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...FERENCE

This instrument prepared by:
J. Terry Price
Guenther, Jordan & Price, P.C.
1150 Vanderbilt Plaza
2100 West End Avenue
Nashville, Tennessee 37203
(615) 329-2100

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AFFIDAVIT OF HEIRSHIP

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

I, John Furgess, after being duly sworn, depose and say as follows:

1. My name is John Furgess. I reside at 7421 Hallows Drive, Nashville, Tennessee 37221.

2. Anita Nolan Furgess was the owner of certain real property located in Davidson County, Tennessee, more particularly described as follows:

> Unit No. 408 in Deer Lake Retirement Community, a horizontal property regime, as shown on the Plat of Deer Lake Retirement Community recorded in Book 5050, Pages 28 and 29, and as amended in Book 5050, Pages 62 and 63, and in Book 5521, Page 853, Register's Office for Davidson County, Tennessee, and described in a Master Deed recorded in Book 5097, Pages 529 through 539 and in Bylaws of Deer Lake Retirement Association, Inc., of record in Book 7556, Page 354, Register's Office of Davidson County, Tennessee, to which reference is hereby made. The easements, restrictive covenants, conditions and regulations imposed upon and relating to the property, apartment owners and tenants of Deer Lake Retirement Community contained in the aforesaid Master Deed, Bylaws and the Rules and Regulations adopted pursuant to the Bylaws are incorporated in this deed by reference and made a part hereof the same as though copied herein verbatim. The purchasers by acceptance hereof expressly assume and agree to be bound by and comply with all of the covenants, terms, provisions and conditions set forth in the aforesaid documents including but not limited to the obligation to pay monthly assessments for the maintenance and operation of Deer Lake Retirement Community in accordance with the Master Deed and Bylaws. The purchasers further specifically acknowledge that their right to transfer ownership of the above described apartment unit or to lease said unit is subject to certain options and restrictions contained in the Master Deed and Bylaws.

Being the same property conveyed to Anita Nolan Furgess, unmarried, by Warranty deed from Robert E. Rader and wife, Maebell P. Rader, of record in Deed Book 7828, Page 224, Register's Office for Davidson County, Tennessee. Anita Nolan Furgess has since died, unmarried, leaving three children, John Furgess, Dorothy Harrington and Julianne Connolly, who the only heirs at law of Anita Nolan Furgess.

3. Anita Nolan Furgess died, unmarried, leaving three children, Dorothy Harrington, Julianne Connolly and John Furgess. At the time of her death, Anita Nolan Furgess was the sole owner of the above property commonly known as 408 Deer Lake Drive, Nashville, Tennessee 37221.

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4. I am one of the three children of Anita Nolan Furgess and one of the only three heirs at law of Anita Nolan Furgess, along with my sisters Dorothy Harrington and Julianne Connolly.

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5. There were and are no debts or claims against Anita Nolan Furgess or the estate of Anita Nolan Furgess which are or would be payable from the real property described above, whether or not such claims have been filed in the courts of Davidson County, Tennessee.

6. There were and are no federal, state, or local taxes, including death taxes on the estate of Anita Nolan Furgess, which constitute a claim or lien against the property described above.

7. There were and are no Tennessee inheritance taxes due by reason of the death of Anita Nolan Furgess which are payable from the real property described above.

Dated this 27 day of September, 1999.

John Furgess

Before me, a notary public in and for said county, personally appeared John Furgess who, after being duly sworn, stated that the facts contained in the foregoing affidavit are true to the best of his knowledge, information, and belief.

NOTARY PUBLIC

My Commission Expires: May 27, 2001

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