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This Instrument Was Prepared By:
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Davidson County AFFIDAVIT
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AFFIDAVIT OF HEIRSHIP

STATE OF TENNESSEE:
COUNTY OF DAVIDSON

Affiant, Brian O. Stewart, after first being duly sworn, does hereby makes oath and give the following affidavit:

That he is an adult citizen and resident of Davidson County, Tennessee.

That he is the son of James O. Stewart and Fannie W. Stewart.

That James O. Stewart and Fannie W. Stewart had no other children.

That James O. Stewart and Fannie W. Stewart were married to each other on May 27, 1951.

That Fannie W. Stewart was married to James O. Stewart at the time of her death on December 25, 2006 in Davidson County, Tennessee.

Fannie W. Stewart died intestate and was survived by her husband and son.

Upon information and belief, at the time of her death, Fannie W. Stewart and James O. Stewart owned the property described below as joint tenants with rights of survivorship being real property located at 1905 26th Avenue North, Nashville, Tennessee 37208, more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 29 on the Plan of Cumberland Gardens, Section V, as of record in the Book 3300, page 37, Registers Office of Davidson County, Tennessee.
>
> Said Lot No. 29 fronts 50 feet on the west side of 26th Avenue North and extends back 135.1 feet on the north line and 106 feet n the south line to a dead line, which is a broken line, measuring 58.9 feet thereon.
>
> Being the same property conveyed to Dr. James O. Stewart and wife, Fannie Stewart by deed from Robert Smith and wife, Norma J. Smith, of record in Book 4024, page 807, Register's Office of Davidson County, Tennessee. Said

property being inadvertently and erroneously conveyed by James O. Stewart and Fannie W. Stewart to John Cherry and Juanita Cherry pursuant to an Installment Deed dated March 1, 1976, recorded on April 2, 1976, in Book 5011, page 765, said Register's Office. Said parties executed that certain Rescission of Installment Deed, dated December 3, 1980, recorded in Book 5687, page 586, said Register's Office. To properly negate and cancel said Installment Deed, on June 14, 2007, John Cherry and Juanita Cherry executed that certain Quitclaim Deed of recorded as Instrument No. _____, said Register's Office, whereby the above-described property was conveyed to the Estate of James O. Stewart.

James O. Stewart died intestate on April 17, 2007 and he was survived by his son, Brian Stewart.

At the time of James Stewart's death, he owned one hundred percent interest in the real property located at 1905 26th Avenue North, Nashville, Tennessee 37208, more particularly described as follows:

Land in Davidson County, Tennessee, being Lot No. 29 on the Plan of Cumberland Gardens, Section V, as of record in the Book 3300, page 37, Registers Office of Davidson County, Tennessee.

Said Lot No. 29 fronts 50 feet on the west side of 26th Avenue North and extends back 135.1 feet on the north line and 106 feet n the south line to a dead line, which is a broken line, measuring 58.9 feet thereon.

Being the same property conveyed to Dr. James O. Stewart and wife, Fannie Stewart by deed from Robert Smith and wife, Norma J. Smith, of record in Book 4024, page 807, Register's Office of Davidson County, Tennessee. Said property being inadvertently and erroneously conveyed by James O. Stewart and Fannie W. Stewart to John Cherry and Juanita Cherry pursuant to an Installment Deed dated March 1, 1976, recorded on April 2, 1976, in Book 5011, page 765, said Register's Office. Said parties executed that certain Rescission of Installment Deed, dated December 3, 1980, recorded in Book 5687, page 586, said Register's Office. To properly negate and cancel said Installment Deed, on June 14, 2007, John Cherry and Juanita Cherry executed that certain Quitclaim Deed of recorded as Instrument No. _____, said Register's Office,

whereby the above-described property was conveyed to the Estate of James O. Stewart.

ALSO KNOWN AS: 1905 26th Avenue North, Nashville, Tennessee 37208.

That upon information and belief, all persons having interest in the property located at 1905 26th Avenue North, Nashville, Tennessee 37208 are the following: Brian O. Stewart (being the same Brian O. Stewart whose signature appears below).

This Affidavit of Heirship is freely given pursuant to Tennessee Code Annotated §§ 30-2-712, et seq., to help establish and reflect the heirship with respect to any real or personal property owned by the said James O. Stewart and Fannie W. Stewart in Davidson County, Tennessee, or elsewhere.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Further affiant saith not.

Brian O. Stewart

Brian O. Stewart

Witness my hand this 14th day of June, 2007.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me the undersigned authority, Brian O. Stewart, the within named bargainor, with whom I am personally acquainted proved to me on the basis of satisfactory evidence and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee this 14th day of June, 2007.

Christi L. Dyer

Notary Public

CHRISTI L. DYER
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires 11/22/2008

My Commission expires on:
11/22/2008