Davidson County AFFIDAVIT
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This instrument prepared by:
Bottorff, Kavin & Cook, PLC (RTG)
155 Franklin Road, Ste. 120
Brentwood, TN 37027

AFFIDAVIT OF HEIRSHIP

STATE OF TENNESSEE
COUNTY OF Davidson

Come now the Affiants, **ALVIN ZAGER** and **VALERIE LANDA,** and being first duly sworn, make oath and state the following:

1. That Affiants are the son and granddaughter, respectively, of **PERRY ZAGER,** deceased, and are familiar with their family history for purposes of making this Affidavit.

2. That Perry Zager was the owner of the real property described on Exhibit A, attached hereto and incorporated herein by reference.

3. That Perry Zager died May 31, 1958. That his place of residence, at the time of death, was Nashville, Davidson County, Tennessee.

4. That Perry Zager was survived by his wife, Fannie Zager, and two children, Alvin Zager and Harry Zager.

5. That Fannie Zager died in October, 1996 and that Harry Zager died in September, 2000 having one child, Valerie Landa who was over the age of eighteen at her father's death.

6. That Perry Zager had no other children or adopted children, or descendants of deceased children or adopted children surviving at death.

7. That on knowledge, information and belief, there are no outstanding debts or encumbrances against the estate of Perry Zager, which are or might become a lien on the real property described in paragraph 2 hereof.

8. Affiant acknowledges that this Affidavit is made for the purpose of inducing West End Sandwich, L.P. to accept a warranty deed to the real property described on Exhibit A hereto, and Affiant acknowledges that they are aware West End Sandwich, L.P. relies on the truth and accurancy of the matters herein contained for such purpose, which matters shall survive the closing and conveyance of title to West End Sandwich, L.P..

9. Affiant further acknowledges that this Affidavit is made for the purpose of inducing Old Republic National Title Company to issue an owner's policy of title insurance

to West End Sandwich, L.P., insuring the title to the real property described on Exhibit A hereto, and to omit any exceptions with reference to the payment of debts and taxes against the estate of Perry Zager, and Affiant acknowledges that he/she is aware that Old Republic National Title Insurance Company relies on the truth and accuracy of the matters herein contained for such purposes. Affiant agrees to indemnify and hold harmless Old Republic National Title Insurance Company against liability under said owner's policy of title insurance to West End Sandwich, L.P. for any claims arising from or in connection with the matters herein contained, or for any debts or taxes against the estate of Perry Zager.

DATED this 17th day of June, 2005.

Alvin Zager
ALVIN ZAGER

Valerie Landa
VALERIE LANDA

STATE OF Tennessee)
COUNTY OF Williamson)

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared ALVIN ZAGER, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the foregoing instrument for the purposes therein contained.

WITNESS my hand, at office, this 15th day of June, 2005.

Robert T. Rowland
NOTARY PUBLIC

ROBERT T. ROWLAND
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires:
5/23/09

STATE OF Tennessee)
COUNTY OF Davidson)

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared VALERIE LANDA, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the foregoing instrument for the purposes therein contained.

WITNESS my hand, at office, this 17th day of June, 2005.

Rebecca L. Ballard
NOTARY PUBLIC

REBECCA L. BALLARD
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires:
5/23/09

EXHIBIT A

Land in Davidson County, Tennessee, described as follows, to-wit:

Being Lot No. 54 and the westerly 8 feet of Lot No. 55, on the Plan of Bransford Realty Company's West End Avenue Place, as of record in Book 332, page 15, Register's Office for Davidson County, Tennessee.

Said Lot and part of lot fronts 58 feet on the northerly side of Beech Street and run back between parallel lines 150 feet to an alley.

Being the same property conveyed to Perry Zager by Installment Deed, of record in Book 2395, page 192, said Register's Office.