Davidson County AFFIDAVIT
Recvd: 12/01/04 14:31 12pgs
Fees:52.00 Taxes:0.00
20041201-0143140

AFFIDAVIT OF HEIRSHIP

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State, duly commissioned and qualified, the within named Affiants, ROBBY D. CORNWELL and BOBBY D. CORNWELL, who being first duly sworn, did depose and say:

1. That I, ROBBY D. CORNWELL, declare that I am a resident of the County of Davidson, State of Tennessee.

2. That I, BOBBY D. CORNWELL, declare that I am a resident of the County of Davidson, State of Tennessee.

3. That our father, Dean Cornwell, died testate on July 23, 1997, at the approximate age of 59 years, a resident of Nashville, Davidson County, Tennessee.

4. That at the time of Dean Cornwell's death, he owned certain real property, to wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

5. That at the time of Dean Cornwell's death, his Will devised the herein described property to his sons, Robby Dean Cornwell and Bobby Dean Cornwell. See attached Petition to Probate, Last Will and Testament, Order, and Order to Close, all cumulatively attached hereto as Exhibit B made a part hereof.

6. That Robby Dean Cornwell is one and the same person as Robby D. Cornwell.

7. That Bobby Dean Cornwell is one and the same person as Bobby D. Cornwell.

8. That Dean Cornwell is one and the same person as Eldon Dean Cornwell.

IN TESTIMONY WHEREOF, I hereunto subscribe my name this 30th day of November 2004.

Robby D. Cornwell
ROBBY D. CORNWELL, Affiant

Bobby D. Cornwell
BOBBY D. CORNWELL, Affiant

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State, the within named ROBBY D. CORNWELL and BOBBY D. CORNWELL, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 30th day of November 2004.

CINDY S. SMITH
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.

Notary Public
My Commission Expires: 1/28/2006

My Commission Expires JAN. 28, 2006

PREPARED BY: Cindy S. Smith, P.C.; Attorney at Law; P.O. Box 292004; Nashville, TN 37229-2004

0411-183.af2

5561

EXHIBIT A

Land in Davidson County, Tennessee, being Lot No. 3 on the Plan of the Resubdivision of Lot 3, Hockaday Industrial Park, of record in Book 5210, page 203, Register's Office for said County, described as follows:

Beginning at an iron pin in the northerly margin of Central Pike, said pin being located 1390.3 feet, more or less, from the centerline of Lebanon Road; thence leaving Central Pike North 39° 17' East 187.50 feet, to an iron pin; thence North 53° 00' West 178.00 feet to an iron pin located 30 feet from the centerline of the Old Hickory Branch Tennessee Central Railroad; thence North 39° 17' East 923.56 feet to an iron pin; thence South 40° 32' East 5.15 feet to an iron pin; thence South 2° 25' West 372.85 feet to a point at the southeasterly rear corner of a 1.72 acre tract, marked Reserved Parcel; thence with the northwesterly line of said Reserved Parcel, South 39° 17' West 448.67 feet to an iron pin; thence continuing South 39° 17' West 333.20 feet to an iron pin in the northerly margin of Central Pike; thence with the said margin of said Pike, North 75° 19' West 54.99 feet to the point of beginning, and containing 4.26 acres, more or less.

Being the same property conveyed to Eldon D. Cornwell and Joseph A. Rozell, III, by deed from Hockaday Equipment and Supply Company, Inc., of record in Book 5504, page 878, said Register's Office.

944

Exhibit B

IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE

PETITION TO PROBATE

DEAN CORNWELL
Decedent

Docket Number 97P1189

Your petitioner, BOBBY DEAN CORNWELL, would respectfully show to the Court, that:

1. He/~~She~~ is a resident of DAVIDSON County, Tennessee and an interested party in this estate.

2. The decedent died on the 23rd day of July, 19 97, a resident of Davidson County, Tennessee at the age of 59 years, leaving a Last Will and Testament bearing a date of July 16, 1997 and witnessed by JERRY L. SHRUM, THEODORE J. THOMAS and DIANE R. RYAN.

3. The deceased left an estate to be administered and the estimated value of the estate is $ 250,000.00 of personal property and $ 300,000.00 of real property.

