Davidson County AFFIDAVIT
Recvd: 10/10/01 13:18 8pgs
Fees:42.00 Taxes:0.00
20011010-0110440

Prepared by:
Joseph L. Lackey, Jr.
1230 AmSouth Center
Nashville, TN 37238

**AFFIDAVIT OF HEIRSHIP**

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

We the undersigned heirs of Henry Chester Maxwell, Sr., and wife Flora Maxwell after being duly sworn do hereby make oath as follows:

We, Henry Chester Maxwell, Jr., Benjamin Grover Maxwell, Peggy Maxwell-Coleman, Herschel Bruce Maxwell, and Thomas Elmore Maxwell are the five children born to Henry Chester Maxwell, Sr., and Flora Maxwell. Henry Chester Maxwell, Sr., died in 1979 survived by his wife and your five affiants. Flora Maxwell died on the 25th day of May, 1999, survived by your five affiants. Your affiants' deceased parents owned property either as tenants by the entireties or in their name solely and Flora Maxwell did inherit interest in certain properties by virtue of her being the surviving widow of Henry Chester Maxwell, Sr. The following properties located in Davidson County, Tennessee are properties that either Henry Chester Maxwell, Sr., and/or Flora Maxwell owned as described above.

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| 162-00-0 113.00 | 1500 Bell Road |
| 162-00-0 110.00 | Route 1 Old Hickory Blvd |
| 147-08-0 017.01 | 312 Flora Maxwell Road |
| 147-07-0 144.00 | 312 Flora Maxwell Road |
| 147-08-0 019.00 | 300 Flora Maxwell Road |
| 147-07-0 134.00 | 300 Flora Maxwell Road |
| 147-11-0 035.00 | Taylor Road |
| 147-08-0 031.00 | Taylor Road |
| 147-08-0 173.00 | Taylor Road |
| 147-07-0 221.00 | 300 Flora Maxwell Road |
| 147-07-0 220.00 | Taylor Avenue |
| 147-07-0 122.00 | 339 Flora Maxwell Road |
| 147-07-0 143.00 | Flora Maxwell Road |
| 147-08-0 171.00 | Taylor Road |
| 147-11-0038-01 | Nolensville Road – Book 3071, page 309 |

Your affiants make oath that as a result of being the sole surviving heirs at law of Henry Chester Maxwell, Sr., and Flora Maxwell they are the owners of said properties as equal tenants in common. Your affiants would show that Henry Chester Maxwell, Sr., died intestate and Flora Maxwell died testate. Her Will has been probated in the Probate Court Clerk's Office, Nashville, Davidson County, Tennessee, Docket No. P-1553. In said Will Flora Maxwell did devise and bequeath her interest in the real estate described herein to your five affiants in equal shares.

Further affiants saith not.

Henry Chester Maxwell, Jr.

SWORN TO AND SUBSCRIBED before me,
this the 1st day of October, 2001.

Notary Public

My Commission Expires: My Commission Expires MAY 26, 2002

Benjamin Grover Maxwell

SWORN TO AND SUBSCRIBED before me,
this the 1st day of October, 2001.

Notary Public

My Commission Expires: My Commission Expires MAY 26, 2002

Peggy Maxwell-Coleman

SWORN TO AND SUBSCRIBED before me,
this the 1st day of October, 2001.

Notary Public

My Commission Expires: My Commission Expires MAY 26, 2002

Herschel Bruce Maxwell

SWORN TO AND SUBSCRIBED before me,
this the 1st day of October, 2001.

Notary Public

My Commission Expires: My Commission Expires MAY 26, 2002

Thomas Elmore Maxwell

SWORN TO AND SUBSCRIBED before me,
this the 1st day of October, 2001.

Notary Public

My Commission Expires: My Commission Expires MAY 26, 2002

**EXHIBIT A**

The 5th, formerly the 7th civil district of Davidson County, Tennessee, described according to a survey made by Z.J. Wilkinson, surveyor, October 4, 1944 as follows:

Beginning at a stake and fence post in Moss' northeast corner; thence with Moss' and Maxwell's north line north 88 degrees west 767 feet to a stake; thence north 2 degrees 15' east 735 feet to a stake in Jordan's east line; thence with fence north 77 degrees east 724 feet to stake in fence; thence south 2 degrees east 924 feet to the point of beginning, containing 14 acres, more or less,

Being the same property conveyed to Chester H. Maxwell and wife Flora E. Maxwell by Installment Deed from C. Vance Hickerson and wife Ruby R. Hickerson of record in Book 1305, page 125, Register's Office for Davidson County, Tennessee.

