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Davidson County AFFIDAVIT
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Prepared By:
Marsha Martin
Cogent Closing
3575 Piedmont Rd. Bldg 15
Atlanta, GA 30305 #4700

AFFIDAVIT OF FACTS

STATE OF TN §
§
COUNTY OF Davidson §

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned affiant, who swore on oath that the following facts are true:

"1. My name is Patsy Ann Petway, I am of sound mind, capable of making this affidavit, and fully competent to testify to the matters stated herein, and I have personal knowledge of each of the matters stated herein.

"2. That my spouse, Carlton H. Petway, Sr. now deceased, and I were the record title holders of the following described property, as evidenced by that Deed recorded in Deed Book 3644, Page 365, among the land Records of Davidson County, Tennessee, to wit:

"3. That my spouse and I were married prior to Oct. 29, 1963, 20XXX, the date of our acquisition of title to the property described hereinabove, and we remained continuously married, without interruption by divorce from that date up to the date of my spouse's death, September 26, 1991, 20XXXX.

"4. That the value of my spouse's estate was insufficient to necessitate the filing of an estate tax return and that there are no state or federal estate or inheritance tax due as a result of his or her death.

"5. That Affiant gives this Affidavit fro the purpose of inducing Fidelity National Title Insurance Company to issue its policy or policies insuring the title to said property without exceptions(s) to encumbrance(s) or vesting issues which could have possibly arisen in the event of divorce of the Affiant and Affiant's spouse; and said Affiant does hereby agree to indemnify and hold Fidelity National Title Insurance Company harmless of and from any and all loss, cost, damage and expense of every kind, including Attorneys' fees, which it may suffer or incur or become liable for under its said policy or policies arising directly or indirectly out of or on account of such an intervening divorce, or in connection with its enforcement of its rights under this agreement."

FURTHER THE AFFIANTS SAYETH NAUGHT.

Patsy Ann Petway (SEAL)
Patsy Ann Petway

_____(SEAL)

Executed, subscribed and sworn to before me the day and year above written.

Sharon J. Buhlig
Notary Public Sharon J. Buhlig

My Commission expires: 7/25/2009

SHARON J. BUHLIG
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

EXHIBIT "A"

Land in Davidson county, Tennessee, being Lot No. 42 on the Plan of Village Manor as of record in Book 3300, pag 55, Register's Office for said County.

Said Lot No. 42 fronts 18.34 feet on the west side of North Fifth Street, and extends back 132.27 feet on the south line and 133.64 feet on the north line to an alley is the rear on which it measures 18.39 feet.

BEING THE SAME PROPERTY CONVEYED TO CARLTON HOWARD PETWAY AND PATSY ANN PETWAY FROM TOWNHOUSE, INC. BY WARRANTY DEED RECORDED ON 10/29/63 AT BOOK 3644 PAGE 365 IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE



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