AFFIDAVIT OF HEIRSHIP

Comes now Richard Alec Clark, pursuant to Tennessee Code Annotated 30-2-712, and after first being duly sworn according to law, would depose and say:

1. That he is the son of Mary Sue Clark, who died January 12, 2015;
2. That Mary Sue Clark, was 81 years of age and resided at 6035 Marrowbone Lake Road, Joelton, Davidson County, Tennessee at the time of her death;
3. That Mary Sue was unmarried at the time of her death, her husband, Hubert Franklin Clark having died October 4, 2005;
4. That Mary Sue Clark owned the real property at 6035 Marrowbone Lake Road, Joelton, Davidson County, Tennessee at the time of her death. The property description is attached hereto as Exhibit A;
5. That Mary Sue Clark did leave a will devising her real property to Affiant. A copy of the will is attached hereto as Exhibit B;
6. That a the State of Tennessee's Bureau of TennCare has released its interest in recovery from the Estate of Mary Sue Clark. A copy of the release is attached hereto as Exhibit C;
7. That Mary Sue Clark had three children, being the Affiant herein, Affiant's brother Dennis Franklin Clark, and sister, Wanda Clark Elwell;

Further affiant saith not.

Richard Alec Clark
RICHARD ALEC CLARK

A.C. LYNN NEWCOMB
prepared by
Balthrop Perry Noe & Newcomb
102 Frey St
Ashland City TN 37015

BILL GARRETT, Davidson County
Trans:T20150089189 AFFIDAVITH
Recvd: 10/20/15 12:08 10 pgs
Fees:52.00 Taxes:0.00
20151020-0106519

STATE OF TENNESSEE
COUNTY OF CHEATHAM

Richard Alec Clark does make oath that she has read the foregoing affidavit and that all the information set forth therein is true and correct to the best of his knowledge, information and belief.

This the 6 day of October, 2015.

Richard Alec Clark

RICHARD ALEC CLARK

Sworn to and subscribed before me,
this the 6th day of October, 2015.

Notary Public

My commission expires: 1/5/16

LYNN NEWCOMB
STATE OF TENNESSEE NOTARY PUBLIC
CHEATHAM COUNTY, TENN.

Exhibit A
Property Description

LAND in the 14th Civil District of Davidson County, Tennessee, according to a survey made by S. H. Hutchison.

BEGINNING at a point in the center of the Morrow Bone Lake Road at M. Gallahers southeast corner, running thence with the center of said Road S. 27° E. 100 feet to a point; thence S. 23° E. 350 feet to a point; thence S. 23° 30' E. 260 feet to a point; thence S. 21° E. 25 feet, S. 15° E. 50 feet and S. 6° E. 50 feet to a point in the center of said Road; thence N. 84° W. 372 feet to a stake with an elm pointer; thence N. 39° 30' W. 151 feet to a poplar tree; thence N. 52° W. 181 feet to an iron pin at a 24-inch beech tree to M. Gallahers' southwest corner; thence N. 46° E. 190 feet, N. 24° E. 100 feet. N. 19° E. 220 feet, N. 27° 30' E. 90 feet to the beginning, N. 19° E. 220 feet, N. 27° 30' E. 90 feet to the beginning, containing 5.13 acres, more or less.

BEING the same property conveyed Hubert F. Clark and wife, Mary Sue Clark, by installment deed from E.R. Rutherford and wife, Barbara Rutherford, of record in Book 4625, page 712, Register's Office Davidson County, Tennessee, and by Deed of Correction of record in Book 4630, page 824, Register's Office Davidson County, Tennessee.

MARY SUE CLARK

Exhibit B

I, Mary Sue Clark, of 6035 Marrowbone Lake Road, Joelton, 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.

ARTICLE 1

PROVISIONS RELATIVE TO FIDUCIARIES

1.1 **Definition**. The term "fiduciaries" means the executor, executrix, trustee, personal representative, or guardian serving at any time under my will and includes successors.

1.2 **Bond**. No bond is required of any fiduciary appointed under this will or by a court.

