Dodson 31 B
MLB

This Instrument Prepared By:
Margaret L. Behm
Dodson, Parker & Behm, P.C.
306 Gay Street, Suite 400
Nashville, Tennessee 37201

PICK-UP

Davidson County AFFIDAVIT
Recvd: 09/11/06 16:14 5 pgs
Fees:27.00 Taxes:0.00
20060911-0112520

AFFIDAVIT OF INHERITANCE OF REAL ESTATE

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The undersigned, Gloria D. Benson, Executor of the Estate of John Dee Applegate, being duly sworn, deposes and says;

John Dee Applegate, a resident of Nashville, Davidson County, Tennessee, who died December 20, 2005, as evidenced by a copy of the death certificate attached as Exhibit A, held a fee simple interest in the following described real estate:

land in the 11th, formerly the 19th Civil District of Davidson County, Tennessee, described partly according to a survey made thereof by Wm. Collier Parrish Associates, Engineers, dated March 23, 1957, as follows:

> Beginning at a cedar post in the west line of the land that was conveyed to D. H. Brooks and wife, by deed of record in Book 2151, page 223, said post being 70 feet south of the south line of a proposed street running along the Edward EW. Marline Property of 14 acres, being conveyed to William H. Mangrum, said property line being in the west line of Tract 1, on the map of the Lands of Robert Cowley, not of record; thence along said Brooks line along the west line of Tract 1 of said Cowley lands south 4 deg. 25' west 190 feet to the low water mark of the Cumberland River as created and established by an easement granted to United States of America by deed of record in Book 2276, page 487, Register's office for Davidson County, Tennessee; thence with the low water mark of Cumberland River westerly 207 feet to a point which is 180 feet easterly from the center line of Neeley's Bend Road; thence north 4 deg. 05' west 195 feet to the original cedar post which post is south 1 deg. 35' west 68 feet from an iron pin set in the south margin of a proposed street above referred to; thence north 79 deg. 55' east 234 feet to the point of beginning. Together with a right-of-way 25 feet wide running north and south from the northwest corner of the land above described to the south margin of said proposed Street which runs along the south line of Edward E. Marlin's tract being conveyed to Mangrum as aforesaid and described according to the above mentioned survey as follows:
>
> Beginning at the northwest corner of the tract above described at an original cedar post; thence north 1 deg. 35' east 68 feet to an iron pin in the south margin of said proposed street which is 147.5 feet east of the center line of Neeley's Bend Road; thence with the margin of

said proposed street north 79 deg. 50' east 25 feet to an iron pin; thence south 1 deg. 35 min west 68.25 feet to an iron pin in the north line of the tract above described; thence with the line of the same south 79 deg. 55' west 25 feet to the point of beginning, which said described property is conveyed for right-of-way purposes only leading from the land above described to the south margin of said proposed street.

Being the same property conveyed to John D. Applegate, by deed from John R. Wilson and wife, Lucille Graham Wilson, of record by Instrument No. 20021121-0144846, said Register's Office of Davidson County, Tennessee.

This is unimproved property known as 2349 Neelys Bend Road, Madison, TN 37115.

SUBJECT TO Governmental zoning and subdivision ordinances or regulations in effect thereon.

Gloria D. Benson received all right, title, and interest in the real estate described above under the provisions of the decedent's Will, probated in the Probate Court of Davidson County, State of Tennessee, Case No. 06P-29. Administration of the Estate of John Dee Applegate, appointing the undersigned, Gloria D. Benson, Executor, is found in Volume No. 6279\2191374, of the Davidson County, Probate Court.

To the best of affiants' knowledge, information and belief, there are no debts or encumbrances remaining that are or might become a lien on said interest in the described real estate.

A Tennessee Inheritance Tax Closing Letter has been received, a copy of which is attached as Exhibit B.

T.C.A § 67-4-409(a)(3)(D) exempts this instrument from tax and T.C.A. §67-4-409(a)(5) further provides the valuation oath is unnecessary, the affidavit being used to evidence transfer title to the property to a beneficiary.

THE PREPARER OF THIS DEED MAKES NO REPRESENTATION AS TO THE DESCRIPTION OF OR STATUS OF TITLE TO THE PROPERTY DESCRIBED HEREIN. THIS DEED HAS BEEN PREPARED SOLELY FROM INFORMATION FURNISHED TO THE PREPARER, WHO MAKES NO REPRESENTATION WHATSOEVER OTHER THAN IT HAS BEEN ACCURATELY TRANSCRIBED FROM THE INFORMATION PROVIDED.

