Prepared By:
Warranty Title Insurance Company, Inc.
165 Indian Lake Blvd., Suite 106
Hendersonville, TN 37075

BILL GARRETT, Davidson County
Trans:T20170034264 AFFIDAVITH
Recvd: 04/24/17 11:23 18 pgs
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20170424-0039889

AFFIDAVIT OF HEIRSHIP

STATE OF ILLINOIS
COUNTY OF Jefferson

The undersigned Affiant, after being duly sworn, hereby makes oath and states as follows:

1. Lisa Roddy hereby states that she is an adult, competent to make the following statements, and has known W. Russell Withers, Jr. and his family for 15 years and was a caregiver to W. Russell Withers, Jr.

2. The real property for which this Affidavit relates is described as follows:

   Land in Davidson County, State of Tennessee, shown on the Plan of Doral Country Villa Condominiums, Section I, as of record in Book 4860, page 96, Register's Office for Davidson County, Tennessee, more particularly described as follows:

   Being Unit No. 102A on said Plan, and being known as 847 Todd Preis Drive, Nashville, Tennessee, 37221, together with each and all of the rights and appurtenances thereunto belonging, including such unit's undivided percentage interest in the land and general common elements, as fully described and set forth in a Master Deed, recorded in Book 5011, page 395, as amended in Book 5015, page 251, of the Register's Office for Davidson County, Tennessee, to which reference is hereby made. The easements, restrictive covenants, conditions and regulations imposed upon, and relating to the property, co-owners and tenants of Doral Country Villa Condominiums, Section I, contained in the Master Deed and the By-Laws appended thereto, recorded in Book 5011, page 395, as amended in Book 5015, page 251, Register's Office for Davidson County, Tennessee, are incorporated in this deed by reference and made a part hereof the same as though copied herein.

   Being the same property conveyed to W. Russell Withers, Jr., a single person by deed from Barry Construction Company, a Tennessee corporation, dated May 10, 1976, of record in Book 5029, page 998, Register's Office for Davidson County, Tennessee.

3. W. Russell Withers, Jr. was unmarried and passed away on January 24, 2014. The only child ever born or adopted by W. Russell Withers, Jr. is Dana Ruth Withers. The said W. Russell Withers, Jr. left a Will devising his estate to Dana Ruth Withers, which was probated in Jefferson County, Illinois and is attached hereto as Exhibit "A".

4. The Affiant, Lisa Roddy has knowledge that all claims, including funeral expenses have been paid. W. Russell Withers, Jr. was not a resident of Tennessee so therefore he was not eligible for TennCare benefits.

5. This Affidavit of Heirship is freely given pursuant to T.C.A. 30-2-712, to help establish and reflect the heirship and ownership with respect to the foregoing property.

FURTHER AFFIANT SAITH NOT.

Lisa Roddy

Lisa Roddy

STATE OF ILLINOIS
COUNTY OF Jefferson

Sworn to and subscribed before me this ____ day of March, 2017.

J. Ryan Roddy

Notary Public

My Commission Expires: 5/28/17

OFFICIAL SEAL
J. RYAN RODDY
Notary Public, State of Illinois
My Commission Expires 05-28-2017

STATE OF ILLINOIS
COUNTY OF Jefferson

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named, Lisa Roddy, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence) and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand and official seal, this _____ day of March, 2017.

J. Ryan Roddy

Notary Public

My Commission Expires: 5/28/17

OFFICIAL SEAL
J. RYAN RODDY
Notary Public, State of Illinois
My Commission Expires 05-28-2017

Exhibit "A"

STATE OF ILLINOIS)
) ss.
COUNTY OF JEFFERSON)

I, Randy Pollard, Clerk of the Circuit Court within and for the County of Jefferson in the State aforesaid, do hereby certify that the foregoing is a true, perfect and correct copy of W. RUSSELL WITHERS, JR., DECEASED Estate #2014-P-24:

1) Petition for Probate of Will and for Letters of Office

2) Last Will and Testament of W. Russell Withers, Jr.

3) Proof of Heirship & Order Declaring Heirship

4) Order Admitting Will to Probate and Directing Issuance of Letters of Office

5) Oath of Office

6) Bond of Legal Representatvie--No Surety 7) Letters of Office

rendered in the above entitled cause as truly as the same appears from the records and files now in my office remaining.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Circuit Court, at my office in Mt. Vernon, Illinois, this 15th day of March, 2017.

