Davidson County	AFFIDAVITH
Recvd: 07/27/15 15:08	6 pgs
Fees:32.00 Taxes:0.00	
20150727-0073833	

Prepared by:
Guaranty Title & Escrow Co.
721 President Place, #100
Smyrna, TN 37167

AFFIDAVIT OF HEIRSHIP

Address of New Owner:
Jackie W. Charlton
32385 Smith Springs Road
Antioch, TN 37013

Send Tax Bills To:
OWNER

Map & Parcel:
15002004700

STATE OF TENNESSEE
COUNTY OF DAVIDSON

RE: Property Described in
Inst. # 20130805-0081508

I, Gary B Fisher, being first duly sworn on oath, state that I am of lawful age and that based upon my personal knowledge further depose and state:

1. Otis W. Charlton died on the 18th day of May 2013.
2. Otis W. Charlton was not married at the time of his/her death.
3. The estate of the decedent is solvent and that any and all debts and inheritance taxes, if any, against the estate of the decedent have been paid.
4. The only children born (or legally adopted) by Otis W. Charlton from all marriages are: Dorothy Liddle, Richard Charlton, Marjorie Charlton, Jean Hale, Joan Leebrick and Jackie Charlton.
5. The Decedent died (testate), leaving an unprobated Will for the distribution of his/her estate attached as Exhibit "A".

TCA 30-2-712 provides that whomever shall willfully, corruptly and falsely swear to any statement in an affidavit of heirship known by him to be false or about which he does not have sufficient knowledge to justify his making such a sworn statement on conviction shall be imprisoned in the penitentiary for not less than one, nor more than five years.

Witness my hand this the 27th day of July, 2015.

Gary B Fisher
Affiant

Sworn to and subscribed before me this the 27th day of July, 2015.

Commission Expires: 4-20-19

Lori Holloway
Notary Public

LORI HOLLOWAY
STATE OF TENNESSEE
NOTARY PUBLIC
RUTHERFORD COUNTY

Last Will and Testament

OF

OTIS W. CHARLTON

I, Otis W. Charlton, of the City of Nashville, County of Davidson, State of Tennessee, being of sound and disposing mind and memory, do hereby make, publish and declare this as and for my Last Will and Testament, hereby revoking and annulling any and all other wills and codicils by me at any time heretofore made.

ARTICLE I

I direct that all of my just debts, my funeral expenses and the cost of administration of my estate be paid as soon as practicable after my death. My Executrix in her sole discretion, may pay from my Domiciliary Estate, all or any portion of the cost of ancillary administration and similar proceedings in other jurisdiction. In the event that any property or interest in property passing under this will, by operation of law, or otherwise by reason of my death shall be encumbered by mortgage or lien, or shall be pledged to secure any obligation whether the property or interest in property so encumbered or pledged shall be owned by me jointly or individually, it is my intention that such indebtedness shall not be charged to or paid from my estate, but that the devisee, legatee, joint owner taking by survivorship, or beneficiary or life tenant receiving such property or interest in property shall take it subject to all encumbrances existing at the time of my death.

Otis W Charlton

ARTICLE II

I give, devise and bequeath my entire estate, real, personal and mixed of whatsoever kind and nature and wheresoever situated and located to my beloved wife, Louise R. Charlton, to be hers in fee simple absolutely forever. In the event my wife, Louise R. Charlton, should predecease me, or should my wife and I die simultaneously, or in the event it shall be impossible to determine which of us died first, then I give, devise and bequeath my entire estate as follows:

A. I devise and bequeath to Richard Lee Charlton the parcel of real estate on Moss Landing Drive and further identified by the Metro Government as Tax Map 150-02 Parcel 47, if he shall survive me.

B. I give and bequeath to Marjorie J. Charlton and Richard J. Charlton all cash I have on deposit in any banks of financial institution whether as checking, savings, money-market or certificated of deposit, if then living in equal shares, or the whole to the survivors of them.

