This instrument prepared by and returnable to:

Bone McAllester Norton PLLC
511 Union Street, Suite 1600
Nashville, Tennessee 37219

BILL GARRETT, Davidson County
Trans:T20140041588 AFFIDAVITH
Recvd: 06/12/14 13:36 19 pgs
Fees:97.00 Taxes:0.00
20140612-0051371

AFFIDAVIT OF HEIRSHIP

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Comes the affiant, Brittany P. Barber, being first duly sworn according to law, pursuant to Tenn. Code Ann. § 30-2-712, hereby swears to the following of her own free will and based upon her personal knowledge and familiarity:

1. James William Parker, Sr. (the "Decedent"), a resident of Davidson County, Tennessee, died in 1956.

2. At the time of his death, Decedent was the owner of the Property (defined below). Decedent died with a will, which was probated on October 16, 1956, and which is of record with the Davidson County Probate Court Clerk's Office at Will Book 69, page 189 (the "Will").

3. Following litigation in connection with the Will, the Chancery Court of Davidson County, Tennessee, held that Decedent bequeathed the Property, among other property, in trust, to his minor grandsons James William Parker, III and Eugene Clark Parker, subject to a life estate in his wife, Margaret Baker Parker. The court's rulings are memorialized in that certain Decree of Chancery Court, Davidson County, Tennessee, placed of record in Minute Book 184, page 212 (the "Decree"). A true and correct copy of the Decree is attached hereto as Exhibit A.

4. Under the Will, Decedent appointed Margaret Baker Parker and Ann K. Goodrich as trustees relative to the trust created for James William Parker, III and Eugene Clark Parker. The Will directed that the trust assets be distributed to these two grandsons, jointly, upon the youngest reaching the age of 25.

5. Eugene Clark Parker died on October 14, 1968, intestate, unmarried, and without children. His sole heir was his brother, James William Parker, III.

6. James William Parker, III obtained the age of 25 in 1971.

7. James William Parker, III married Nelda Parker, and they had one child, Brittany Lynn Parker, who is the undersigned affiant.

8. James William Parker, III and Nelda Parker divorced on April 26, 1977, and James William Parker, III died in March 1980, intestate, unmarried, and with no children other than the undersigned affiant.

9. Upon the death of James William Parker, III, the undersigned affiant became the sole fee owner of the Property, subject to the life estate of my great-grandmother, Margaret Baker Parker.

10. Margaret Baker Parker died in 1992, vesting full title in the Property in the undersigned affiant.

11. Following the death of Margaret Baker Parker, the undersigned affiant married and am now known as Brittany P. Barber.

12. This affidavit of heirship is given specifically to confirm the vesting of title in Brittany P. Barber of certain real property located in Davidson County, Tennessee, municipally known as 1208 and 1210 McGavock Street, and more particularly described as follows:

TRACT NO. 1: Being two parts of Lot No. 104 on the map of McNairy's Plan of West Nashville Lots of record in Book 9, page 322, of the Register's Office for Davidson County, Tennessee, and in Minute Book "C", pages 136 and 137, of the Chancery Court of Nashville.

Being the westerly 37½ feet of said Lot No. 104 which fronts 37½ feet on the northerly side of McGavock Street and runs back between parallel lines 169 feet to an alley.

Being the westerly 37½ feet of the easterly 62½ feet of said Lot No. 104, which fronts 37½ feet on the northerly side of McGavock Street and runs back between parallel lines 169 feet to an alley.

Being the same property conveyed to Susie V. Demonbreun by deed from O. T. Sanders and wife, of record in Book 1307, page 148, Register's Office for said County.

TRACT NO. 2: Being the easterly one-half of Lot No. 106 on the Plan of McNairy's West Nashville Lots, as of record in Minute Book "C", pages 136 and 137, Chancery Court at Nashville. Said part of lot no. 106 fronts 50 feet on the northerly side of McGavock Street and runs back between parallel lines 169 feet to an alley.

Being the same property conveyed to Percy M. Cohen by deed from Regina Cohen and husband, of record in Book 1019, page 329, Register's Office, for said County.

