BILL GARRETT, Davidson County
Trans:T20090076084 AFFIDAVIT
Recvd: 11/06/09 14:52 4 pgs
Fees:22.00 Taxes:0.00
20091106-0103016

AFFIDAVIT OF HEIRSHIP AND CHAIN OF TITLE

STATE OF TENNESSEE)
COUNTY OF WILSON)

MAP NUMBER 95-02-0
PARCEL NUMBER 167.00

The undersigned, being first duly sworn in accordance with law, deposes and says the following:

1. The Affiant, Howard Kelley, is of legal age, a resident of Wilson County, Tennessee and has personal knowledge of the facts hereinafter setforth.

2. The Affiant is the only child of Carl C. Kelley (now deceased) and Mary K. Kelley.

3. The Affiant's parents purchased as tenants by the entireties a house and lot in Davidson County, Tennessee located at 217 Craigmeade Drive, Nashville, TN 37214 on or about January 29, 1963, which lot is more particularly described as follows:

   Being Lot 3, Section 1 of Craigmeade Subdivision as of record in Book 2900, Page 121, Register's Office for Davidson County Tennessee.

   Being the same property conveyed to Carl C. Kelley and wife, Mary K. Kelley by Warranty Deed of record in Book 3503, Page 111 said Register's Office.

4. This property constituted the primary residence of his parents and the Affiant resided there until after reaching his majority.

5. Carl C. Kelley died intestate on May 25, 1990 leaving as his sole heirs-at-law of the Affiant and his Mother, Mary K. Kelley. The Affiant's Mother, Mary K. Kelley, continued to reside at this property until July 31, 2006, on that date Mary K. Kelley, as the surviving tenant by the entireties conveyed this property to Scott Tinius by Warranty Deed of record in Instrument No. 20060804-0095474, said Register's Office.

6. It has only recently come to the attention of the Affiant and his Mother when he was checking the family lock box that he discovered an unrecorded Quitclaim Deed dated December 7, 1987, naming Briley Corners Development, Ltd., "Grantor" and Carl C. Kelley, "Grantee". This Quitclaim Deed which is attached as Exhibit 1 to this affidavit conveys the interest of the Grantor to Grantee in property shown as Parcel 3 on the Plan of Briley Corners of record in Book 6900, Page 333 Register's Office for Davidson County, Tennessee. This Parcel 3 is an additional 50' irregular strip of land that is contiguous to and is located directly to the rear of Lot 3 Craigmeade described above.

7. The Affiant states upon information and belief that it was his Mother's intention to convey to Scott Tinius all of her right, title and interest in the entire property that the Kelley family had always considered their home place which consisted of Lot 3 Craigmeade and the 50' additional strip referred to as Parcel 3 on the Plan of Briley Corners of record in Book 6900, Page 333 Register's Office for Davidson County, Tennessee.

FURTHER, the Affiant saith not.

Howard Kelley

Howard Kelley
2265 Saundersville Ferry Road
Mt. Juliet, TN 37122

Before me the undersigned, a Notary Public, within and for the State and County aforesaid, personally appeared Howard Kelley with whom I am personally acquainted and who upon her oath acknowledged herself to be the within named bargainor and that she executed the foregoing instrument for the purposes therein contained.

My Commission Expires: 03/06/2013

S. Nixon Pressley

Notary Public

S. NIXON PRESSLEY

Notary Printed Name

POST OFFICE Box 1754

Address of Notary

MT. JULIET, TN 37121-1754

This instrument was prepared by:
Michael J. Philbin, P.C.
2021 Richard Jones Road, Ste 220
Nashville, TN 37215-2860

Return to:

I CERTIFY THAT THIS IS A TRUE COPY OF THE ORIGINAL INSTRUMENT
BY:

MJPPC/Forms/Realty/Affidavit Regarding Chain of Title.doc

EXHIBIT 1

Address New Owner:	Map-Parcel Numbers:
Carl C. Kelley 217 Craigmeade Drive Nashville, TN 37214	Formerly part of Map 95-3, Parcel 128
Send Tax Bills To:	**Address of Mortgagee:**
Same	

This instrument prepared by: Boult, Cummings, Conners & Berry, 222 Third Avenue, North, P.O. Box 198062, Nashville, TN 37219

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of One Dollar ($1.00) cash in hand paid, the receipt and sufficiency of which are hereby acknowledged, Briley Corners Development, Ltd. (the "Grantor"), by these presents does hereby sell, assign, and forever quitclaim unto Carl C. Kelley (the "Grantee"), Grantee's heirs and assigns, all of Grantor's right, title, and interest in and to that certain parcel of real estate in Davidson County, Tennessee, shown as parcel 3 on the plan of Briley Corners of record in Book 6900, page 333, Register's Office of Davidson County, being part of the same property conveyed to Briley Corners Development, Ltd. by deed of record in Book 7145, page 333, Register's Office of Davidson County (the "Property").

This is unimproved property known as remnant parcel, Craigmeade Drive.

The Property is conveyed subject to such limitations, restrictions, and encumbrances as may affect the premises.

STATE OF TEXAS
COUNTY OF Bexar

The actual consideration for this transfer is $ -0-

Affiant

Subscribed and sworn to before me this 7 day of December, 1987.

Notary Public
My Commission Expires: 10/24/89

WITNESS the hand of the Grantor, this 7 day of December, 1987.

BRILEY CORNERS DEVELOPMENT, LTD.,
a Texas limited partnership

By: Briley/Lebanon Land Associates,
a Texas general partnership,
General Partner

By: Embrey Investments, Inc.,
General Partner

By: _____
Roger D. Bowler,
Vice-President

STATE OF TEXAS

COUNTY OF Bexar

Personally appeared before me, Lora Ann Mohnke, a Notary Public, Roger D. Bowler, with whom I am personally acquainted and who acknowledged himself to be Vice-President of Embrey Investments, Inc., a corporation, said corporation being a general partner of Briley/Lebanon Land Associates, a general partnership, said general partnership being a general partner of Briley Corners Development, Ltd., a limited partnership, said general partnership being authorized by Briley Corners Development, Ltd., a limited partnership to execute this instrument on behalf of Briley Corners Development, Ltd.

WITNESS my hand, at office, this 7 day of December, 1987.

Lora Ann Mohnke
Notary Public

My Commission Expires: 10/24/89