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

CHANCERY - 11

FILED
Time _____ M

JUN 0 4 1999

CHERYL P. CHURCH
CLERK & MASTER
MAURY COUNTY, TN

BOOK 11523 PG. 532

**IN THE CHANCERY COURT FOR MAURY COUNTY, TENNESSEE**

**IN THE MATTER OF:** )
)
**THE ESTATE OF** ) **NO. P-121-99**
**MABEL C. KINCAID, DECEASED** )

**ORDER FOR INTESTATE ADMINISTRATION**

Based on an examination of the Petition and the sworn testimony of Petitioner on June 4, 1999, the Court finds the following:

A. Decedent was a resident of Maury County, Tennessee.

B. Decedent died on May 30, at the age of 86.

C. Decedent left no will.

D. Petitioner, Freeda K. Potts, is the Niece of the Decedent, and under T.C.A. 30-1-106, is the person entitled to serve as Administrator. The three (3) remaining heirs have acquiesce to the appointment of Freeda K. Potts as Administratrix.

E. Decedent owned property at Decedent's death which is subject to a Court supervised administration by this Court worth approximately five hundred and fifty thousand dollars ($550,000.00).

F. The beneficiaries of the estate are Freeda K,. Potts, Donald B. Kincaid, Ronald Scott Kincaid, and William B. Kincaid, Jr., the Decedent's niece and nephews.

Based on these findings, the Court orders the following:

1. After administering the oath, letters of administration will be issued to the Petitioner, Freeda K. Potts.

2. Bond of Petitioner has been waived by the heirs of Mabel C. Kincaid and no bond shall be required.

3. Notice will be issued to creditors and the Department of Revenue as required by T.C.A. 30-2-306 and 67-8-406 respectively.

4. Petitioner has until August 4, 1999 to file the inventory.

ENTER this 4th day of June, 1999.

CHERYL P. CHURCH, CLERK AND MASTER

APPROVED FOR ENTRY:

DuBOIS & DuBOIS, P. C.

By _____
Jason A. Golden

FILED
Time _____ M
JUN 04 1999
CHERYL P. CHURCH
CLERK & MASTER
MAURY COUNTY, TN

BOOK 11523 PG. 534

**IN THE CHANCERY COURT FOR MAURY COUNTY, TENNESSEE**

| | | |
|---|---|---|
| **IN THE MATTER** | ) | |
| | ) | |
| **THE ESTATE OF** | ) | **NO. P-121-99** |
| **MABEL C. KINCAID, DECEASED** | ) | |

**PETITION FOR LETTERS OF ADMINISTRATION**

Your Petitioner shows the Court the following:

1. The Decedent, Mabel C. Kincaid, died on May 30, 1999 at the age of 86 years. The Decedent's place of residence was 4221 Tom Lunn Road, Spring Hill, Maury County, Tennessee 37174.

2. The Decedent is survived by the following heirs whose names, relationships, ages and mailing addresses appear below:

Freeda K. Potts, Niece, age 62, 403 Cheyenne Trail, Columbia, Tennessee, 38401.

Donald B. Kincaid, Nephew, age 59, 509 Tinsley Lane, Columbia, Tennessee 38401.

Ronald S. Kincaid, Nephew, age 57, 2432 Cabot Hill Road, Nashville, Tennessee 37214.

William B. Kincaid, Jr., Nephew, age 68, 256 Stewarts Ferry Pike, Nashville, Tennessee, 37214.

3. The Decedent owned real estate which the Petitioner believes is worth in excess of ninety thousand dollars ($90,000.00), which under Tennessee law has passed on the Decedent's death to either the surviving joint owner or the Decedent's surviving heirs at law.

The Decedent owned personal property which the Petitioner believes is worth in excess of five hundred and fifty thousand dollars (550,000.00).

Petitioner will fully determine and evaluate Decedent's property in an inventory to be filed according to law.

4. The Decedent died without a will. Petitioner has made a thorough search for wills and codicils signed by the Decedent, but no such wills or codicils have been found.

5. The names, ages, relationships and mailing addresses of the Petitioner is as follows:

Freeda K. Potts, age 62, Niece, 403 Cheyenne Trail, Columbia, Tennessee 38401.

6. Petitioner is ready, willing and alleges to be qualified to administer the Decedent's estate according to law. The other heirs of the Estate have waived the requirement of bond. Petitioner requests to be appointed Administrator of the Decedent's estate.

7. The estimated gross value of the Decedent's estate for Tennessee Inheritance Tax purposes is six hundred forty thousand dollars ($640,000.00).

PETITIONER PRAYS THAT:

1. The Clerk & Master be directed to administer the oath and otherwise qualify the Administrator and to issue proper letters of administration.

2. Notice by publication be given to the creditors of the estate as required in T.C.A. Section 30-2-306; and notice be given the Department of Revenue as required in T.C.A. Section 67-8-406.

3. The Administrator be allowed sixty (60) days from the date of qualification to file an inventory.

4. The Petitioner be granted such additional relief as the Court may deem proper under the circumstances.

Freeda K. Potts
Freeda K. Potts, Petitioner

DuBOIS & DuBOIS, P. C.

By _____
Jason A. Golden
Attorneys for Petitioner
810 South Garden Street
P. O. Box 339
Columbia, Tennessee 38402
(931) 388-2526

We are sureties for costs in this cause not to exceed FIVE HUNDRED DOLLARS ($500.00).

DuBOIS & DuBOIS, P. C.

By _____
Jason A. Golden

STATE OF TENNESSEE

COUNTY OF MAURY

Personally appeared before me, the undersigned, a Notary Public in and for the State and County aforesaid, the above named Petitioner, Freeda K. Potts, who, being duly sworn by me, depose and say that the statements in the foregoing Petition are true to Petitioner s' knowledge except as to matters therein stated to be on information and belief; and these matters Petitioner believes to be true.

SUBSCRIBED AND SWORN TO before me, the undersigned Notary Public, this the 4th day of Jun, 1999.

My Commission Expires:
6-20-2000

_____
NOTARY PUBLIC

JASON A. GOLDEN
NOTARY PUBLIC AT LARGE
MAURY COUNTY, TN.

#402 06/10 0101 02CHECK 34.00