Prepared by:

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Davidson County AFFIDAVIT
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AFFIDAVIT OF HEIRSHIP

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

My name is MARK CAMPBELL, and I am a brother-in-law of David S. Akens, deceased. I am over the age of eighteen (18) years, and competent to testify to the facts contained herein.

On September 14, 2003, my brother-in-law, David S. Akens, died in Nashville, Davidson County, Tennessee, intestate.

My wife, Ms. Cathy Campbell, is the sister of my brother-in-law, David S. Akens;

At the time of the death of David S. Akens on September 14, 2003, he was single and unmarried. Further, my brother-in-law, David S. Akens, never had any children, natural born or adopted, during his lifetime

My father-in-law and mother-in-law, Dan Akens and Martha Akens, were the sole surviving heirs-at-law of my brother-in-law, David S. Akens, subsequent to his death on September 14, 2003;

This Affidavit of Heirship is freely given pursuant to T.C.A. 30-2-712, to help establish and reflect the heirship with respect to any real or personal property owned by David S. Akens in Nashville, Davidson County, Tennessee, and more particularly, real property located at 320 Welch Road, Unit P-3, Nashville, Tennessee, which property is described as follows:

"LAND in Davidson County, Tennessee, being Unit P-3 of Pagoda Condominiums created under Title 66, Chapter 27, Section 101, et seq., as amended, Tennessee Code Annotated and as established by a Master Deed of record in Book 6111, page 22, Register's Office for Davidson County, Tennessee, together with the undivided percentage interest in the Common Elements appurtenant to said Unit as set forth in Exhibit A-1 of said Master Deed. Reference is hereby made to the Plat of Pagoda Condominiums set forth in Exhibit A-2 of said Master Deed for a more complete identification and description of said Unit.

Being the same property conveyed to David S. Akens, II, unmarried by warranty deed from The Resource Foundation, Inc., as of record in Book 9335, page 433, Register's Office for Davidson County, Tennessee.

The above property is subject to the following:

Master Deed of record in Book 6111, page 22, including but not limited to the lien for special assessments contained therein, and the By-Laws appended thereto, said Register's Office.

Land Use Restriction Agreement of record in Book 8861, Page 363, said Register's Office.

The foregoing is improved property known as 320 Welch Road, Unit P-3, Nashville, Tennessee, 37211."

MAP 133
Parcel 15A96

FURTHER YOUR AFFIANT SAYETH NOT.

Mark Campbell
MARK CAMPBELL

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned Notary Public in and for the County and State herein, the aforementioned MARK CAMPELL, with whom I am personally acquainted, and who made oath after being duly sworn according to law, that the information contained herein is true and correct, to the best of his knowledge, information and belief.

Sworn to and subscribed before me this 18th day of September, 2003.

NOTARY PUBLIC

My Commission Expires: 01/28/06