Further affiant saith not.

Dated this 12th day of June, 2014.

Brittany P. Barber
Affiant

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, a Notary Public, duly appointed, commissioned and qualified in and for the State and County aforesaid, personally appeared Brittany P. Barber, the within named affiant, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence to be the person described in the foregoing, who signed, sealed and delivered the foregoing instrument in my presence, and who, upon oath, acknowledged that she executed the foregoing instrument for the purposes therein contained as her own free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal at my office in said County, on this 12th day of June, 2014.

Sherryl L. Sanders
Notary Public

My commission expires: 9-11-17

SHERRYL L. SANDERS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires SEPT. 11, 2017

EXHIBIT A

Copy of the Decree

[See attached.]

LAW OFFICES
BAILEY, EWING, DAVIES & BAILEY
NASHVILLE TRUST BUILDING
NASHVILLE 3, TENNESSEE

184-212
March 2 1959

IN PART I OF THE CHANCERY COURT

NASHVILLE, TENNESSEE

MRS. MARGARET BAKER PARKER and MRS. ANN K. GOODRICH, Co-Executrices of the Last Will and Testament of James William Parker, Sr., deceased,	)	
Vs.	)	RULE NO. 79207
JAMES WILLIAM PARKER, JR. JAMES WILLIAM PARKER, III, EUGENE CLARK PARKER MRS. ANNIE SADLER MRS. JANIE GILL, and MRS. BERTHA JAMES	)	

D E C R E E

This cause came on to be heard on ~~this~~ the 27th day of February, 1959, and upon prior days, before the Honorable Ned Lentz, Chancellor, upon the original bill and the answers of the defendants, James William Parker, Jr., Mrs. Annie Sadler, Mrs. Janie Gill and Mrs. Bertha James, and the answer filed on behalf of the minor defendants, James William Parker, III, and Eugene Clark Parker, by D. F. Blackmon, Guardian ad Litem, and the answer and cross-bill of James William Parker, Jr., and the answers thereto, and upon the evidence introduced in this cause, and upon argument of counsel and briefs of counsel, from all of which it appears to the Court that Item I of the Will provides for the payment of the debts of the estate, excepting mortgages, out of insurance, stocks and bonds, and it appears from Item VIII of the Will that the Executrices have the right to borrow and secure the loan, by a mortgage on No. 114-13th Avenue, North, in order

to pay debts, costs of administration, or other expenses.

It further appears to the Court that it was the clear intent of the testator that each piece of real estate would carry its own burden and, therefore, the property located on the corner of 13th and Broad should be charged with its mortgage indebtedness and, therefore, the amount paid by the Executrices pending the decision of this case and paid out of the personal funds should be refunded out of monies to be charged against 13th and Broad, Davidson County, Tennessee.

It further appears to the Court that the said James William Parker, Jr. has renounced a bequest to him contained in Item II of the Will, and the Executrices and Trustees are authorized to disregard this Item, insofar as same may be considered a bequest to James William Parker, Jr. It further appears to the Court that James William Parker, Jr. should take his share of any intestate property.

It further appears to the Court that Item III was intended by the testator to bequeath all personal effects to Mrs. James William Parker, Sr. and it appears to the Court that itwas the intention of the testator that this bequest also include all debts due and notes owned by James William Parker, Sr., at the time of his death, and Item III also bequeaths to Mrs. James William Parker, Sr. a life estate in property located on McGavock Street in Nashville, Tennessee, but a portion of this property or property known as "1200 McGavock Street", passes to Mrs. James William Parker, Sr. by operation of law and is hers, absolutely, and said property which belongs to Mrs. Parker, Sr. is described as follows:

Land in Davidson County, Tennessee, as follows:

Being Lot No. 102 and the easterly one-half of lot No. 104 on the Plan of McNairy's West Nashville lots, as of record in Book 9, pages 322 and 323 of the Register's Office for said County.