C. Should I still own one eighth interest in the commercial real estate known as Charlton Square on Bell Road my son, Jackie W. Charlton, shall have the right to purchase the real estate for $50,000.00 by paying each of my other children the sum of $10,000.00 each. Should Jackie W. Charlton predecease me or elect not to purchase the real estate, my daughter, Marjorie J. Charlton shall have the option to purchase the property under the same terms. If Jackie W. Charlton has predeceased me, the payment of $10.000.00 that would have gone to Jackie shall be paid to his heirs.

D. I give and bequeath any interest I own in Century 21 Charlton Realty Company to Jackie W. Charlton, if he shall survive me.

ARTICLE III

All the rest, residue and remainder of the property which I may own at my death, real personal and mixed, tangible or intangible, of whatsoever nature and wheresoever situated, including any property that I might acquire or become entitled to after the execution of this will, including all lapsed legacies and devises, including all life insurance payable to my estate, I bequeath and devise in fee to my children, Dorothy C. Liddle, Wanda C. Hale, Jackie W. Charlton, Joan C. Leebrick, Richard Lee Charlton and Marjorie J. Charlton, if then living in equal shares, or the whole to the survivors of them.

ARTICLE IV

I hereby nominate, designate, constitute and appoint, Marjorie J. Charlton as the Executrix of this my Last Will and Testament and direct that no bond be required for the faithful performance of her duties. If Marjorie J. Charlton should predecease me or for any reason shall fail to qualify as Executrix hereunder, then in such event, I appoint Jackie W. Charlton, as Executor of this my Last Will and Testament and direct that no bond be required for the faithful performance of his duties. Without diminution or restriction of the powers vested in him by law, or elsewhere in this instrument, the Executrix or Executor shall have all the powers and duties set forth in subparagraphs 1 to 32 inclusive of Section 35-50-110, Tennessee Code Annotated.

In testimony whereof, I have hereunto subscribed my name to this my Last Will and Testament, consisting of this and two preceding typewritten pages, and for the purpose of identification, I have signed each such preceding page all in the presence of the persons witnessing it at my request on the 11th day of January, 1999 at Nashville, Tennessee.

Otis W. Charlton
Testator

The foregoing instrument, consisting of this and two preceding typewritten pages was signed, sealed, published and declared by Otis W. Charlton, the Testator, to be his Last Will and Testament in our presence and we, at his request and in his presence, and in the presence of each other, have hereunto subscribed our names as witnesses, this 11th day of January, 1999 at Nashville, Tennessee.

Witness Joyce L. Ward Residing at 303 Curtis Hollow Rd Antioch Tn 37013

Witness Angela M. Fake Residing at 322 Elizabeth Ct. Smyrna, TN 37167

AFFIDAVIT

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Hazel L. Ward and Angela M. Lake, being first duly sworn, make oath that the foregoing Last Will and Testament was signed by OTIS W. CHARLTON as and for his/her Last Will and Testament, and at that time acknowledged, published and declared by him/her to be his/her Last Will and Testament in the sight and presence of us, the undersigned, who, at his/her request and in his/her sight and presence and in the sight and presence of each other subscribed our names as attesting witnesses on this the 11th day of January, 19 99, in Nashville, Davidson, County, Tennessee, and we further make oath that the Testator/Testatrix was of sound mind on said date and was more than eighteen 18 years of age; and that each of the witnesses was more than eighteen 18 years of age.

Hazel L. Ward

Angela M. Lake

Sworn to and subscribed before me this the 11th day of January 1999.

Darcy B Fisher
Notary Public

Commission Expires: 10-9-99

True Copy Certification

I, Kelsie Holloway, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Kelsie Holloway
Signature

State of Tennessee

County of Rutherford

Personally appeared before me, Philip Ellis, a notary public for this county and state, Kelsie Holloway who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Notary's Signature

My Commission Expires: 5/23/16
Notary' Seal (if on paper)

PHILIP ELLIS
STATE OF TENNESSEE
NOTARY PUBLIC
RUTHERFORD COUNTY