IN THE SEVENTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

FILED
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RICHARD R. ROOKER, CLERK
D.C.

PROBATE DIVISION

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

AFFIDAVIT OF ELINOR M. RUNEY

I, Elinor M. Runey, being duly sworn, depose and state under oath the following:

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

2. My husband was Russell Oscar Runey (hereinafter "husband'), who passed away on May 28, 1998, a resident of Madison, Dane County, Wisconsin.

3. My husband had a validly executed Last Will & Testament and Revocable Trust named "Russell O. Runey Revocable Trust" dated May 8, 1998, that was in full force and effect at the time of my husband's death.

4. Pursuant to Paragraph Four of my husband'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 husband's Revocable Trust.

5. Pursuant to Article XIII of said Trust, Timothy Russell Runey was appointed as Trustee with Peggy Runey being appointed as Successor Trustee.

6. My son, Timothy Russell Runey, died on January 29, 2008, whereby leaving my daughter, Peggy Runey, as Trustee of the afore-referenced Trust.

Davidson County AFFIDAVIT
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7. Pursuant to Article II (A)(1) of my husband's Trust, I was to receive "all of the net income of the family trust" during my lifetime so long as I survived my husband.

8. My husband ~~owed~~ owned a fifty percent (50%) interest in a parcel of real property located at 236 Warrior Road, Madison, Tennessee 37115, as a tenant in common with our son, Timothy Russell Runey.

9. The above-referenced property was not specifically designated in my husband's Will and therefore it passed to my husband's Trust for the reasons set forth herein.

10. I, as the sole Distributee of the Trust of Russell Oscar Runey, hereby disclaim any and all interest I may have in the property located at 236 Warrior Road, Madison, Tennessee 37115.

11. Furthermore, in addition to disclaiming any and all interest that I may have in said property, I hereby give, devise and bequeath any and all interest I may have in said property to the estate of my son, Timothy Russell Runey. Said estate now being probated in Davidson County, bearing Docket number 08P-332.

FURTHER DEPONENT SAITH NOT.

Elinor M. Runey

Elinor M. Runey

STATE OF WISCONSIN)
)
COUNTY OF DANE)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Elinor M. 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,

SEAL

By _____

Deputy Clerk