1.3 **Waiver of Inventory and Appraisals.** I authorize my executor to administer and settle my estate without the necessity of filing an inventory or making any reports or final settlement with any court to the extent permitted by law. I expressly waive appraisal of my estate in the event an appraisal is required by law.

1.4 **Resignation.** The fiduciary serving under this will may resign at any time by giving written notice of the resignation to any remaining fiduciary, and to any successor fiduciary or to the person having the power to appoint a successor fiduciary or to the court having jurisdiction to appoint a successor fiduciary.

2.2 **My Children**. I have three children: Dennis Franklin Clark, Richard Alex Clark, and Wanda Sue Clark.

2.3 **Singular and Masculine Usage**. Any use of the masculine includes the feminine, and the singular the plural, when such meaning is appropriate.

ARTICLE 3
FIDUCIARIES

3.1 **Executors**. I appoint my son, Richard Alex Clark, as executor of my will. If Richard Alex Clark ceases to qualify or fail to serve, then my son, Dennis Franklin Clark, shall act alone as my executor.

ARTICLE 4
PAYMENT OF DEBTS, EXPENSES AND TAXES

4.1 **Debts, Funeral and Administration Expenses**. My executor is to pay all burial expenses, the expenses of my last illness, and the administration expenses of my estate.

4.2 **Income Tax Treatment of Administration Expenses**. My executor may claim each estate administration expense as a deduction on the U.S. Estate Tax Return or on any U.S. Income Tax Return for my estate. No compensating adjustments between the income and principal are to be made because of such decision.

4.3 **Taxes**.

(a). Defined. The terms "taxes" means any transfer tax assessed because of my death for which my estate is liable and includes any penalty or interest assessed.

executor is to pay the taxes from my Remainder Estate.

ARTICLE 5
DISTRIBUTION OF TANGIBLE PERSONAL PROPERTY

5.1 I give to my son, Richard Alex Clark, all of my household furnishings owned by me at my death, in fee. In the event my son shall not survive me by one hundred and twenty (120) days, I give my household furnishings to my residuary estate.

5.2 I give the remainder of my tangible and intangible personal property to my residuary estate.

ARTICLE 6
DISTRIBUTION OF REAL PROPERTY

6.1 I devise all of the real property that I own at my death to my son, Richard Alex Clark, in fee. In the event my son shall not survive me by one hundred and twenty (120) days, I give all of the real property that I own at my death to my residuary estate.

ARTICLE 7
RESIDUARY ESTATE

7.1 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; and, after all administrative expenses are paid, I give, devise and bequeath to my children, share and share alike. Should any child of mine not survive me by one hundred twenty (120) days, I give their share of my residuary estate, after all costs are paid, to my surviving children.

This is page three of my Will M. S. C.
Initials

8.1 **Dealing with Executor**. No person dealing with the executor in any capacity is bound to inquire into the capacity to act on the part of the executor or into the authority for, or propriety of, any act of the executor or to see to the application or disposition of any money or other property paid, delivered, or loaned to the executor.

8.2 **Income During Administration**. During the administration of my estate, the executor is authorized to make distributions of the income of the estate to the same person, and in the same proportions, as might be made if the administration were completed.

8.3 **Power to Disclaim**. Each person entitled to receive an interest under this instrument may disclaim such interest in whole or in part if such person has not accepted such interest or any of its benefits. The person will not be treated as accepting an interest or any of its benefits if the person takes physical possession of the property solely to protect it against loss or damage and, if such person is not otherwise appointed a fiduciary, I appoint such person a special fiduciary for the purpose of protecting the property.

8.4 **Indemnity of Fiduciary.** I want my fiduciary to exercise its discretion without fear of incurring a liability or expense. Therefore, unless it acts capriciously or arbitrarily, my estate must indemnify the fiduciary for each monetary expense (including attorney fees) which it incurs or expends, or which arises from the exercise of discretion.

