BILL GARRETT, Davidson County
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Instrument Prepared By & Return To:
Rudy Title & Escrow, LLC
2012 21st Avenue South
Nashville, TN 37212
(615) 383-2903
RTE File # G-ST-13-2109

AFFIDAVIT OF HEIRSHIP

I, **Paul McMasters**, hereinafter referred to as Affiant, being first duly sworn, make oath as follows:

- That Affiant presently resides at 2101 Neelys Bend Road, Madison, TN 37115.

2. That Affiant personally knew **Ruth K. Moore (also known as Ruth Louise Moore)**, deceased, hereinafter referred to as Decedent, for over 68 years and has personal knowledge of the family of Decedent.

3. That Affiant knew that at the date of death said Decedent, **Ruth K. Moore (also known as Ruth Louise Moore)**, owned (or had an interest in) the following described real estate in **Davidson County**, Tennessee: **2109 NEELYS BEND ROAD, MADISON, TN 37115**

4. That Decedent died on December 3, 2012 and was at that time a resident of **Davidson County**, State of **Tennessee**;

5. That Decedent, whose estate was not probated as of the date of the execution of this Affidavit, died with a will, a copy of which is attached hereto as Exhibit A.

6. That Decedent was unmarried at the time of her death.

- That the following persons are all of the children born to or adopted by Decedent during the Decedent's lifetime: **Samuel Lee Moore, Phillip Dale Moore and William Terry Moore.**

- That Decedent's son, the above-referenced **William Terry Moore** predeceased the Decedent, having died on October 20, 1991 leaving no spouse or issue.

- That in Decedent's will, Decedent devised all of her interest in real property to her sons, **Samuel Lee Moore and Phillip Dale Moore** and her grandsons, **Robert S. Moore and Jonathan C. Moore**.

- That the following persons constitute, as of the date of death of the Decedent, all of the devisees of Decedent as to the above-referenced real estate: **Samuel Lee Moore, Phillip Dale Moore, Robert S. Moore and Jonathan C. Moore**.

- That this Affidavit is being executed and recorded to replace a previously executed Affidavit of Heirship of record in **Instrument No. 20130716-0073350, Register's Office for Davidson County, Tennessee**, said Affidavit containing errors.

- Additional information, if any, either known or understood to be true by Affiant:

_____

_____

FURTHER AFFIANT SAITH NOT.

Paul McMasters, Affiant

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared the within named Affiant, Paul McMasters, with whom I am personally acquainted, who made oath that the statements contained in the foregoing affidavit are true of Affiant's own knowledge.

WITNESS my hand and official seal at GOODLETTSVILLE (city), TN (state) this 26th day of AUGUST, 2013.

Notary Public

My Commission expires:

SHAILESH PATEL
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires 11-03-2015

Last Will And Testament
Of
Ruth K. Moore

I, Ruth K. Moore, presently residing at 2109 Neelys Bend Road, Madison, Davidson County, Tennessee, being of sound mind and disposing memory, do make, declare and publish this my Last Will and Testament, hereby revoking all former wills and codicils to wills heretofore made by me.

ITEM I
REFERENCES

A. *Marital Status.* I am a widow at this time.

B. *Children.* I have two (2) living children, whose names are Samuel Lee Moore and Phillip Dale Moore and one deceased son, whose name was William Terry Moore. The words "descendants," "issue," "child," and "children" as used in this Will include adopted persons who were adopted before they reached the age of eighteen (18) years, as well as natural descendants, and are intended to include adopted persons and descendants of adopted persons. Words referring to my Executor or Executrix shall include any substitute or successor executor. Words of any gender shall be deemed to include the other gender, as appropriate, and any reference to the singular shall include the plural, and vice versa, unless the context indicates that such reading would be inappropriate.

C. *Executor.* For convenience, the Executor (including any alternates) hereinafter appointed is sometimes referred to as the Executor, regardless of the gender or the number of the parties serving in such capacity.

ITEM II
DEBT, ADMINISTRATIVE EXPENSES AND TAXES

A. *Payment of Debts, Administrative Expenses and Taxes*. All of my legally enforceable debts (except secured debts, which may be paid or retained in the discretion of the Executor), my funeral expenses and the expenses of administration of my estate, both domiciliary and ancillary, shall be paid by my Executor as soon as practicable after my death. My Executor shall pay out of my residuary estate all estate, inheritance and other death taxes which shall become payable by reason of my death, whether in respect of property passing under this Will or otherwise, as an expense of administration without apportionment. Notwithstanding any provision herein to the contrary, the following taxes shall not be paid by my estate and shall instead be charges against the applicable property or persons in possession thereof or benefited thereby in the manner provided by applicable law; any generation skipping tax; any additional tax imposed by Section 2032A of the Internal Revenue Code; and any tax attributable to the inclusion of property in my gross estate pursuant to Section 2044 of the Internal Revenue Code. My Executor may claim each administration expense as a deduction on any income or death tax return, as the Executor sees fit, and no compensating adjustments between income and principal are to be made because of any such decision. All costs of safeguarding, insuring, packing, and storing my tangible personal property before its distribution and of delivering each item to the residence of the beneficiary of that item shall be treated as administration expenses.