Map/Parcel 147-08-0017.01, 147-07-0144.00, 147-08-0019.00, 147-07-0134.00, 147-07-0143.00

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Land in the 5th, formerly the 7th, Civil District of Davidson County, Tennessee, described as follows:

Beginning at the southeast corner of the property conveyed to Emma Ruth Maxwell by deed from Henry Chester Maxwell and wife, of record in book 1236, page 544, Register's Office for said County, said beginning point is also in the westerly margin of an 11-foot road; thence with the south line of Emma Maxwell's property, westwardly 226 feet to a point 19 feet east of the west line of the original 3.2 acre tract of land sold to Henry Chester Maxwell by deed from C. Vance Hickerson and wife, of record in book 1162, page 269, said Register's Office; thence south 7° west 114 feet to a point 16 feet north of the south line of the Maxwell original tract and the north margin of a proposed 16-foot road; thence with the north line of said road, north 88° east 226 feet to the west line of an 11-foot proposed road; thence with the west line of said road, northwardly 114 feet to the point of beginning.

Being the same property conveyed to Henry Chester Maxwell and wife Flora Maxwell by Trustee's Deed from William O. Lee, Trustee of record in Book 2748, page 11, Register's Office for Davidson County, Tennessee.

Map/Parcel: 147-08-0 031.00

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Being in the 5th District, and being part of the William Watson Farm and described according to a survey by George W. Watkins, dated August 1965, as follows:

Beginning at a water gate on the easterly side of said farm; thence south 73° 30' west 702 feet to an iron pin; thence north 4° east 290 feet; thence north 38° 45' west 141 feet; thence north 25° west 158 feet; thence north 1° 15' west 540 feet; thence north 19° 30' east 257 feet; thence south 87° east 347 feet; thence south 30° 10' west 232 feet to an iron post; thence south 63° 10' east 199 feet to a point; thence north 44° 15' east 100 feet; thence north 76° 15' east 226 feet to an iron post; thence south 1° west 125.5 feet; thence south 12° east 390 feet; thence south 4° 45' east 416 feet to the point of beginning, containing 19.1 acres, more or less.

Being the same property conveyed to H.C. Maxwell and wife Flora Maxwell by Warranty Deed from Troy Rippetoe and wife, Peggy J. Rippetoe of record in Book 4374, page 433, Register's Office for Davidson County, Tennessee.

Map/Parcel: 162-00-0 110.0

Land in the 5th Civil District of Davidson County, Tennessee, being part of lot No. 8 on the Plan of the Ensley Land, as of record in Plan Book 1, page 24, Chancery Court at Nashville, Tennessee, described as follows:

Beginning at a point in the westerly margin of a 12-foot Avenue, now called Taylor Road, at a point north 6° east 228 feet along said margin and said margin extended from the center of Old Nolensville Road, said point being the northeast corner of Tract No. 1 of the property conveyed to Chester Maxwell and wife, by deed from Emma Battle, et al, of record in book 3071, page 309, Register's Office for said County; thence with said Maxwell's northerly line, north 67° 30' west 210 feet, more or less, to the northeast corner of the property conveyed to John C. Jenkins, Jr., et al, by deed from Robert B. Taylor and wife, of record in book 2884, page 245, said Register's Office; thence with said Jenkins' northerly line, north 72° 30' west 210 feet, more or less, to a point in the easterly line of the property conveyed to William S. Hall and wife, by deed from Thomas E. Hall and wife, of record in book 2794, page 159, Register's Office for said County; thence with said Hall's easterly line, north 58° 30' east 182.5 feet, more or less, to the southwest corner of Tract No. 2 of said conveyance to Chester Maxwell and wife; thence with said Maxwell's southerly line, north 87° 15' east 268 feet, more or less, to the westerly margin of Taylor Road; thence with the westerly margin of said Road, southerly to the beginning.

Being the same property conveyed to H.C. Maxwell by Warranty Deed from J.E. Maxwell and Matthew O. Maxwell of record in Book 3165, page 592, Register's Office for Davidson County, Tennessee.

Map/Parcel: 147-11-0 035.00

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339 Flora Maxwell Road
50 x 111 x IR
North Side of Flora Maxwell Road
East of Nolensville Road
Field Book Number 5D 5771

Map and Parcel Number 147-7-122

Being the same property conveyed to Chester Maxwell, et ux., by Decree from tax sale of record in Book 5415, page 829, Register's Office for Davidson County, Tennessee.