ARTICLE 9

Should any beneficiary under this will, in any manner, directly or indirectly attack or contest this will or any of its provisions, any share or interest in my estate

ARTICLE 10
SIGNATURE

This will consists of five (5) pages, including this page, (each of which I have signed or initialed) covering Articles 1 through 10 inclusive. I now sign this as my Will on this the 9th day of December, 2014, and pursuant to Tennessee Code Annotated § 32-2-110, I request the attesting witnesses to make the Affidavit attached to this Will.

IN WITNESS WHEREOF, I have set my hand this 9th day of December, 2014.

Mary Sue Clark
MARY SUE CLARK,
TESTATRIX

SIGNED, DECLARED and **PUBLISHED** by the said **MARY SUE CLARK**, as and for her last Will, in the presence of us, the undersigned, who, at her request and in her sight and presence, and in the sight and presence of each other, have subscribed our names hereto as attesting witnesses the day and date written.

NAME	**ADDRESS**
Mazella H. Melton Witness signature	3345 Union Hill Rd Address
Mazella H. Melton Print name	Joelton, Tn. 37080
Gayle Sherrill Witness signature	3127 Union Hill Rd. Address
Gayle Sherrill Print name	Joelton, TN 37080

Before me, the undersigned Notary Public, personally appeared the undersigned affiants, whose names are subscribed to the instrument to which this Affidavit is attached and, after being duly sworn, declared to me that, in their sight and presence **MARY SUE CLARK**, signed, declared and published the instrument to which this Affidavit is affixed or annexed as the testatrix's will; and requested them to act as witnesses to its execution and to execute this Affidavit; that in the testatrix's sight and presence and in the sight and presence of each other, each affiant signed the instrument as witness; and that the testatrix was at that time 18 years of age or over, was of sound mind and disposing memory, was fully capable of making a will and was under no duress, compulsion or constraint.

Magella H Relton
WITNESS

3345 Union Hill Rd
ADDRESS
Joelton, Tn 37080
CITY/STATE/ZIP

Gayle Sherrill
WITNESS

3127 Union Hill Rd
ADDRESS
Joelton, TN 37080
CITY/STATE/ZIP

Subscribed and sworn to before me
this 9th day of December, 2014

Bonnie K Skipworth
NOTARY PUBLIC

BONNIE K. SKIPWORTH
NOTARY PUBLIC
STATE OF TENNESSEE
DAVIDSON COUNTY

My Commission Expires: MY COMMISSION EXPIRES: November 3, 2015

RECEIVED JUL 20 2015

Exhibit C

State of Tennessee
Department of Finance and Administration
Bureau of TennCare
Third Party Liability Division
310 Great Circle Road, 4th Floor
Nashville, Tennessee 37243
Toll Free: 866-389-8444 • FAX: 615-413-1941

Bill Haslam
Governor

Mark A. Emkes
Commissioner

7/17/2015

LYNN NEWCOMB
LEGAL COUNSEL
102 FREY ST
ASHLAND CITY, TN 37015

RE: MARY SUE CLARK
Last Four Of SSN 7832

Dear LYNN NEWCOMB:

This letter constitutes notification of the release of the State of Tennessee's Bureau of TennCare against the above estate for the marked reason:

X This serves as a release of the Bureau of TennCare's interest in recovery from the above referenced estate as required by T.C.A. §71-5-116(c) (2). Based on a review of the information provided on the Request for Release of Estate Recovery Cost Claim form, we do not find long term TennCare benefits paid by the State of Tennessee on behalf of this individual.

____ This release is based upon the surviving spouse deferral, which meets the criteria defined in T.C.A. §71-5-116(c). The State of Tennessee does reserve the right to file a claim for long term care/nursing home services against the estate of the surviving spouse upon the death of the surviving spouse.

____ This release is based upon the decedents age exception, which meets the criteria defined in T.C.A. §71-5-116(c). The State of Tennessee recovers payments made only on behalf of individuals fifty-five years of age or older.

If there are questions, you may contact the Estate Recovery Unit at (866) 389-8444.

Sincerely,

Jangela J. Howard