Box 5

Davidson County AFFIDAVIT
Recvd: 02/27/03 13:29 3pgs
Fees:17.00 Taxes:0.00
20030227-0026224

AFFIDAVIT OF HEIRSHIP

The undersigned, being the sole heirs at law of Robert Tolliver a/k/a Robert J. Tolliver, Sr., upon being first sworn, do hereby make oath and give the following affidavit.

That Robert Tolliver a/k/a Robert J. Tolliver, Sr. died intestate on March 26, 2001, leaving as the only heirs at law the following: **his surviving spouse, Myrtle L. Tolliver a/k/a Myrtle Lucille Tolliver, and four children, Robert J. Tolliver, Jr., Charles Eugene Tolliver, Bobbie Jean Howard, and Barbara Ann Harrison,** and no other deceased children or other heirs.

That on March 26, 2001, Robert Tolliver a/k/a Robert J. Tolliver, Sr., was the sole owner in fee simple of a tract of vacant property described in the Exhibit "A" legal description, known as Chris Street, Nashville, Davidson County, Tennessee, Map 70-04, parcel 78.00.

Being the sole surviving heirs at law of Robert Tolliver a/k/a Robert J. Tolliver, Sr., and therefore taking title of the aforementioned property by virtue of intestate succession, it is our desire to give notice that we are the owners in fee simple of the above referenced property.

That the estate of the above decedent has been closed, and all debts, claims, estate and/or inheritance taxes have been paid; or in the event the estate of the above named decedent has not been closed, the undersigned hereby agree to indemnify and hold harmless the following parties from any claim or loss whatsoever which may occur by virtue of the closing of the sale of certain real estate located on Chris Street, Nashville, Davidson County, Tennessee, Map 70-04, parcel 78.00:

Michael Troy Haley, Attorney, Real Estate Loan Services of Tennessee, Inc., Watauga Title, Inc., and Old Republic National Title Insurance Company, Inc.

This Affidavit of Heirship is filed with the Davidson County Register of Deeds for the purpose of giving notice pursuant to the Tennessee Code Annotated Section 30-2-712 that the above are the sole heirs at law and owners in fee simple as of this date of the property noted above and in the attached Exhibit "A" legal description.

Myrtle L. Tolliver

Myrtle L. Tolliver

Robert J. Tolliver Jr.

Robert J. Tolliver, Jr.

Charles Eugene Tolliver

Charles Eugene Tolliver

Bobbie Jean Howard

Barbara Ann Harrison

Barbara Ann Harrison

Bobbie J Howard

State of Tennessee
County of Davidson

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared **Myrtle L. Tolliver, Robert J. Tolliver, Jr., Charles Eugene Tolliver, Bobbie Jean Howard,** with whom I am personally acquainted (or proved on the basis of satisfactory evidence) and who acknowledged that they executed the within instrument for the purposes therein contained, as their free act and deed.

Witness my hand and official seal at Nashville, TN, this 11th day of September 2002.

Minister Diana Knight

Notary Public

MINISTER DIANA KNIGHT
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.

My Commission Expires: _____

My Commission Expires MAR. 27, 2005

Exhibit "A"

REVISED FOR SALE

LEGAL DESCRIPTION
OF

PROPERTY MAP 70-04, PARCEL 078
PART OF BLOCK "B" OF DEWEY HEIGHTS ADDITION
_____ CHRIS STREET, NASHVILLE, TENNESSEE 37207
2nd COUNCILMANIC DISTRICT, DAVIDSON COUNTY, TENNESSEE

Being a parcel of land in the First Precinct of the Second Councilmanic District of Davidson County, Tennessee (Street Address Being _____ Chris Street, Nashville, Tennessee, 37207) and being shown as part of Parcel 078 on Davidson County, Tennessee Property Map 70-04 and being part of Block "B" of Dewey Heights Addition of record in Plat Book 161, page 94, Register's Office of Davidson County, Tennessee, and also being part of a survey prepared December 21, 1926 by Erle Drake, County Surveyor, and being described according to a survey by George C. Gregory, Registered Land Surveyor No. 1331, Dated February 28, 2002, and Known as Project No. A02-102;