4. The names, relationships, ages and addresses of those named in the Will are as follows:

Name	Relation	Age	Address
BOBBY DEAN CORNWELL	SON	36	192 BONNAFIELD DRIVE HERMITAGE, TN 37076
ROBBY DEAN CORNWELL	SON	36	620 HIGHLAND VIEW COURT HERMITAGE, TN 37076
VICKIE LYNN TROUTT	Daughter	37	275 LINDSAY HOLLOW ROAD GALLATIN, TN 37066

5. Your petitioner prays that Letters of Testamentary be issued to BOBBY DEAN CORNWELL and that the Will be admitted into Probate.

Your petitioner, BOBBY DEAN CORNWELL, makes oath that the statements contained in the foregoing Petition are true to the best of my knowledge and belief.

Robert L. Collis (0798)
P.O. Box 726
Mt. Juliet, TN ~~37115~~ 37122

Bobby Dean Cornwell
Petitioner

Sworn to and subscribed before me, this 1st day of August, 19 97.

Richard R. Rooker, Clerk

D.C.

MARILYN SUTHERLAND NOTARY PUBLIC AT LARGE WILSON COUNTY, TENN.

Notary Public

My Commission Expires 5-2-2001

970-1189
19, Aug., 1997

LAST WILL AND TESTAMENT
OF
DEAN CORNWELL

I, DEAN CORNWELL, domiciled in Davidson County, Tennessee declare this to be my Last Will and Testament, hereby expressly revoking all wills and codicils previously made by me. I am now seriously ill and my medical condition prognosis is not good. However, I believe that I am of disposing mind and memory and knowledgeable of the objects of my affection and that my mind is clear enough to distribute my property to my children.

I. Family Description and Use of Terminology

I was married to Mary Cornwell but she is now deceased. I have three children, Vicky Lynn, Robby Dean and Bobby Dean. I have numerous grandchildren but make no specific provision for them in this will.

Any reference in this Will to "child" or "children" includes the descendants of my children, per stirpes, if any of my children be deceased. Words referring to my Executor shall include any substitute or successor Executor. Words of any gender shall be deemed to include the other gender, as appropriate, and the reference to the singular shall include the plural, and vice versa, unless the context indicates that such reading would be inappropriate.

II. Executors

I appoint my son, Bobby Dean Cornwell, Executor of my Last Will and Testament. If s/he does not survive me or is for any reason unable or unwilling to serve I appoint my _____, _____, as alternate Executor. I direct that neither my Executor nor my alternate Executor shall be required to give any bond. The Executor may resign with leave of court by filing an appropriate written instrument of resignation and documents of accounting with the Probate Court.

I appoint Sally Buntin, of the law firm of Waller, Lansden, Dortch and Davis to serve as attorney for my estate. She may resign with leave of court by filing an appropriate written instrument of resignation and documents of accounting with the Probate Court.

III. Debts and Funeral Expenses

I direct that all my just debts, my funeral expenses (including the cost of suitable engraving on the monument at my grave) be paid in order for me to be interred with my late wife, and the costs of administration of my estate be paid by my Executor as soon as

practicable when due after my death, provided that adequately secured debts may be assumed and continued if the Executor deems it in the interest of the estate to do so rather than to pay them off. My Executor may in his or her sole discretion, pay from my domiciliary estate all or any portion of the costs of ancillary administration and similar proceedings in other jurisdictions.

IV. Specific Bequests

I am the father of three children, all of whom are adult and all of whom I love equally. It is my intention to provide for all my children as equally as possible in the disposition of my assets, but the task is difficult for me given their varied nature.

All of my interest in S.C. Sprinklers, Inc (which is 52%), I leave equally to my sons (each of whom is presently a 24% owner) so that each will now be a 50% owner in the business. I charge them to cooperate and work well together in operating the business I have started.

I am half owner of the parcel of land underlying the business. I am partner in this ownership with Joseph A. Rozell. I leave my half interest in this land to my sons, equally. It is within their discretion to continue the lease, create a new lease, buy Mr. Rozell's interest or sell their interest to Mr. Rozell, as they determine best for operation of the business.