Randy Pollard
Clerk of the Circuit Court
Second Judicial Circuit
Jefferson County, Illinois

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT

JEFFERSON COUNTY, ILLINOIS

FILED
SECOND JUDICIAL COURT
FEB 21 2014
CLERK OF CIRCUIT COURT
JEFFERSON COUNTY ILLINOIS

In the Matter of the Estate of)
) No. 2014-P-24
W. RUSSELL WITHERS, Jr., Deceased)

PETITION FOR PROBATE OF WILL AND FOR LETTERS OF OFFICE

Now comes the Petitioner, Dana Ruth Withers, by her attorney, Mark S. Johnson of Johnson, Schneider & Ferrell, L.L.C., and on oath states as follows:

1. W. Russell Withers, Jr., whose place of residence at the time of his death was #1 Sleepy Hollow Lane, Mount Vernon, Jefferson County, Illinois, died testate on January 24, 2014, at his home in Mount Vernon, Illinois, leaving a Last Will and Testament dated September 19, 2000, which Petitioner believes to be the valid Last Will and Testament of the testator. A copy of said Will is attached hereto.

2. The approximate value of the testator's real and personal property in this state is as follows:

Personal property: $ 2,000,000.00

Real estate: $ 3,000,000.00

Annual income from real estate: $ Unknown

3. The names and post office addresses of the testator's heirs, legatees, and devisees, and their relationship to the testator, are as follows:

Dana Ruth Withers #1 Sleepy Hollow Lane Mount Vernon, IL 62864	Daughter, heir, legatee

4. The testator nominated as Executor the Petitioner, Dana Ruth Withers, who is qualified and willing to act as Executor.

5. The Petitioner requests supervised administration of this estate.

WHEREFORE, the Petitioner prays this Court to admit said Will to probate and to issue Letters of Office to Dana Ruth Withers as Executor.

MARK S. JOHNSON
Attorney for Petitioner

VERIFICATION BY CERTIFICATION

The undersigned, pursuant to Section 1-109 of the Illinois Code of Civil Procedure, hereby certifies that the statements set forth in the foregoing pleading are true and correct, except as to matters therein stated to be on information and belief, and as to those matters the undersigned certifies that he/she verily believes the same to be true.

Dana Ruth Withers

DANA RUTH WITHERS

MARK S. JOHNSON
JOHNSON, SCHNEIDER & FERRELL, L.L.C.
Attorneys at Law
309 Division Street
P. O. Box 826
Cairo, IL 62914
Telephone: 618-734-1505
Facsimile: 618-734-1521

FILED
SECOND JUDICIAL COURT
FEB 21 2014
CLERK OF CIRCUIT COURT
JEFFERSON COUNTY ILLINOIS

Last Will and Testament of

W. RUSSELL WITHERS, JR.

I, W. RUSSELL WITHERS, JR., revoke any prior wills and codicils made by me and declare this to be my last will.

ARTICLE I
DEATH TAXES

I direct that all estate, inheritance and other death taxes payable by reason of my death, other than any generation-skipping tax or any tax allocable to assets with respect to which I had a qualifying income interest for life, on any property included in my estate for tax purposes shall be paid as an expense of administration without contribution from any person and without apportionment. No death taxes shall be allocated to or paid from any gift which qualifies for the federal estate tax marital or charitable deductions.

ARTICLE II
STATEMENT AS TO FAMILY

My only child now living is DANA RUTH WITHERS. Any references in my will to my children or to my child are to such child. My siblings now living are RICHARD KENT WITHERS, JAMES K. WITHERS, LINDA W. JAYNES and WILLIAM J. WITHERS, SR. Any references in my will to my siblings are to these four persons.

ARTICLE III
PERSONAL AND HOUSEHOLD EFFECTS

I give all my personal and household effects, such as jewelry, clothing, furniture, furnishings, sporting equipment, silver, books, pictures, and automobiles, except such property used in any business in which I may have any interest, together with any insurance policies and claims under such policies on such property, in accordance with a writing which I intend to leave at my death. If for any reason no such memorandum is in existence at my death or to the extent

W. Russell Withers, Jr.

such memorandum fails to dispose of all of such property effectively, I give such property not disposed of by such memorandum to DANA RUTH WITHERS, if she survives me by ten days. If Dana Ruth Withers does not so survive me, I give such property to my siblings who survive me by ten days in shares of substantially equal value, to be divided among them as they shall agree. In case my siblings do not agree within three months after the appointment of my personal representative as to the division among them, any court of competent jurisdiction shall make the division. All reasonable expenses of storage, packing, shipping, delivery, and insurance, or of sale, shall be paid as an expense of administration.

