IN THE SEVENTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

PROBATE DIVISION

FILED
2008 JUL 18 PM 2:45
RICHARD R. ROOKER, CLERK
D.C.

IN RE: ESTATE OF TIMOTHY RUSSELL RUNEY,	)	Docket No: 08P-332
Deceased.	)	

AFFIDAVIT OF PEGGY RUNEY

I, Peggy Runey, being duly sworn, depose and state under oath the following:

1. My name is Peggy Runey and the information contained in this Affidavit is based upon my personal knowledge.

2. My father, Russell Oscar Runey (hereinafter "father"), died on May 28, 1998, in Madison, Dane County, Wisconsin.

3. My father had a validly executed Last Will & Testament and Revocable Trust named "Russell O. Runey Revocable Trust" dated May 8, 1998.

4. Pursuant to said Trust Agreement, my brother, Timothy Russell Runey, was appointed as Trustee and I was appointed as Successor Trustee.

5. My brother, Timothy Russell Runey, died on January 29, 2008, whereby leaving me as the Trustee of the afore-referenced Trust.

6. Pursuant to Paragraph Four of my father's Last Will & Testament, specifically described as "Residue of Estate", any real property not specifically devised in said Will was given, devised and bequeathed to my father's Revocable Trust.

7. My father was the fifty percent (50%) owner of a parcel of real property located at 236 Warrior Road, Madison, Tennessee 37115, as a tenant in common with my brother, Timothy Russell Runey, at the date of my father's death.

Davidson County AFFIDAVIT
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8. My father did not specifically give, devise, or bequeath his interest in the above-referenced property in his Will and therefore said property became a part of the Revocable Trust for the reasons previously set forth herein.

9. Pursuant to Article VI (7), as the Trustee of my father's Trust, I have the power to "transfer title to, grant rights in and convey in fee simple or otherwise any property which may be held, free of all trust."

10. According to my above-referenced power as Trustee, I hereby disclaim any interest said Trust may have to the property located at 236 Warrior Road, Madison, Tennessee 37115, and further executing my power as Trustee, I hereby give, devise and bequeath any interest the Trust may have in said property to the estate of my brother, Timothy Russell Runey. Said estate now being duly probated in the Circuit Court for Davidson County, Tennessee, bearing Docket number 08P-332.

FURTHER DEPONENT SAITH NOT.

Peggy Runey

STATE OF WISCONSIN)
)
COUNTY OF DANE)

Personally appeared before me, the undersigned, a ~~Notary~~ Public in and for said County and State, Peggy Runey, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who made oath that the statements set forth in the foregoing Affidavit is true and correct to the best of her knowledge, information and belief.

Sworn to and subscribed before me, this the 20th day of March, 2008.

Notary Public

My Commission ~~Expires:~~ is permanent.

STATE OF TENNESSEE

I, **RICHARD R. ROOKER,** Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the AFFIDAVIT heretofore entered in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 18 day of JULY , 2008 , in Case Number 08P332 between RUNEY, STEPHANIE E Petitioner, and RUNEY, TIMOTHY RUSSELL Respondent, as same remains in the records of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 11 day of SEPTEMBER 2008

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

SEAL