Davidson County AFFIDAVIT
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This Instrument Was Prepared By:
BASS BERRY & SIMS, PLC (BHS)
315 DEADERICK STREET
SUITE 2700
NASHVILLE, TN 37238

AFFIDAVIT OF HEIRSHIP

STATE OF PENNSYLVANIA

COUNTY OF BEAVER

The affiant, Carolyn T. Ellis, after first being duly sworn, does hereby state and affirm as follows:

1. I am an adult citizen and a resident of 516 American School Road, Harmony, PA 16037, being 51 years of age, having been born on June 20, 1956.

2. I am the daughter-in-law of Henry Wilson Ellis.

3. Henry Wilson Ellis died married, testate, a resident of Orange County, Florida on June 24, 2002.

4. Elsa Tice Ellis, born July 19, 1918, a resident of 70 W. Lucerne Circle, #319, Orlando, FL 32801 is the surviving spouse of Henry Wilson Ellis.

5. James T. Ellis, born on May 5, 1956 and died on June 28, 2001 a resident of Harmony, PA, is the only child ever born to or adopted by Henry Wilson Ellis.

6. The following are all of the children ever born to or adopted by James T. Ellis, all of whom are currently living:

- Laura Cecelia Ellis, born December 23, 1986, and a resident of 516 American School Road, Harmony, PA 16027

- Allen Grant Ellis, born July 19, 1989, and a resident of 516 American School Road, Harmony, PA 16027.

7. A copy of the Last Will and Testament of Henry Wilson Ellis dated May 10, 1990, which has been duly probated, is attached hereto as Exhibit A.

This Affidavit is freely given pursuant to Tennessee Code Annotated § 30-2-712 *et seq.*, to help establish and reflect the heirship with respect to the real property owned by Henry Wilson Ellis in Davidson County, Tennessee, and particularly to confirm the vesting of title in Laura Cecilia Ellis and Allen Grant Ellis as tenants-in-common, subject, however, to the right of Elsa Tice Ellis to the income therefrom during her lifetime, to certain real property located in Davidson County, Tennessee, described as follows:

Parcel Identification Number: 09606005800

A tract of land in the Third, formerly the Second, Civil District of Davidson County, Tennessee, being part of a tract marked "reserved" on the map of Donelson Heights, as of record in Book 1424 Page 35, Register's Office for Davidson County, Tennessee, lying immediately north of Lot 70, shown on said plan and described as follows:

Beginning at a point at the common northerly and rear corner of Lots 69 and 70 on said plan: thence northwesterly along the line between said Lots, if extended, 159 feet more or less to the southerly margin of McCampbell Avenue; thence northeasterly along the margin of said avenue 85 feet to a point; thence southerly along the line between Lots 70 and 71, if extended, 159 feet more or less to the common rear and northerly corner of said Lots 70 and 71; thence westerly along the rear line of Lot 70, 85 feet to the beginning.

Being the same property conveyed to Henry Wilson Ellis by deed dated September 11, 1950 of record in Deed Book 1881, Page 335 Register's Office for Davidson County, Tennessee.

FURTHER AFFIANT SAITH NOT.

Dated: June 4, 2008

Carolyn T. Ellis

Carolyn T. Ellis, Affiant

STATE OF PENNSYLVANIA
COUNTY OF Butler

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, Carolyn T. Ellis, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained and, further, who subscribed to such instrument and swore to the matters therein contained before me under oath.

Witness my hand, at Cranberry TWP, Pennsylvania, this 4 day of June, 2008.

Christine A Kaelin

Notary Public

My Commission Expires:

_____

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Christine A. Kaelin, Notary Public
Cranberry Twp., Butler County
My Commission Expires May 27, 2012
Member, Pennsylvania Association of Notaries

6653664.2

HS 2002 CP 1963-O

LAST WILL AND TESTAMENT

OF

HENRY W. ELLIS

FILED IN OFFICE 7/31/02
MARTHA O. HAYNIE Clerk, Cir. Ct., Orange Co., FL
by _____ D.C.