My home I leave to my daughter Vicky, free and clear of any indebtedness or mortgage. ~~All of my late wife's jewelry, my household furniture, fixtures, or furnishings, I give to my daughter as well~~.

My personal effects and memorabilia I leave to my children, to be awarded by the process of consecutive alternative selection, that is to say, that my eldest child shall pick an item, followed each by her two brothers (in order of their age), repeating the process in that order until all my personal effects and memorabilia have been distributed to them.

I leave my half interest in the boat to Robby. I leave my wave runner to Bobby.

V. Dispositive Provisions

Since my wife does not survive me, I give the rest, residue and remainder of my estate to my children, to be divided among them taking into consideration my specific bequests, so as that between themselves they have approximately equal assets, as determined in the reasonable discretion of the Executor.

VI. Disclaimers

I acknowledge in all beneficiaries (and in their legal representatives) and grant to them the right to disclaim all or such part of such legacy, bequest or devise as the beneficiary (or such beneficiary's legal representative) may specify in writing deposited with the Executor within the time and in the manner specified in Section 2518 of the Internal Revenue Code, as the same may be amended from time to time, for making qualified disclaimers, and in compliance with the requirements of Section 31-1-103 of the Tennessee Code Annotated, as amended.

VII. Spendthrift Provision

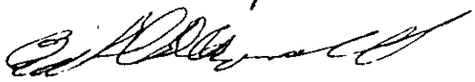
No interest of any beneficiary in the corpus or income of my estate shall be subject to assignment, alienation, pledge, attachment or claims of creditors of such beneficiary, including claims of any divorced spouse for alimony or support payments or otherwise, or subject to levy, seizure or liens for taxes and may not otherwise be voluntarily or involuntarily alienated or encumbered by such beneficiary. All such distributions of income or principal shall be paid only upon receipt to the beneficiary entitled, or to others for his or her use or benefit.

VIII. Executor's Authorization Regarding Taxation

(A) I authorize my Executor, in his or her sole and absolute discretion, to use administrative expenses as deductions for income or estate tax purposes, regardless of the effect thereon on any of the interests under this Will, and I direct that there shall be no adjustment of such interest by reasons of any action taken by my Executor pursuant hereto.

(B) I further authorize my Executor to make such disclaimers of property passing into my estate as I may have made if the same shall be advantageous from a tax standpoint.

IN WITNESS WHEREOF, I, _____, have to this my Last Will and Testament subscribed my name this 16 day of July, 1997 at _____ am/pm.

Signed: 

Dean Cornwell

The foregoing instrument consisting of this and three (3) preceding typewritten pages was signed, published and declared in our presence by Dean Cornwell, the Testator, to be his Last Will and Testament, and we, at his request and in his presence and sight and in the presence and sight of each other, have hereunto set our hands as witnesses on this the 16 day of July, 1997, at Nashville, Tennessee.

Jerry L Thomas

ADDRESS: 1245 Lower Lick
Goodlettsville, Tn 37072
TELEPHONE: 615-851-7479

Theodore J Thomas

ADDRESS: 616 Melanie Park Court
Ashland City, TN 37015
TELEPHONE: 615-746-0330

Diane R. Ryan

ADDRESS: 1835 Waterford Rd.
Murfreesboro, TN 37129
TELEPHONE: 615-893-2492

THIS DOCUMENT PREPARED BY: Gaye J. Thomas
616 Melanie Park Court
Ashland City, TN 37015

AFFIDAVIT

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Jerry L. Shrum, THEODORE J. THOMAS and Diane R. Ryan, after being duly sworn according to law, depose and say:

That they are adult citizens of Nashville, Tennessee, and are acquainted with Dean Cornwell, who executed the annexed Last Will and Testament dated the 16 day of July, 1997, on that date at Nashville, Tennessee, by subscribing his name at the end thereof in the sight and presence of each of them;

That at the time of subscribing said Last Will and Testament, he declared the instrument so subscribed by him to be his Last Will and Testament, and they hereupon signed their names as witnesses at the end of said instrument at his request and in his sight and presence, and in the sight and presence of each other; and

That Dean Cornwell, at the time of executing his Last Will and Testament, was over the age of eighteen (18) years, and in their opinion, **was of sound mind, memory and understanding and not under any restraint or in any respect incompetent to make a Last Will and Testament.**

This Affidavit was made at the request of Dean Cornwell (the Testator).