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A tract of land in the 5th, formerly the 7th civil district of said County, described according to a survey made by Z.J. Wilkinson, surveyor, January 21, 1942, as follows:

Beginning at a fence corner on the easterly margin of the Nolensville Pike, at the northwest corner of the property conveyed to Clinton Gray and wife by deed from J.S. Seat and wife, of record in book 1006, page 74, Register's Office for said County; thence with the easterly margin of said pike, north 17° west 208.75 feet to a stake; thence north 89° east 1089 feet to a stake; thence south 1° west 289 feet to a stake; thence south 80° 10' east 195 feet; thence north 1° west 327 feet to a stake; thence north 89° east 1670 feet to a stake; thence south 2° west 225 feet to a stake in the northerly line of the property conveyed C. Vance Hickerson and wife by deed from B.L. Oakley and wife, of record in book 1172, page 35, said Register's Office; thence with Hickerson's northerly line and a fence, south 76° west 1315 feet to the

easterly line of the property conveyed to Andrew A. Jordan, Jr., and wife by deed from B.L. Oakley and wife, of record in book 1179, page 285 said Register's Office; thence with Jordan's easterly line, north 3° 15' east 69 feet to his northeast corner; thence with his northerly line and a fence, north 80° 10' west 1190 feet to the northeast corner of the Gray property; thence with Gray's northerly line, north 88° west 434 feet to the beginning, containing 20 acres, more or less.

Being the same property conveyed to Chester Maxwell and wife Flora Maxwell by Installment Deed from B.L. Oakley and wife Ora Oakley of record in Book 1227, page 136, Register's Office for Davidson County, Tennessee.

Map/Parcel: 147-07-0 221.0

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TRACT NO. 1:

A tract of land in the 5th, formerly the 7th, Civil District of Davidson County, Tennessee, being part of lot No. 8 on the plan of the subdivision of part of the Ensley Lands, as of record in Plan Book No. 1, page 24, of the Chancery Court at Nashville, described as follows:

Beginning at a point in the center of Old Nolensville Road south 26° west 12 feet from the southeast corner of the property conveyed to John C. Jenkins, Jr., et al, by deed from Robert B. Taylor and wife, of record in book 2884, page 245, Register's Office for said County, being 12 feet southwest of the northeasterly margin of New Nolensville Road; thence north 26° east 178 feet to a point in the south line of the property conveyed to Fount Maxwell by deed from William Warren, et al, of record in book 542, page 457, said Register's Office; thence with same south 67½° east 210 feet to the northwesterly margin of a 12-foot Avenue; now called Taylor Road; thence with same south 6° west 228 feet to the center of said Old Nolensville Road; thence with same north 59½° west 296.5 feet to the beginning.

TRACT NO. 2:

A tract of land in the 5th, formerly the 7th, Civil District of Davidson County, Tennessee, being part of lot No. 8 on the Plan of the Subdivision of part of the Ensley Lands, as of record in Plan Book 1, page 24, of the Chancery Court at Nashville, described as follows:

Beginning at a stake on the westerly margin of Taylor Road at the northeast corner of the property conveyed to Fountain Maxwell by deed from James Johnson, of record in book 42, page 623, Register's Office for said County; thence south 87° 15' west 268 feet to a hole in rock; thence north 7° 20' west 90 feet to an iron pin; thence south 87° 25' east 281 feet to a stake on the westerly margin of said Road; thence with same south 1° west 64 feet to the beginning.

Being the same property conveyed to Chester Maxwell and wife, Flora Maxwell by Warranty Deed from Emma Battle, Clarence Collins, Jr., Jennie Ewing, Robbie Goolsby, Charles T. Hill, Ruth Hicks, Clarissa Jenkins, J.E. Maxwell, Louella Maxwell Pratt, Mary Dean Maxwell Lewis, Matthew O. Maxwell, Mary Elizabeth Reeves, Georgia Rucker, Maggie Rucker, Carrie Stratton, Joyce Sweeney and Nannie Whitlow, being the only heirs-at-law of Fount Maxwell and wife, Julia Maxwell, deceased of record in Book 3071, page 309, Register's Office for Davidson County, Tennessee.

Map/Parcel: 147-07-0 220.00

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Land in the 5th Civil District of Davidson County, Tennessee, described as follows:

Beginning at a point on the easterly margin of Taylor Road, said point being the southwest corner of the property conveyed to Flora Maxwell, of record in Book 4475, page 993, Register's Office for Davidson County, Tennessee; thence with the southern boundary line of the Flora Maxwell property easterly 172 feet, more or less, to the southeast corner of said Flora Maxwell property; thence southerly 68 feet, more or less, to the northeast corner of the property conveyed to Emma Ruth Maxwell of record in Book 1236, page 544, said Register's Office; thence said Emma Ruth Maxwell's northerly boundary line westerly 178 feet, more or less, to the easterly margin of Taylor Road; thence with the same northerly 78 feet, more or less, to the beginning.

Being the same property conveyed to Flora Maxwell by Warranty Deed from J. Brent Hurd, Trustee and J. Brent Hurd, Individually of record in Book 6053, page 982, Register's Office for Davidson County, Tennessee.