B. *Life Insurance*. The proceeds of any life insurance payable to my estate are to be free from the claims of creditors, and are to be held and distributed as provided by the terms of this Will. My Executor may use any portion of such proceeds as my Executor deems advisable for the payment

of debts, expenses and taxes, but only if my Executor thinks such use of the proceeds is in the best interests of my beneficiaries hereunder.

C. *Casualty Insurance*. Each insurance policy covering an item of property passing under this Will passes with such property. The recipient of such property is not to be charged for any unearned premium already paid. If any insured item of property passing under this Will has been destroyed or damaged, the insurance proceeds recovered or recoverable therefrom are to be paid to the recipient of such damaged or destroyed item in place of any destroyed item and in addition to any damaged item.

ITEM III
DISPOSITION OF ESTATE

Certain items of my personal property shall be distributed in accordance with the provisions of a certain memorandum written entirely in my handwriting and signed by me. If for any reason said memorandum is not found and properly identified as such by my executor within thirty days after the probate of my will, then all of the aforesaid property shall become part of my residuary estate hereinafter disposed of.

All the rest, residue and remainder of my estate, real, personal and mixed, of every nature and wheresoever situated, including lapsed legacies and devises, remainders, reversions, expectancies, income collected during the period of administration of my estate and all property of which I have power of testamentary disposition, control or appointment, I give, devise and bequeath to my sons, Samuel Lee Moore and Phillip Dale Moore and my grandsons, Robert S. Moore and Jonathon C. Moore, equally share and share alike. The child or grandchild shall take their parent's share, per stirpes.

In all circumstances, despite any provision of law to the contrary, no interest of any beneficiary in my estate, shall be subject to assignment, alienation, pledge, attachment, or claims of creditors of such beneficiary, including claims of any divorced spouse for alimony or support payments or otherwise, or subject to levy, seizure, or liens for taxes and may not otherwise be voluntarily or involuntarily alienated or encumbered by such beneficiary.

ITEM V
FIDUCIARY

A. *Executor*. I appoint my son, Phillip Dale Moore as the Executor of this my Last Will and Testament. If he is unable to serve as the Executor for any reason, then I appoint my son, Samuel Lee Moore, as the alternate Executor. I direct that no bond be required of my fiduciaries for the faithful performance of their duties and that they shall not be required to file any inventory or accountings.

B. *Powers*. The Executor, including any substitute or successor personal representative, in the exercise of a reasonable discretion with respect to all property, real and personal, at any time forming a part of my estate, may exercise any and all of the powers set forth in Tennessee Code Annotated § 35-50-110, to the extent applicable, all of which provisions and powers are incorporated herein by reference (as set out in said statute on the date of the execution of this will), even if said statute be amended or repealed hereafter and even if my estate be administered in a state other than Tennessee.

IN WITNESS WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of this and the preceding four typewritten pages, and for the purpose of identification, I have initialed each such page at the bottom thereof, all in the presence of the persons witnessing it, at my request, on this the 26th day of April 2004, at Madison, Tennessee.

Ruth K. Moore
RUTH K. MOORE

Signed, sealed, published and declared by the Testatrix, Ruth K. Moore, to be her Last Will and Testament in the presence of all of us at one and the same time and we at her request and in her presence and in the presence of each other, have hereunto subscribed our names as witnesses, and we do hereby attest to the sound and disposing mind of said Testatrix and to the performance of the aforesaid act of execution at the place and on the date hereinabove set out.

WITNESSES:

William E. Shipman 2000 Neely's Bend Rd. Mad. TN. 37115

Nancy D. Shipman 2000 Neely's Bend Rd. Madison, Tn.
NAMES ADDRESS

AFFIDAVIT

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The undersigned, after being first duly sworn according to law, depose and say:

1. That they are adult citizens of the State of Tennessee.

2. That they witnessed the execution of the Last Will and Testament of Ruth K. Moore dated the 26th day of April 2004, to which this affidavit is attached, and that this affidavit is being made at the request of the Testatrix and in accordance with Tennessee Code Annotated §32-2-110.

3. That their signatures are affixed to said Last Will and Testament, that they signed or affixed the same at the instance and at the request of the Testatrix and in her presence and in the presence of each other at the place and on the date recited in said Last Will and Testament.

4. That the Testatrix signed said paper writing as and for his Last Will and Testament in their sight and presence.

5. That at the time they witnessed said Last Will and Testament, the Testatrix was, in their opinion, of sound mind.

WITNESS

WITNESS

Sworn to and subscribed before me this 26th of April 2004.

NOTARY PUBLIC

PAM WHITWORTH NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN

My Commission Expires JAN. 28, 2006