Said lot No. 102 and part of lot No. 104 adjoin and front together 75 feet on the northerly side of McGavock Street and run back between parallel lines 169 feet, along the westerly margin of 12th. Avenue South, to an alley in the rear, and being the same property conveyed to Mrs. Louisa R. Goodrich by deed of record in Book No. 146, page 312 in the Register's Office for said Davidson County, Tennessee.

The said Mrs. Louisa R. Goodrich died, intestate in December 1902, leaving as her sole heirs the following named children: Mrs. Sallie J. Crittenden, Mrs. Mary G. Graves, Miss Emily G. Goodrich and J. Carter Goodrich. The said Mrs. Sallie J. Crittenden has since died, intestate, being survived by three children, Inez Crittenden Starks, Lula Hamilton, and Erline Crittenden Smith (Mrs. J. Q. Smith). Mrs. Lula Hamilton has since died, leaving as her sole heir, one Son, the within named Grantor, Foster H. Hamilton. J. Carter Goodrich conveyed his one-fourth undivided interest in the said property herein conveyed to Mary G. Graves and Emily G. Goodrich by deed of record in Book 334, page 493, Register's Office for Davidson County, Tennessee. Inez Crittenden Starks conveyed her one-twelfth undivided interest in the said property herein conveyed to Mrs. Mary G. Graves and Miss Emily G. Goodrich by deed of record in Book 1199, page 409, Register's Office for Davidson County, Tennessee. Miss Emily G. Goodrich died about the year 1930,and by Will of record in Will Book 46, page 331, County Court Clerk's Office for Davidson County, Tennessee, devised her interest in said property to Mrs. Mary G. Graves and J. Carter Goodrich. J. Carter Goodrich died about the year 1937, and by Will of record in Will Book 54, page 147 County Court Clerk's Office for Davidson County, Tennessee devised his interest in said property to Mrs. Mary Goodrich Graves.

It further appears to the Court that the remaining property on McGavock Street was devised to Mrs. James William Parker, Sr. for and during her lifetime and this property is described as follows:

> TRACT NO. 1: Being two parts of Lot No. 104 on the map of McNairy's Plan of West Nashville Lots of record in Book 9, page 322, of the Register's Office for Davidson County, Tennessee, and in Minute Book "C", pages 136 and 137, of the Chancery Court of Nashville.
>
> Being the westerly 37½ feet of said Lot No. 104 which fronts 37½ feet on the northerly side of McGavock Street and runs back between parallel lines 169 feet to an alley.
>
> Being the westerly 37½ feet of the easterly 62½ feet of said Lot No. 104, which fronts 37½ feet on the northerly side of McGavock Street and runs back between parallel lines 169 feet to an alley.
>
> Being the same property conveyed to Susie V. Demonbreun by deed from O. T. Sanders and wife, of record in Book 1307, page 148, Register's Office for said County.
>
> TRACT NO. 2: Being the easterly one-half of Lot No. 106 on the Plan of McNairy's West Nashville Lots, as of record in Minute Book "C", pages 136 and 137, Chancery Court at Nashville. Said part of lot no. 106 fronts 50 feet on the northerly side of McGavock Street and runs back between parallel lines 169 feet to an alley.
>
> Being the same property conveyed to Perry M. Cohen by deed from Regina Cohen and husband, of record in Book 1019, page 329, Register's Office, for said County.

It further appears to the Court that upon the termination of the life estate to Mrs. James William Parker, Sr., said McGavock Street property devised to her for life shall pass in trust for the said testator's two grandsons, James William Parker, III, and Eugene Clark Parker, both of whom are minors.

It further appears to the Court that Item IV of the Will was intended by the testator to create a trust for the benefit of testator's two minor grandsons, James William Parker, III, and Eugene Clark Parker, and it was the intention of the testator to convey to the Trustees for the benefit of the two grandsons and to be held in trust, as hereinabove set out, property at 114-13th Avenue, North, and also the business known as "Dozier & Parker", which is operated in the property, hereinabove described, as 114-13th Avenue, North.

