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Fees:12.00 Taxes:0.00
20140129-0008072

**This Instrument Prepared By:**
**Mark H. Westlake, Esq.**
**GULLETT, SANFORD, ROBINSON & MARTIN, PLLC**
**150 Third Ave. South, Suite 1700**
**Nashville, TN 37201**

**Address Property Tax bills to:**
**Myrtianne Downs**
**1144 Gateway Lane**
**Nashville, TN 37220**

## AFFIDAVIT OF HEIRSHIP

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Comes the affiant, Myrtianne Downs, being first duly sworn according to law and being of lawful age and a resident of Davidson County, Tennessee, and pursuant to Section 30-2-712 of the Tennessee Code Annotated, hereby swears to the following of her own free will and based upon her personal knowledge and familiarity:

1. Nevin Howard Downs ("Decedent") died on July 18, 2012 (death certificate number 5280229).

2. Decedent was married to Myrtianne Downs, the affiant.

3. Affiant and Decedent, owned property as tenants in common described as follows:

Land in Davidson County, Tennessee, in the 7th, formerly 11th, Civil district and being part of Lot No. 109 on the unrecorded Map of Lealand, as shown on a survey made February 17, 1938, by S.G. Doak, Surveyor, and being known as Lot No. 7 and part of Lot No. 2 of Block "B" on the Map of Gateway Acres, of record in Book 974, page 73, and described as follows:

Beginning at a point in the northerly margin of Gateway Lane, 999.85 feet; more or less, East of the easterly margin of Granny White Pike; thence South 84 degrees 49 minutes East, with the northerly margin of said Lane, 192 feet to a point; thence North 2 degrees 20 minutes East, 278.9 feet to a point; thence Westerly 189 feet, more or less, to a point; thence South 5 degrees 11 minutes West, 280.7 feet to the beginning.

Included in the above description and reserved for the perpetuation of a private burial ground is a lot of land described as follows:

Beginning at a point in the northerly margin of Gateway Lane 5 feet West of the common corner of Lots Nos. 6 and 7 of Block "B" of said Gateway Acres, of record in Book 974, page 73, said Register's Office; then North 84 degrees 49 minutes West, along the northerly margin of Gateway Lane, 45 feet to a point; thence North 3 degrees 20 minutes East, 55 feet to a point; thence South 85 degrees 42 minutes East, 45 feet to a point, thence South 3 degrees 20 minutes West, 55 feet to the beginning.

Being the same property conveyed to Nevin H. Downs and Myrtienne Downs by Peggy Gene Hester, by deed dated July 7, 1994, of record in Book 9401, pages 965 – 967, Register's Office, Davidson County, Tennessee and subsequently conveyed to Nevin H. Downs and Myrtianne Downs to themselves as tenants in common by deed dated December 28, 2001 of record as document number 20020503-00545921.

This is improved property known as 1144 Gateway Lane, Nashville, TN 37220.

4. Decedent was not a TennCare beneficiary.

5. Pursuant to the Last Will and Testament admitted to probate in Davidson County, Tennessee Case No.: 12P1414 the one-half (½) undivided interest of Nevin Howard Downs has been designated by Myrtianne Downs, Executrix as a portion of the remainder estate passing to Myrtianne Downs as the surviving spouse of Nevin Howard Downs, and accordingly this property is now vested totally and solely in Myrtianne Downs.

Further, affiant saith not.

Dated this 22 of January, 2014.

Myrtianne Downs

Myrtianne Downs, Affiant and Executrix

Subscribed and sworn to before me this 22nd day of January, 2014.

S. Byrne

Notary Public

My Commission Expires:

S. BYRNE
STATE OF TENNESSEE NOTARY PUBLIC
SUMNER COUNTY

MY COMMISSION EXPIRES:
October 21, 2014