ARTICLE IV
RESIDUARY ESTATE

I give my residuary estate to DANA RUTH WITHERS if she survives me by thirty days, and if she fails to so survive me, to her then living issue, by representation, if any. If Dana Ruth Withers does not survive me by thirty days and has no issue who survive me by thirty days, I give my residuary estate in equal shares to my siblings who survive me by thirty days. If any of my siblings fail to survive me by thirty days, the gift to that sibling shall lapse and be distributed in equal shares to those siblings who do survive me by thirty days.

ARTICLE V
PERSONAL REPRESENTATIVE

I appoint DANA RUTH WITHERS as my personal representative to serve without bond. My personal representative may exercise all the powers in the Colorado Fiduciaries' Powers Act, as amended after the date of my will and after my death. It is my intention that the probate of my estate be conducted as an administrative, not a judicial, proceeding under the Colorado Probate Code. I therefore direct informal probate of my will, informal appointment of my personal representative, unsupervised administration of my estate, and informal closing of my estate by sworn closing statement of my personal representative, unless changed circumstances occur which I could not have anticipated and which would necessitate formal or supervised judicial proceedings for the protection of persons interested in my estate.

W. Russell Withers, Jr.

ARTICLE VI
DEFINITIONS

6.01 ADOPTED CHILDREN: A child adopted by any person and the issue by blood or adoption of such child shall be considered issue of such adopting person and of such person's ancestors if the adoption is by legal proceeding while the child is under twenty-one years.

6.02 PRONOUNS, SINGULAR AND PLURAL: Unless the context requires otherwise, words denoting the singular may be construed as denoting the plural, and words of the plural may be construed as denoting the singular, and words of one gender may be construed as denoting such other gender as is appropriate.

6.03 ISSUE: The issue of a person means all his lineal descendants of all generations, with the relationship of parent and child at each generation being determined by the definition of child and parent contained in the Colorado Probate Code at the date of my will.

6.04 BY REPRESENTATION: Whenever a distribution to issue by representation is called for by my will, the distributable assets are to be divided into as many shares as there are, at the time such assets are distributable, issue in the nearest degree of kinship and then deceased issue in the same degree who left then living issue, each then living issue in the nearest degree receiving one share and the share of each then deceased issue in the same degree being divided among his issue in the same manner.

6.05 OTHER DEFINITIONS: Except as otherwise provided in my will, definitions of terms in my will shall be as defined in the Colorado Probate Code as amended after the date of my will and after my death.

Signed by me on 9/19, 2000.

W. Russell Withers, Jr.

THE FOREGOING INSTRUMENT, consisting of five pages, including the following two pages, was signed and declared by the Testator to be his last will, in the presence of us, who in his conscious presence, at his request, and in the presence of each other, have signed our names as witnesses on the date of this instrument, and we declare that at the time of the

execution of this instrument the Testator, according to our best knowledge and belief, was of sound mind and under no constraint or undue influence.

_____ of Grand Junction, Colorado
Witness

_____ of Grand Junction, Colorado
Witness

AFFIDAVIT OF PROOF OF LAST WILL

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

We, W. RUSSELL WITHERS, JR., the Testator, and GREGORY K. HOSKEN and LAURIE A. CAHILL, the witnesses, whose names are signed to the foregoing instrument, being first duly sworn, do hereby declare to the undersigned authority that the Testator signed and executed the instrument as his last will and that he signed willingly, and that he executed it as his free and voluntary act for the purposes therein expressed; and that each of the witnesses, in the conscious presence of the Testator, signed the will as witness and that to the best of his or her knowledge the Testator was at that time eighteen years of age or older, of sound mind and under no constraint or undue influence.

W. Russell Withers, Jr., Testator

Witness

Witness

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by W. RUSSELL WITHERS, JR., the Testator, and subscribed and sworn to before me by GREGORY K. HOSKIN and LAURIE A. CAHILL, witnesses, this 19th day of September, 2000.

Witness my hand and official seal.

My commission expires: 2/9/04.

NOTARY PUBLIC
JANE H. COCHRAN
STATE OF COLORADO

Jane H. Cochran
Notary Public

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT

JEFFERSON COUNTY, ILLINOIS

In the Matter of the Estate of)
)
W. RUSSELL WITHERS, Jr., Deceased)

No. 2014-P-24

FILED
SECOND JUDICIAL COURT
FEB 21 2014
CLERK OF CIRCUIT COURT
JEFFERSON COUNTY ILLINOIS

PROOF OF HEIRSHIP

Dana Ruth Withers, being first duly sworn on her oath, deposes and says as follows:

1. My name is Dana Ruth Withers, I am an adult, and I am the daughter of the decedent, W. Russell Withers, Jr.

2. The decedent, W. Russell Withers, Jr., was married two (2) times and both marriages ended in divorce. He was unmarried at the time of his death. He had one daughter, the affiant, Dana Ruth Withers, and he had no other children, either natural or adopted.