It further appears to the Court that the correct description of said property known as "114-~~14~~13th Avenue, North", is as follows:

> Land in Davidson County, Tennessee, being the northerly parts of lots Nos. 236 and 237 on the Map of McNairy's Plan of West Nashville, as of record in Minute Book "C", pages 136 and 137, Chancery Court at Nashville, described as follows:
>
> Beginning at the southeast corner of 13th Avenue North and Grundy Street; thence with the southerly margin of said Street eastwardly 105 feet 8 inches to the corner of lots Nos. 235 and 236; thence with the line between said two lots southwardly 173 feet to the northeast corner of the property conveyed to A. D. Cole by deed from Margaret Halloran et al, of record in book 831, page 88, Register's Office for said County; thence with Cole's northerly line westwardly 100 feet to the easterly margin of 13th Avenue North; thence with said Avenue northwardly 150 feet to the beginning.
>
> Being the same property conveyed to J. W. Parker by deed from Elizabeth Halloran, of record in Book 1340, page 536, Register's Office for said County.

It is further the opinion of the Court that the Trustees of this trust have the right, in their discretion, to either operate the business or sell same and, also, they have the right to sell the building known as "114-13th Avenue, North," and reinvest the proceeds of the sale, either in industrial or commercial real estate, or in United States Bonds.

It further appears to the Court that Item VIII of the Will provides for the termination of the trust and the distribution of the trust property to the grandsons of testator, who are the beneficiaries of said trust, and said Item also provides for encroachment upon the corpus of the trust estate by the Trustees for the benefit of the beneficiaries, who are the minor grandsons of the testator, and this Item contains other directions and authority intended to govern the Trustees in carrying out this trust.

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court:

1. Item I of the Will of James William Parker, Sr. provides for the payment of the debts of the estate, excepting mortgages, out of insurance, stocks and bonds, and other personal property of the estate, and if the insurance, stocks and bonds are not sufficient for the purpose of paying said debts and the expenses of administration, then, and in that event, the Executrices and Trustees have the right to borrow and secure said loan by a mortgage upon property at 114-13th Avenue, North. Secondly, that each piece of property owned by the testator will carry its own burden and for this

reason the property at 13th and Broad shall be charged with its mortgage indebtedness and any amounts paid on said mortgage by the Executrices, out of personal funds, shall be refunded out of the rental or sale of the property known as 13th and Broad, Nashville, Tennessee, and more particularly described at another point in this Decree.

2. That the Executrices and Trustees are hereby authorized to disregard a bequest to James William Parker, Jr. contained in Item II of the Will, but the said James William Parker, Jr. will share in any intestate property and as provided by the laws of descent and distribution applying to intestate property.

3. That Item III of the Will bequeaths all personal property to Mrs. James William Parker, Sr., the widow of the testator, and this bequest, according to the intent of the testator, includes all debts due the testator and all notes owned by the testator, at the time of his death.

4. That it was the intention of the testator, as set out in Item III of his Will, to bequeath to Mrs. James William Parker, Sr., his widow, a life estate in property on McGavock Street, but it appears that Mrs. James William Parker, Sr., by operation of law, is the absolute owner of property on McGavock Street, known as "1200 McGavock Street", and hereinabove described, and it is further adjudicated that the remaining property on McGavock Street, which was owned by James William Parker, Sr., was devised to his widow, Mrs. James William Parker, Sr., for and during her lifetime, and at the termination of the life estate, the property referred to

as the "McGavock Street Property" will pass in trust for the benefit of testator's grandsons, James William Parker, III, and Eugene Clark Parker, and the property thus passing in trust is the portion of the McGavock Street property in which Mrs. James William Parker, Sr. has a life estate.

5. That it was the intention of the testator in Item IV of his Will to create a trust for the benefit of his two grandsons, James William Parker, III, and Eugene Clark Parker, and said Item IV devised to the Trustees property known as "114-13th Avenue, North", which property has been described hereinabove, and the Trustees will hold said property in trust, subject, however, to the right of the Executrices to borrow money and mortgage said property for the purpose of paying debts of the estate and administration expenses, and a sufficient amount of income from said property shall be used in the repayment of any such loan. That the business of Dozier & Parker is also conveyed to the Trustees in trust for the benefit of the two minor grandsons of the testator, hereinabove mentioned.