****

I, HENRY W. ELLIS, a resident of Orange County, Florida, hereby make, publish and declare this to be my Last Will and Testament and I revoke all prior wills made by me.

I

I direct that my just debts be paid as soon as reasonably convenient after my death. I give my body to the closest medical institution to me at the time of my death and authorize the use of any needed organs or parts for the purpose of transplantation, therapy, medical research or education and/or anatomical study if needed.

II

I give and devise to my son, JAMES T. ELLIS, (a) my real property in Tennessee, subject however, to the right of my wife, ELSA T. ELLIS, to the income therefrom during her lifetime; and (b) my real property on Concord Avenue, Orlando, Florida, subject however, to a life estate therein to my wife, ELSA T. ELLIS.

III

I give and devise all the rest, residue and remainder of my estate to my wife, ELSA T. ELLIS.

IV

In the event my said wife predeceases me, I give and devise the remainder of my estate as follows:

A. My residence at 2725 Lake Holden Terrace, in Orlando, Florida, to my son, JAMES T. ELLIS, and to EMILY T. FORWARD, subject to the right of JAMES T. ELLIS and the heirs of his body to occupy or receive income from rental of the residence on the front of the property, and subject to the right of EMILY T. FORWARD and

HWE

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the residence on the rear of the property, sharing equally in use and care of common properties, and with each contributing their fair share of taxes, insurance and upkeep of the property.

I request that my son, JAMES T. ELLIS, execute a will whereby his share of this property at 2725 Lake Holden Terrace is given to the heirs of his body subject to the right of EMILY T. FORWARD and the heirs of her body to occupy or receive income from rental of a portion of the property as outlined above.

I request that EMILY T. FORWARD execute a will whereby her share of this property at 2725 Lake Holden Terrace is given to the heirs of her body subject to the right of JAMES T. ELLIS and the heirs of his body to occupy or receive income from rental of a portion of the property as outlined above.

Upon mutual agreement of the duly selected representative of JAMES T. ELLIS and the heirs of his body and the duly selected representative of EMILY T. FORWARD and the heirs of her body, the above property may be sold. Proceeds from such sale shall be divided 50% to JAMES T. ELLIS and his heirs, and 50% to EMILY T. FORWARD and her heirs. Partial sale or exchange of any portion of the above property may only be made between heirs of my body and EMILY T. FORWARD and heirs of her body.

B. The remaining assets of my estate to my son, JAMES T. ELLIS.

V

I name and appoint my wife, ELSA T. ELLIS, Personal Representative of this Will without bond. In the event she predeceases me or fails to qualify, I name and appoint my son, JAMES T. ELLIS, Personal Representative of this Will without bond. I give my Personal Representative full power of sale of any or all of the assets of my estate without the requirement of court

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approval.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 10 day of MAY, 1990.

Henry W. Ellis
HENRY W. ELLIS

The above and foregoing instrument was signed, sealed, published and declared by the above named HENRY W. ELLIS, as and for his Last Will and Testament, in the presence of us, who, at his request and in his presence and in the presence of each other, have hereunto subscribed our names as witnesses thereunto this the day and year last above written.

Laura Frase of Orlando, Florida

Lois M. Briscoe of Orlando, Florida

STATE OF FLORIDA
COUNTY OF ORANGE

We, HENRY W. ELLIS, the Testator, and LAURA FRASE, and LOIS M. BRISCOE, the witnesses, whose names are signed to the foregoing instrument, were sworn and declared to the undersigned officer that the Testator signed the instrument as his Last Will and Testament, that he signed, and that each of the witnesses, in the presence of the Testator and in the presence of each other, signed the Will as a witness.

Henry W. Ellis
HENRY W. ELLIS, Testator

Laura Frase
Witness

Lois M. Briscoe
Witness

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Subscribed and sworn to before me by HENRY W. ELLIS, the Testator, and by LAURA FRASE and LOIS M. BRISCOE, the witnesses, on MAY 10, 1990.

Julian C. Dominick
NOTARY PUBLIC

My Commission Expires:
JUNE 13, 1993

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