Map/Parcel: 147-08-0 173.00

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TRACT NO. 1

Being in the 5th, formerly 7th, Civil District of said County and State, being part of lot No. 7 on the plan of the division of lands of William Whittemore, deceased, as of record in Minute Book "I", page 709, County Court for said County, described according to a survey made by Hickerson-Miller, Engineers-Surveyors, February 13, 1957, as follows:

Beginning at a point on the southerly margin of Old Hickory Boulevard at the northeast corner of the property conveyed to H. Chester Maxwell and wife, by Catherine Owen, by deed of record in book 2634, page 555, Register's Office for said County; thence with the southerly margin of said Boulevard with a curve having a radius of 1082 feet, northeastwardly 242 feet to an iron pin; thence south 3° 15' west 1205.9 feet to a stake in northern boundary line of the property formerly owned by Scott; thence with said line, north 88° west 224.6 feet to the southeast corner of said Maxwell property; thence with the eastern boundary line of said Maxwell property north 3° 15' east 1127.3 feet to the beginning, containing 6 acres, more or less.

This conveyance is made subject to an easement and right-of-way for an electric power transmission line 150 feet in width on and across premises with rights of ingress and egress and other rights and privileges as set out in grant to the United States of America by Luther Jordan and wife, of record in book 2338, page 210, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to H. Chester and wife Flora Maxwell by Warranty Deed from Luther H. Jordan and wife, Lizzie Mai Jordan of record in Book 2641, page 373, Register's Office for Davidson County, Tennessee.

TRACT NO. 2:

Being in the 5th, formerly 7th, Civil District of Davidson County, Tennessee, being the southwesterly part of lot No. 7 on the plan of the division of the lands of William Whittemore, deceased, as of record in Minute Book "I", page 709, County Court for said County, Described as follows:

Beginning at a fence post on the south side of Old Hickory Boulevard at the Bryant-Jordan property line; thence east with the south side of Old Hickory Boulevard 200

feet; thence south 3" 15' west 1127.3 feet to a stake; thence north 88° west 400 feet to the Watson property line; thence north 11° west 383.6 feet to an 8" sweet gum tree in old fence row; thence north 0" 30' west 280.5 feet to three small blackberry trees; thence south 88° 30' east 346.5 feet to a 30 inch hickory tree; thence north 0" 30' west 431 feet to the beginning.

A one-eighth undivided interest in property including premises was inherited by Catherine Owen and the other seven-eighths undivided interest in premises was conveyed to the said Catherine Owen by Luther Jordan by deed of record in book 2600, Page 434, Register's Office for said County.

This conveyance is made subject to easement and right-of-way for an electric power transmission line 150 feet in width on and across premises with rights of ingress and egress and other rights and privileges as set out in grant to the United States of America by Luther Jordan and wife, of record in book 2338, page 210, said Register's Office.

Being the same property conveyed to H. Chester Maxwell and Flora Maxwell by Warranty Deed of record in Book 2634, Page 555, Register's Office for Davidson County.

Map/Parcel: 162-00-0 113.00

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Two tracts of land in the 5th, formerly the 7th Civil District of Davidson County, Tennessee, described as follows:

Tact No. 1. Beginning at a stake on the easterly side of Taylor Road at the south west corner of the property conveyed to Lillian Glenn by deed from Henry Chester Maxwell et ux, as of record in book 4450, page 268 Register's Office for Davidson County, Tennessee, thence with Glenn's south line easterly 174.2 feet to Glenn's south east corner, thence south 100 feet, thence westerly 181 feet to the easterly margin of Taylor Road, thence with said road north 100 feet to the point of beginning.

Tract No. 2. Beginning at a stake on the easterly side of Taylor Road 100 feet south of the south west corner of property conveyed to Lillian Glenn, by deed of record in book 4450, page 268, Register's Office for Davidson County, Tennessee, thence easterly 181 feet to point 100 feet south of Glenn's south east corner thence south 100 feet, thence westerly 182 feet to the easterly margin of Taylor Road, thence with said road northerly 100 feet to the beginning.

Being the same property conveyed to Flora Maxwell by Warranty Deed from Henry Chester Maxwell of record in Book 4475, page 993, Register's Office for Davidson County, Tennessee.

Map/Parcel: 147-08-0 171.00

**EXHIBIT A**

A tract of land in the 5th, formerly the 7th civil district of Davidson County, Tennessee, being part of lot No. 8 on the Plan of the subdivision of part of the Ensley Lands, as of record in Plan Book No. 1, page 24, of the Chancery Court at Nashville, described as follows:

Being part of the same property conveyed to Chester H. Maxwell and wife Flora E. Maxwell by Deed in Book 3071, page 309, Register's Office for Davidson County.

Map/Parcel: 147-11-0038-01