6. That the Trustees, in their discretion, may either operate the business known as Dozier & Parker, or will have the right to sell the business and also the right to sell the property, known as "114-13th Avenue, North, and if the Trustees do sell said business or property, then the Trustees shall have the right to reinvest the proceeds of the sale, after paying all expenses incident to the sale and any mortgages on the property in other industrial or commercial real property or the Trustees may invest such fund in United States Bonds.

7. That the trust will terminate in accord with the provisions of Item VIII of the Will and upon the termination of the trust, there shall be a distribution of the corpus of the trust and any accumulated income to the beneficiaries, James William Parker, III, and Eugene Clark Parker, and, also, during the term of the trust, the Trustees shall have the right to encroach upon the corpus of the trust estate for the benefit of either beneficiary.

8. That, according to Item V of the Will, it was the intention of the testator to give, devise and bequeath certain property in Chattanooga, Hamilton County, Tennessee, to the Trustees and to be held for the benefit of testator's sisters, Mrs. J. L. Sadler, Mrs. Bertha James and Mrs. Janie Gill, and also, Mrs. Ann K. Goodrich was named as a beneficiary of this trust, and Item V provides that all of the beneficiaries shall receive One Hundred ($100.00) Dollars per month, except Mrs. Janie Gill, and the Trustees were charged with paying to Louis H. Sadler for the benefit of Mrs. Janie Gill, an amount sufficient to pay her medical and hospital bills during her lifetime. That said property mentioned in Item V of the Will, as 2314 South Broad Street, and property on Cowart Street, pass by operation of law to the widow of the testator, therefore, the trust hereinabove mentioned relates only to property known as 1814 South Broad Street, and said property is described as follows:

> Being a part of Lot Eight (8), Whiteside Street, Glass Addition, City of Chattanooga, and more particularly described as follows: Beginning at a stake on the present eastern line of Broad Street, formerly Whiteside Street, 100.33 feet south of the intersection of Broad and Eighteenth Streets; and extending south-

wardly with and along the present east line of said Broad Street, forty-two nine-hundredths (42.09) feet, more or less, to the center of said Lot No. 8, and the northwestern corner of the property conveyed E. Cecil Phillips and wife, on January 26, 1953; thence eastwardly parallel to 18th Street, one hundred eleven and six-tenths (111.6) feet, more or less, to a stake in the western line of a ten-foot alley; thence northwardly along said alley, forty-two nine-hundredths (42.09) feet, more or less, to a stake; and thence westwardly, one hundred eleven and six-tenths (111.6) feet, more or less, to the point of beginning. Being the same property conveyed to Wallace E. Hammond and wife on February 16, 1945.

The rent from the property known as 1814 South Broad Street shall be applied by the Trustee, first, to the payment of taxes and insurance and maintenance of said property, and the net balance shall be divided equally between the four beneficiaries and as each beneficiary dies, then the remaining beneficiaries shall receive the net rental. That upon the death of all of the beneficiaries, said property shall pass as a part of the trust, hereinbefore created, for the benefit of the grandchildren named in the Will of the testator.

9. That property referred to in the Opinion and in this Decree as property located at 13th and Broad Street is more particularly described as follows:

Land in Davidson County, Tennessee, being the Easterly 1/3 of Lot No. 39 on the Map of McNairy's West Nashville Plan, as of record in Min. Book "C", pages 136 and 137, Chancery Court at Nashville, and in Plan Book 1, page 15, of said Chancery Court.

Said part of said lot fronts 50 feet on the northerly side of Broadway, or Broad Street, and runs back between parallel lines, along the easterly margin of 13th

Avenue, North, 175 feet to an alley.

Being property vested in the Trustees for the Endowment Fund Commission, Masonic Widows' and Orphans' Home, under the terms of a deed from Nashville Trust Company, Trustee, of record in Book 1300, page 329, Register's Office for said County.