Gloria D. Benson

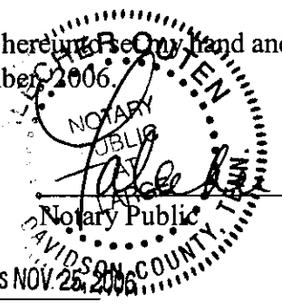
Gloria D. Benson, Executor

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Before me, a Notary Public, duly appointed, commissioned and qualified in and for the State and County aforesaid, personally appeared GLORIA D. BENSON, the within named bargainor, with whom I am personally acquainted, who signed, sealed and delivered the foregoing instrument in my presence, and who, upon oath, acknowledged that she executed the foregoing instrument for the purposes therein contained as her free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal at my office in said County, on this 11th day of September, 2006.



Notary Public

My commission expires: My Commission Expires NOV. 25, 2006

METROPOLITAN GOVERNMENT OF NASHVILLE & DAVIDSON COUNTY
Office of Vital Records

0507116

TENNESSEE DEPARTMENT OF HEALTH
CERTIFICATE OF DEATH

STATE FILE NUMBER:

TYPE/PRINT IN PERMANENT BLACK INK FOR INSTRUCTIONS SEE HANDBOOK

DECEDENT

1. DECEDENT'S NAME (First, Middle, Last): John D. Applegate
2. SEX: Male
3. DATE OF DEATH (Month, Day, Year): December 20, 2005
4. SOCIAL SECURITY NUMBER (of Deceased): 414-22-0889
5a. AGE-LAST BIRTHDAY (Years): 81
5b. UNDER 1 YEAR: MONTH / DAYS
5c. UNDER 1 DAY: HOURS / MIN
6. DATE OF BIRTH (Month, Day, Year): Nov. 20, 1924
7. BIRTHPLACE (City and/or State or Foreign Country): Florence, Alabama
8. WAS DECEDENT EVER IN U.S. ARMED FORCES? 1 [X] Yes 2 [ ] No
9a. PLACE OF DEATH (Check only one): HOSPITAL: 1 [ ] Inpatient 2 [ ] ER/Outpatient 3 [ ] DOA; OTHER: 4 [ ] Nursing Home 5 [X] Residence 6 [ ] Other (Specify)
9b. FACILITY NAME (If not institution, give street and number): 733 W. Douglas Avenue
9c. CITY, TOWN, OR LOCATION OF DEATH: Nashville
9d. COUNTY OF DEATH: Davidson
10. MARITAL STATUS-Married, Never Married, Widowed, Divorced (Specify): Divorced
11. SURVIVING SPOUSE (If wife, give maiden name): N/A
12a. DECEDENT'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired.): Founder & Owner
12b. KIND OF BUSINESS/INDUSTRY: Applegate Motors
13a. RESIDENCE-STATE: Tennessee
13b. COUNTY: Davidson
13c. CITY, TOWN, OR LOCATION: Nashville
13d. STREET AND NUMBER OR RURAL LOCATION: 733 W. Douglas Avenue
CENSUS TRACT
13e. INSIDE CITY LIMITS? 1 [X] Yes 2 [ ] No
13f. ZIP CODE: 37207
14. WAS DECEDENT OF HISPANIC ORIGIN? (Specify Yes or No-If yes, specify Cuban, Mexican, Puerto Rican, etc.) Specify, if yes: [ ] Yes [X] No
15. RACE-American Indian, Black, White, etc. (Specify): White
16. DECEDENT'S EDUCATION (Specify only highest grade completed): Elementary/Secondary (0-12): 12; College (1-4 or 5+):

PARENTS

17. FATHER'S NAME (First, Middle, Last): Jess Applegate
18. MOTHER'S NAME (First, Middle, Maiden Surname): Grace Moore

INFORMANT

19a. INFORMANT'S NAME (Type/Print): Gloria Benson
19b. RELATIONSHIP TO DECEASED: Niece
19c. MAILING ADDRESS (Street and Number or Rural Route Number, City or Town, State, Zip Code): 1824 Wilson Pike Brentwood, Tennessee 37027

DISPOSITION

20a. METHOD OF DISPOSITION: 1 [ ] Burial 2 [ ] Cremation 3 [ ] Removal from State 4 [ ] Donation 5 [X] Other (Specify): Entombment
20b. PLACE OF DISPOSITION (Name of cemetery, crematory, or other place): Woodlawn Cross Mausoleum
20c. LOCATION-City or Town, State: Nashville, Tennessee
21a. SIGNATURE OF FUNERAL DIRECTOR: L. Kent Wilkinson
21b. LICENSE NUMBER OF FUNERAL DIRECTOR: 4535
21c. SIGNATURE OF EMBALMER: Brandy Collier
21d. LICENSE NUMBER OF EMBALMER: 5828
22a. NAME AND ADDRESS OF FUNERAL HOME: Woodlawn-Roesch-Patton Funeral Home 660 Thompson Ln. Nashville, Tennessee 37204
22b. LICENSE NUMBER OF FUNERAL HOME: 933

