Prepared by:
Realty Title & Escrow Co.
4721 Andrew Jackson Pkwy
Hermitage, TN 37076

Return to:
All-Star Title, Inc.
120 Donelson Pike, Ste 201
Nashville, TN 37214
Ph: (615) 883-5883 Fax: (615) 883-7543

AFFIDAVIT OF HEIRSHIP AND INDEMNITY AGREEMENT

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Comes now the undersigned, being duly sworn, this 22nd day of May 2006, and make oath that the following statements are true and accurate:

1. That the undersigned Barney Nicholas Phillips and Jane Ellen Phillips Esslinger are the only children of Helen Florence Phillips, deceased.
2. That Helen Florence Phillips, deceased, had no other children either natural or adopted.
3. That Helen Florence Phillps, deceased, had no children, either natural or adopted, who predeceased her.
4. That George N. Phillips, husband of Helen Florence Phillips, predeceased her, having died on January 20, 1984.
5. That Helen Florence Philips died unmarried on January 28, 2005.
6. That Helen Florence Phillips died leaving a holographic will that devised certain real property located at 2324 Maplecrest Drive, Nashville, Tennessee 37214 to her only children, the undersigned.
7. That the undersigned have opted not to probate the will or estate of Helen Florence Phillips, deceased, and have no intention of ever probating the will or estate of Helen Florence Phillips, deceased.
8. That immediately prior to her death, Helen Florence Phillips was the owner of said real property located at 2324 Maplecrest Drive, Nashville, Tennessee 37214.
9. That the undersigned Barney Nicholas Phillips and Jane Ellen Phillips Esslinger are the only heirs at law of Helen Florence Phillips, deceased.
10. That the undersigned are aware of the sale of said real property located at 2324 Maplecrest Drive, Nashville, Tennessee 37214 to Jason C. Gunderson.
11. That Jason C. Gunderson has paid $119,500.00 to purchase said property, which amount the undersigned believe to be a fair and reasonable price for the property.
12. That there are sufficient personalty assets in the Estate of Helen Florence Phillips, deceased, to pay any claims, taxes and/or TennCare obligations of Helen Florence Phillips or her estate.
13. That the undersigned understand that the proceeds from the sale of said property could be subject to the claims of creditors against Helen Florence Phillips or her estate.
14. That the undersigned agree to indemnify and hold harmless Realty Title & Escrow Company, Inc. for liability it may incur as a result closing the sale of the property located at 2324 Maplecrest Drive, Nashville, Tennessee 37214 in reliance on this affidavit.

Davidson County AFFIDAVIT
Recvd: 05/25/06 10:33 2 pgs
Fees:12.00 Taxes:0.00
20060525-0061442

In Witness Whereof and in testimony hereto We have signed our names:

Barney Nicholas Phillips by Jane Ellen Phillips Esslinger his attorney in fact
Barney Nicholas Phillips,
by Jane Ellen Phillips Esslinger,
his Attorney in Fact

Jane Ellen Phillips Esslinger
Jane Ellen Phillips Esslinger

Subscribed and sworn to before me this 2nd day of May, 2006.

Jenifer L. Wise
Notary Public

My commission expires _____

MY COMMISSION EXPIRES:
May 3, 2010

JENIFER L. WISE
STATE OF TENNESSEE NOTARY PUBLIC
WILSON COUNTY

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a notary public for said county and state, Jane Ellen Phillips Esslinger, with whom I am personally acquainted or who proved her identity to me on the basis of satisfactory evidence, and who acknowledged that she executed the within instrument for the purposes therein contained and further acknowledged that she is the attorney in fact for Barney Nicholas Phillips and that she is authorized by Barney Nicholas Phillips to execute this instrument on his behalf.

Jenifer L. Wise
Notary Public

My commission expires _____

MY COMMISSION EXPIRES:
May 3, 2010

JENIFER L. WISE
STATE OF TENNESSEE NOTARY PUBLIC
WILSON COUNTY