That the testator died intestate as to said property; that said property, under the statutes of descent and distribution in the State of Tennessee would pass to the son of the testator, James William Parker, Jr., subject to the right of homestead in the widow, Mrs. Margaret Baker Parker; that there shall be charged against the property the sum of $ 9,819.06 which represents the amount which has been paid out by the Executrices on account of mortgage payments, interest, taxes and insurance, on the above described property, and the said James William Parker, Jr., will have sixty days from the date of this Decree within which to satisfy the claim of Mrs. Margaret Baker Parker for homestead and within which to reimburse the Executrices on account of the monies expended by the Executrices for the benefit of the owner of the above described property located at 13th Avenue and Broad Street; that the fee simple title to this property shall vest in James William Parker, Jr., provided that within sixty days from the date of this Decree, he makes the payments hereinabove mentioned.

10. That the personal property shall first be applied to the payment of debts, inheritance taxes and administration cost, and if the personal property is not sufficient, then the Executrices are hereby authorized to borrow money in a sufficient amount to pay said debts, inheritance taxes and administration cost, which cannot be paid out of the personal estate, and secure said indebtedness by a mortgage upon the property hereinabove described and referred to as 114-13th Avenue, North. That notes owned by the estate of the testator, which are payable monthly, be pledged, together with the mortgage upon 114-13th Avenue, North, to secure the indebtedness of the Executrices, hereinabove mentioned, and as said monthly notes are repaid, the collections shall be applied to pay off the indebtedness, hereinabove mentioned, as secured by a mortgage on the property known as 114-13th Avenue, North.

11. That the pleadings in this case presented certain other questions, but the Court deems it unnecessary to discuss other questions, as same apparently are plain and unambiguous and express the intent of the testator.

12. That the Executrices will pay the costs of this cause, including a reasonable solicitor's fee in the amount of $2500.00 to Ferriss C. Bailey, Solicitor for the Executrices, and a reasonable fee in the amount of $450.00 to D. F. Blackmon, Esquire, Guardian ad Litem, and a reasonable solicitor's fee in the amount of $400.00 to Charles L. Cornelius, Sr. and Oscar O'Neil Lee, Esquires, Solicitors for the Defendants, Mrs. Annie Sadler, Mrs. Janie Gill and Mrs. Bertha James, and a reasonable solicitor's fee in the amount of $500.00 to Wilson N. West, Esquire, Solicitor for James William Parker, Jr., a defendant.

13. That this cause is retained in Court for further orders.

Chancellor

Approved for Entry:

BAILEY, EWING, DAVIES & BAILEY

By _____
Solicitors for Executrices

_____
Guardian ad Litem

_____
Charles L. Cornelius, Sr.

_____
Oscar O'Neil Lee
Solicitors for the Defendants, Mrs. Annie Sadler, Mrs. Janie Gill and Mrs. Bertha James

_____
Wilson N. West,
Solicitor for Defendant, James William Parker, Jr.

CERTIFICATE OF THE CLERK AND MASTER

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

I, CHRISTINA NORRIS, CLERK AND MASTER of the Chancery Court of Davidson County, Tennessee, do hereby certify that the foregoing is a full, true and correct copy of the Decree entered March 2,1959, in Minute Book 184, Page 212 of said Court, in the cause wherein MRS. MARGARET BAKER PARKER, ET AL, PLAINTIFF ( ), VS. JAMES WILLIAM PARKER, JR., ET AL, DEFENDANT ( ), FILE NO. 79207, as the same appears of record and now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Court at my office in the Courthouse at Nashville, Tennessee, this the 26 day of August, 19 81, and 206th year of American Independence.

CHRISTINA NORRIS, CLERK AND MASTER

BY Jana Hewn
DEPUTY CLERK AND MASTER

RULE # 79207

(Cont.)

IN THE CHANCERY COURT OF PUTNAM COUNTY, TENNESSEE

AT COOKEVILLE

MARGARET P. PARKER, et al.

vs. No. 79207

TENNESSEE VALLEY AUTHORITY, et al.

DECREE

BAILEY, EWING, DAVIS & BAILEY

ATTORNEYS AT LAW

NASHVILLE, TENNESSEE

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR
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