REGISTRAR

23. REGISTRAR'S SIGNATURE: Helen L. Bowen
24. DATE FILED (Month, Day, Year): December 29 2005

CERTIFIER

PHYSICIAN OR MEDICAL EXAMINER EXECUTING CERTIFICATE MUST COMPLETE AND SIGN MEDICAL CERTIFICATION WITHIN 48 HOURS

25a. PHYSICIAN - To the best of my knowledge, death occurred at the date and place, and due to the cause(s) and manner as stated. [X] SIGNATURE AND TITLE OF PHYSICIAN: John R McRae
25b. LICENSE NUMBER: MD13502
25c. DATE SIGNED (Month, Day, Year): 12/28/05
26a. MEDICAL EXAMINER - On the basis of examination and/or investigation, in my opinion, death occurred at the date and place, and due to the cause(s) and manner as stated. 2 [ ] SIGNATURE AND TITLE OF MEDICAL EXAMINER: John R McRae
26b. LICENSE NUMBER: MD13502
26c. DATE SIGNED (Month, Day, Year): 12/28/05
27. NAME AND ADDRESS OF CERTIFIER (PHYSICIAN OR MEDICAL EXAMINER) (Type/Print): Dr. John McRae 4230 Harding Rd. #527 Nashville, TN 37205

CAUSE OF DEATH

28. PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line. Approximate Interval Between Onset and Death:
IMMEDIATE CAUSE (Final disease or condition resulting in death): a. Respiratory failure due to — 6 mos, 7 hrs
DUE TO (OR AS A CONSEQUENCE OF):
Sequentially list conditions, if any, leading to immediate cause. Enter UNDERLYING CAUSE (Disease or injury that initiated events resulting in death) LAST
b. Chronic obstructive lung disease plus
DUE TO (OR AS A CONSEQUENCE OF):
c. pulmonary hypoventilation syndrome
DUE TO (OR AS A CONSEQUENCE OF):
d. and obstructive sleep apnea
See instructions for other side.

PART II. Other significant conditions contributing to death but not resulting in the underlying cause given in Part I: congestive heart failure, diabetes, hepatopathy, Type 2 diabetes, peripheral vascular disease
29a. WAS AN AUTOPSY PERFORMED? 1 [ ] Yes 2 [X] No
29b. WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH? 1 [ ] Yes 2 [ ] No

30. MANNER OF DEATH: 1 [X] Natural 5 [ ] Pending Investigation 2 [ ] Accident 3 [ ] Suicide 6 [ ] Could not be Determined 4 [ ] Homicide
31a. DATE OF INJURY (Month, Day, Year)
31b. TIME OF INJURY
31c. INJURY AT WORK? 1 [ ] Yes 2 [ ] No
31d. DESCRIBE HOW INJURY OCCURRED
31e. PLACE OF INJURY At home, farm, street, factory, office building, etc. (Specify)
31f. LOCATION (Street and Number or Rural Route Number, City or Town, State)

JN-1029 (REV. 8/05)
BIRTH NO.
RDA 1399

I hereby certify the above to be a true and correct copy of the original document on file in this department. This certified copy is valid only when printed on security paper showing the red embossed seal of the Metropolitan Government of Nashville and Davidson County. Alteration or erasure voids this certification.

Tennessee Code Annotated 68-3-101 et seq., Vital Records Act of 1977.

Tonya Y. Ruttlen
Local Registrar

EXHIBIT

DEC 29 2005
Date Issued

THE GREAT SEAL OF THE STATE OF TENNESSEE XVI AGRICULTURE COMMERCE 1796

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

CERTIFICATION OF VITAL RECORD

N0018901 6739588060818

TENNESSEE DEPARTMENT OF REVENUE

8-23-06

Inheritance Tax Closing Letter (This is not a bill for tax due)

August 21, 2006

APPLEGATE JOHN D
ATTN: MARGARET L BEHM
306 GAY ST STE 400
NASHVILLE TN 37201-1162

Account Type:	INHERIT TX
Account No.:	441010451
Date of Death:	December 20, 2005
County:	DAVIDSON
Social Security No.:	[redacted]-0889

A sworn return for inheritance tax has been filed with this department by the representative of the above estate.

As provided in Section 67-8-420, Tennessee Code Annotated, this receipt or certificate authorizes the court of the county in which such estate was administered to permit a final settlement or accounting by the estate representative.

The liability, as denoted in this closure letter, has been paid to the State of Tennessee. This is not a bill:

Inheritance Tax:	$40,414.42
Estate Tax:	$0.00
Interest:	$0.00
Penalty:	$0.00
Total:	$40,414.42

DETACH BELOW AND RETAIN FOR YOUR RECORDS

TENNESSEE DEPARTMENT OF REVENUE

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EXHIBIT B

RV-N0018901