This instrument prepared by:
Serenity Title & Escrow LLC
504 Autumn Spring Ct #16
Franklin, Tennessee 37064

Davidson County AFFIDAVIT
Recvd: 08/27/02 14:51 2pgs
Fees:12.00 Taxes:0.00
20020827-0103675

AFFIDAVIT OF HEIRSHIP

State Of Tennessee
County of Davidson

The undersigned, **Rosemary V. Payton a/k/a Rosemary Montgomery and Deborah Payton Baker**, the heirs at law of **Mary Ruth Payton**, who was one and the same person as **Mary Ruth Payton**, the owner of Land in Davidson County, Tennessee, being the northwesterly part of Lot No. 38 on the Plan of Richardson Place Subdivision, as of record in Book 547, Page 135, Register's Office for said County, described according to a survey made by Z. J. Wilkinson, Surveyor, February 22, 1960, and more fully described in Deed Book 3074, Page 109, said Register's for Davidson County, Tennessee. And Further being the same property conveyed to Mary Ruth Payton and Rosemary V. Payton, by deed of record in Book 6527, page 12 recorded in the Register's of Deeds Office in and for Davidson County, Tennessee. Upon being first duly sworn, do hereby give the following affidavit:

That **Mary Ruth Payton** died on the 12th day of December, 2001, in Davidson County, Tennessee, unmarried, deceased parents, with two children, both living being the only surviving heir at law, **Deborah Payton Baker**, and **Rosemary V. Payton a/k/a Rosemary Montgomery**, the affiants herein, who are the sole heirs at law of the decedent.

Attached hereto Exhibit "A"
A photo static copy of a Certificate of Death

The decedent died without a last will and testament and the affiants herein of the solvent estate are owners of the improved real property, each owning an undivided one-forth interest by virtue of intestate succession of the one-half interest held by the decedent at time of death.

The estate has not been probated in the Chancery Court for Davidson County, Tennessee. This is a non-taxable estate. There are no unpaid debts of the decedent other than the mortgage on the real property being paid at closing.

The undersigned agree to hold Serenity Title & Escrow LLC, Robert W. Rutherford, Attorney at Law, harmless from any debts, claims, estate and/or inheritance taxes pertaining to the estate of the deceased by virtue of removal of any exception therefore in the issuance of owners and mortgagee policies of title insurance on the property know and identified as 1806 Woodland Street, Nashville, Tennessee 37206, including costs and reasonable attorney's fees as might hereafter be incurred for any claim, demand, suit or cause of action arising by virtue of any attempted enforcement of any such lien against said property.

Rosemary V. Payton Montgomery
Rosemary V. Payton a/k/a Rosemary Montgomery

Deborah Payton Baker
Deborah Payton Baker

State of Tennessee
County of Davidson

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **Rosemary V. Payton a/k/a Rosemary Montgomery**
and **Deborah Payton Baker**, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that they executed the with instrument for the purposes therein contained.

WITNESS my hand and official seal in Nashville, Tennessee, on this the _day of _____, 200____.

Kimberly Rutherford
NOTARY PUBLIC

My Commission expires: 2-20-05

METROPOLITAN GOVERNMENT OF NASHVILLE & DAVIDSON COUNTY
Office of Vital Records

DEATH

TENNESSEE DEPARTMENT OF HEALTH
CERTIFICATE OF DEATH

Mary Ruth Johnson — F — 12-Dec-2001

410-04-9762 — 68 — 10-07-1933 — Nashville, TN

DECEDENT

Skyline Medical Center — Nashville — Davidson

Widowed — Domestic — Unknown

Tennessee — Davidson — Nashville — 806 Woodland Street

37206 — Black

PARENTS

Rufus Dodson — Francis Jones

INFORMANT

Deborah J. Baker — daughter — 4817 Sunshine Drive, Old Hickory, TN 37138

Greenwood Cemetery — Nashville, TN

DISPOSITION

Henry S. Smith — 3167 — Steve Murphy — 4134

Smith Brothers Funeral Directors
706 Monroe Street Nashville, TN 37208 — 0803

REGISTRAR

Robin L. Bass — December 28, 2001

CERTIFIER

Medical Director

CAUSE OF DEATH

Sepsis
Fecal Peritonitis
Perforated Sigmoid Diverticulitis

I hereby certify the above to be a true and correct copy of the original document on file in this department. This certified copy is valid only when printed on security paper showing the red embossed seal of the Metropolitan Government of Nashville and Davidson County. Alteration or erasure voids this certification.

Tennessee Code Annotated §68-3-101 et seq., Vital Records Act of 1977

John P. Dunn
Local Registrar

DEC 28 02
Date Issued