Davidson County DEEDQC
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20060627-0076582

Prepared by:
Trustland Title and Escrow, LLC
1720 West End Avenue, Suite 400
Nashville, TN 37203

91-15-047.00

Address New Owner / Tax
5300 Elkins Avenue
Nashville TN 37209

Affidavit and Quitclaim Deed

In consideration of One Dollar ($1.00), the receipt which is hereby acknowledged, Mattie Sue Crocker executes this Affidavit and Quitclaim Deed on this 26th day of June, 2006 in reference to the real property located between 5300 Elkins Avenue and 5302 Elkins Avenue in Davidson County, Tennessee (hereinafter referred to as the "Subject Property") including but not limited to wit:

Being the 18 feet across the front and 23.5 feet across the back of the property located between 5300 Elkins Avenue and 5302 Elkins Avenue, Nashville, Davidson County, Tennessee.

Said property begins 50 feet west of 53rd Avenue and runs 150 feet from the front of the property to the back of the property.

Background:

Subject Property was part of the same property conveyed to George Edward Brown by deed of record in Book 1582, Page 103, Register's Office for Davidson County, Tennessee. On June 18, 1948, George Edward Brown, a single man, executed a warranty deed of record in Book 1629, Page 67, said Register's Office, to Oscar Davis Ryan, Jr., and wife, Dorothy Ryan, conveying title to all of the property that he received in the prior deed except for the Subject Property referenced above. The property conveyed in the Brown to Ryan Deed is currently known as 5300 Elkins Avenue. The subject 18 feet across the front and 23.5 feet across the back has been omitted from subsequent deeds for the property, including the deed to the current owner, Sheryl Lynn Dukes, dated June 22, 2001, and of record in Instrument Number 20010705-0071965, said Register's Office.

On May 26, 1949, G.E. Brown and wife, Sallie Brown, conveyed the property that is currently known as 5302 Elkins Avenue to John A. Bruce and wife, Evelyn B. Bruce, of record in Book 1725, Page 315 in the Register's Office for Davidson County, Tennessee. The Subject Property was not included in the Brown to Bruce deed, and it was omitted from a subsequent deed dated September 30, 1953 to Howell E. Crocker, Sr. and wife, Mabel G. Crocker, of record in Record Book 2198, Page 592, said Register's Office. The aforementioned Howell E. Crocker, Sr. and Mabel G. Crocker have since died, and Mattie Sue Crocker is the current owner of the property known as 5302 Elkins Avenue.

None of the Subject Property appears on the current deed for 321 53rd Avenue North, which is situated behind 5300 Elkins Avenue and 5302 Elkins Avenue, and is owned by Roy E. Beeler, et. ux.. (See Book 8065, Page 708 and Book 4958, Page 857, said Register's Office). Roy E. Beeler has been the owner of 321 53rd Avenue North since 1975.

For a substantial period of time, Mattie Sue Crocker and the owners of 5300 Elkins Avenue have continuously owned and exercised exclusive control over the Subject Property. Mattie Sue Crocker has or had openly exercised ownership rights over roughly the westerly 5 feet across the front of the Subject Property and roughly the westerly 10 feet across the back of the Subject Property. The owners of the property located at 5300 Elkins Avenue exercised similar ownership rights over roughly the remaining 13 feet across the front and 13.5 feet across the back of the Subject Property. Said ownership by all parties was adverse, actual, continuous, exclusive, open and notorious, and uninterrupted. The parties have performed activities on their portions such as mowing and landscaping. On November 28, 2003, Mattie Sue Crocker executed a Quitclaim Deed to Sheryl Dukes conveying any interest that she possessed in the Subject Property. Mattie Sue Crocker currently performs activities such as mowing on a portion of the Subject Property with the permission of Sheryl Dukes (also known as Sheryl Lynn Dukes).

Mattie Sue Crocker executes this Affidavit to acknowledge the accuracy of the information herein and further quitclaims the Subject Property to the extent necessary due to scrivener's errors and notarial errors in the aforementioned quitclaim deed. *

*See Inst. No. 20060627-0076581, RODCT.

State of Tennessee

County of Davidson

I, Mattie Sue Crocker, an unmarried woman and a resident of Nashville, Davidson County, Tennessee, being first duly sworn upon my oath depose and state:

That I am an adult, and I am under no legal disability.

That I have been the fee simple owner of 5302 Elkins Avenue, Nashville, Tennessee 37209 since approximately 1976 (7/13/76)**, and I have resided at said address continuously since** 1953 (parent's house)**.**

That I am and have continuously been well acquainted with my property and the adjoining property located at 5300 Elkins Avenue, Nashville, Tennessee 37209, which is owned by Sheryl Lynn Dukes.

That, to the best of my knowledge, since I have owned 5302 Elkins Avenue, the owners of 5300 Elkins Avenue and I have exercised rights over the Subject Property, as described in the background information herein.

That I have continuously and exclusively exercised ownership over roughly 5 feet across the front and 10 feet across the back of the Subject Property, and the various owners of 5302 Elkins Avenue have exclusively and continuously exercised ownership over the remaining portion of the Subject Property. Said ownership has been adverse to the rights of all others, actual, and open and notorious.

That no other parties including owners of adjoining parcels of land (Roy E. Beeler) have exercised similar rights with regard to the Subject Property.

That, while I may not have first hand knowledge as to every fact stated in the background information herein, I have no knowledge of any of the information thereinabove being false.

That I executed a quitclaim deed to Sheryl Dukes on November 28, 2003 conveying all of my interests and rights in the Subject Property.

Executed on the date first written above.

Mattie Sue Crocker

Mattie Sue Crocker

State of Tennessee
County of Davidson

Sworn to and subscribed before me, a Notary Public for the State and County above, this the 26th **day of June, 2006.**

JEFFREY C. HORN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN

Notary Public

My Commission Expires JAN. 26, 2008

My commission expires:

In order to correct any errors on the previous quitclaim deed, I hereby transfer, relinquish, and quitclaim all of my rights and interests that I might possess in the Subject Property to Sheryl Dukes (also known as Sheryl Lynn Dukes), an unmarried woman.

Executed on the date first written above.

Mattie Sue Crocker

Mattie Sue Crocker

State of Tennessee
County of Davidson

On this 26th day of June, 2006, before me, a Notary Public for Davidson County, Tennessee, personally appeared Mattie Sue Crocker, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the quitclaim deed herein for the purposes therein contained.

Jeffrey C. Horn
Notary Public

JEFFREY C. HORN
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN
My Commission Expires JAN. 26, 2008

My commission expires:

State of Tennessee
County of Davidson ss

The actual consideration for this transaction is $0.

Sheryl Dent
Affiant

Subscribed and sworn to before me on this 26th day of June, 2006.

Jeffrey C. Horn
Notary Public

My commission expires:

JEFFREY C. HORN
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN
My Commission Expires JAN. 26, 2008