Jerry L. Shrum

Theodore J. Thomas

Diane R. Ryan

SWORN TO AND SUBSCRIBED before me this 16th day of July, 1997.

Sheri L Roberts
Notary Public

My Commission Expires:

January 20, 1999

MB 421-426

IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE

FILED
97 AUG 19 AM 9:11
RICHARD R. ROOKER, CLERK

IN RE: DEAN CORNWELL, Deceased

97P-1189

ORDER

This cause came to be heard on the 20th day of August, 1997, before the Honorable Frank Clement, Jr., Probate Judge, and upon the Petition filed with the Court, the affidavits of the subscribing witnesses, and the testimony of the Petitioner presented in open Court, from all of which the Court finds as follows:

That Dean Cornwell died in Davidson County, Tennessee, on 23rd day of July, 1997, at the age of fifty-nine (59) years and at the time of his death was a lawful resident of Davidson County, Tennessee; that on the July 16, 1997, the decedent executed an instrument which purports to be his Last Will and Testament in the presence of Jerry L. Shrum, Theodore J. Thomas and Diane R. Ryan, subscribing witnesses thereto, and that the said Jerry L. Shrum, Theodore J. Thomas, and Diane R. Ryan, as subscribing witnesses, did, at the request of the decedent and in his sight and presence and in the sight and presence of each other, witness the Will of said decedent; that said typewritten instrument in all respects qualifies as the Last Will and Testament of Dean Cornwell, deceased, and that same should be admitted to probate; that said Last Will and Testament appoints the Petitioner, Bobby Dean Cornwell, as Executor of the said Last Will and Testament without bond; and, that the Petitioner should be appointed as Executor of the Last Will and Testament of Dean Cornwell, deceased, to serve without bond.

NOW, THEREFORE, IT IS ORDERED as follows:

1. That the paper writing submitted to the Court bearing the date of July 16, 1997, and purporting to be the Last Will and Testament of Dean Cornwell is hereby admitted to probate as the Last Will and Testament of Dean Cornwell.

2. That the Petitioner, Bobby Dean Cornwell, is hereby appointed as Executor of the Last Will and Testament of Dean Cornwell, deceased, without bond, per the will and the Clerk is hereby ordered to issue "Letters Testamentary" to the Petitioner.

ENTER this the 19 day of August, 1997.

JUDGE FRANK CLEMENT, JR.

APPROVED FOR ENTRY:

ROBERT L. CALLIS
Attorney for Petitioner
2745 N. Mt. Juliet Road
P. O. Box 726
Mt. Juliet, TN 37122-0726
Telephone: (615) 758-5832

MB 136.279

IN THE SEVENTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

NOV 25 AM 9:17

RICHARD R. ROOT, CLERK

IN THE ESTATE OF:

DEAN CORNWELL
Deceased

Docket No. 97P1189
D.C.

ORDER TO CLOSE

IT APPEARING to this Court that the personal representative of this Estate was granted Letters by this Court and having filed with the Court the required non-taxable certificate from the Department of Revenue and IT FURTHER APPEARING to the Court that all claims against the Estate have been paid, that a statement by the beneficiaries have been filed with the Clerk waiving the requirement of filing a detailed accounting and stating that the personal representative of the Estate has mailed or delivered notice to file claims to the creditors of the decedent who were known or reasonably ascertainable, and lastly, IT FURTHER APPEARING, to the Court that the requirements of the Probate Court of the State of Tennessee has been complied with, there exists good cause to declare this Estate closed.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, that this Estate be closed and that this Order be entered on the Minutes of this Court upon payment of the Court costs.

ENTER, this the 25th day of Nov., 1998.

R M Bradshaw J.

APPROVED FOR ENTRY:

ROBERT L. CALLIS, Reg. No. 2798
Attorney for the Estate
P.O. Box 726
Mt. Juliet, TN 37121-0726

estate\cornwell\order.clo