Beginning at a Parker-Kalon Nail set at the North point corner of parcel 075 on Property Map 70-04, property conveyed to Kimberly N. Buchanan and Kevin E. Caldwell, both unmarried, by James Carl Adams, et al, by Deed Instrument No. 200003090024208 of record in the Register's Office of Davidson County, Tennessee, said Parker-Kalon Nail being N 52 degrees 42' 00" E, 688.30' from the Northeast margin of Whites Creek Pike, as measured along the northwest margin of Avalon Drive (not a dedicated right-of-way) and the southeast boundary of the Plan of J.B. Haynie's Cleveland Plan of Lots, of record in Plat Book 161, page 35, in the Register's Office of Davidson County, Tennessee, as extended into Block "B" of said Dewey Heights Addition;

Thence S 37 degrees 18' 00" E, 30.00' with the Southeast line of said Buchanan and Caldwell Property to the True Point of Beginning, an iron pin set this survey;

Thence N 52 degrees 42' 00" E, 66.48' running with a line which is 30.00' southeast of, and parallel to, the northwest margin of Avalon Drive (not a dedicated right-of-way) and the southeast boundary of the plan of J.B. Haynie's Cleveland Plan of Lots, of record in Plat Book 161, page 35 in the Register's Office of Davidson County, Tennessee, to an iron pin set this survey in the south margin of Chris Street as shown on the unrecorded plan of Hickory Heights;

Thence N 86 degrees 23' 00" E, 210.15', with said south margin of Chris Street, to an iron pin set this survey at the northwest corner of parcel 081.01 on Property Map 70-04, property conveyed to Wilmer Davis and wife, Theresa Mai Davis by Deed of record in Deed Book 3347, page 39, Register's Office of Davidson County, Tennessee;

Thence S 52 degrees 42' 00" W, 241.35', with the west line of said parcel 081.01, Wilmer Davis Property, Parcel 081.03, Property conveyed to W. Olsen Taylor by deed of record in Deed Book 7672, page 492, and Parcel 081.04, Property conveyed to Arthur W. Danner and wife, Patricia I. Danner, by deed of record in Deed Book 7592, page 550, Register's Office of Davidson County, Tennessee, also being the west line of Lots 6 through 12 of an unrecorded map for Edith Howse Wright, made by John M. Sullivan, Civil Engineer, dated May 13, 1958, to an iron pin set this survey in the west line of said Danner Property at the south point corner of said Parcel 075 and Parcel 078 (the Parcel being described);

Thence N 37 degrees 18' 00" W 116.55' with the southeast line of said Parcel 075, Buchanan and Caldwell Property, to the point of beginning.

Containing 17,939 square feet or 0.41 acres, more or less.

Being part of the property conveyed to Robert Tolliver by Quitclaim Deed from Flora Denton Tolliver Bright by deed of record in Deed Book 2641, page 172, Register's Office of Davidson County, Tennessee, and also being part of the same property conveyed to Zack Tolliver by Hattie Mai Helton and husband, by deed of record in Deed Book 911, page 50, Register's Office of Davidson County, Tennessee. (The said Zack Tolliver died intestate in September 1935, leaving the said Robert Tolliver as his only heir at law.)

State of TN
County of Davidson

Before me, the undersigned authority, a Notary Public in and for said County and State, personally appeared **Barbara Ann Harrison**, personally known to me (or proved on the basis of satisfactory evidence) and who acknowledged that she executed the within instrument for the purposes therein contained, as her free act and deed.

Witness my hand and official seal at Nashville, Tennessee, this 11th day of September 2002.

Notary Public

MINISTER DIANA KNIGHT
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.
My Commission Expires MAR. 27, 2005

My Commission Expires: March 27, 2005

This Instrument was prepared by
Michael Troy Haley, Attorney
1100 Kermit Drive, Suite #204
Nashville, TN 37217
FROM INFORMATION PROVIDED BY THE PARTIES HEREIN