3. The decedent, W. Russell Withers, Jr., a resident of Mount Vernon, Illinois, died testate on January 24, 2014, leaving the following named person as his sole heir at law:

Dana Ruth Withers Daughter

Dana Ruth Withers
DANA RUTH WITHERS

Subscribed and sworn to before me, a Notary Public, this 21st day of February, 2014.

Notary Public

MARK S. JOHNSON
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IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT

JEFFERSON COUNTY, ILLINOIS

In the Matter of the Estate of)
)
W. RUSSELL WITHERS, Jr., Deceased)

No. 2014-P-24

FILED
SECOND JUDICIAL COURT
FEB 21 2014
CLERK OF CIRCUIT COURT
JEFFERSON COUNTY ILLINOIS

ORDER DECLARING HEIRSHIP

After considering the Proof of Heirship filed herein, the Court declares that W. Russell Withers, Jr., who died testate on January 24, 2014, left surviving as his sole heir at law the following named person:

Dana Ruth Withers Daughter

ENTERED this 21 day of FEB, 2014.

JUDGE

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT

JEFFERSON COUNTY, ILLINOIS

In the Matter of the Estate of)
)
W. RUSSELL WITHERS, Jr., Deceased)

No. 2014-P-24

FILED
SECOND JUDICIAL COURT
FEB 21 2014
CLERK OF CIRCUIT COURT
JEFFERSON COUNTY ILLINOIS

ORDER ADMITTING WILL TO PROBATE AND DIRECTING ISSUANCE OF LETTERS OF OFFICE

On the verified Petition of Dana Ruth Withers for admission to probate of the Last Will and Testament of W. Russell Withers, Jr., Deceased, who died January 24, 2014, and for issuance of Letters of Office;

IT IS HEREBY ORDERED that the Last Will and Testament of W. Russell Withers, Jr. dated September 19, 2000, is hereby admitted to probate, and Letters of Office as Executor shall issue to Dana Ruth Withers.

ENTERED this 21 day of FEB, 2014.

JUDGE

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT

JEFFERSON COUNTY, ILLINOIS

FILED
SECOND JUDICIAL COURT
FEB 21 2014
CLERK OF CIRCUIT COURT
JEFFERSON COUNTY ILLINOIS

In the Matter of the Estate of)
) No. 2014-P-24
W. RUSSELL WITHERS, Jr., Deceased)

OATH OF OFFICE

I, Dana Ruth Withers, on oath state that I will discharge faithfully the duties of the office of Executor of the Estate of W. Russell Withers, Jr., Deceased.

Dana Ruth Withers
DANA RUTH WITHERS

Subscribed and sworn to before me, a Notary Public, this 21st day of February, 2014.

Lindsay Zeschke
Notary Public

LINDSAY ZESCHKE
Notary Public - Notary Seal
State of Missouri
Commissioned for Cape Girardeau County
My Commission Expires: September 22, 2016
Commission Number: 12641126

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IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT

JEFFERSON COUNTY, ILLINOIS

FILED
SECOND JUDICIAL COURT
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CLERK OF CIRCUIT COURT
JEFFERSON COUNTY ILLINOIS

In the Matter of the Estate of)
)
W. RUSSELL WITHERS, Jr., Deceased)

No. 2014-P-24

BOND OF LEGAL REPRESENTATIVE -- NO SURETY

I, Dana Ruth Withers, bind myself to the People of the State of Illinois that I will discharge faithfully the duties of the office of Executor of the Estate of W. Russell Withers, Jr., Deceased.

The obligation of this bond is limited to $ 10,000,000.00 .

Dana Ruth Withers
DANA RUTH WITHERS

Subscribed and sworn to before me, a Notary Public, this 21st day of February, 2014.

LINDSAY ZESCHKE
Notary Public - Notary Seal
State of Missouri
Commissioned for Cape Girardeau County
My Commission Expires: September 22, 2016
Commission Number: 12641126

Lindsay Zeschke
Notary Public

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Approved: 2-21, 2014.

JUDGE

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT

JEFFERSON COUNTY, ILLINOIS

FILED
SECOND JUDICIAL COURT
FEB 21 2014
CLERK OF CIRCUIT COURT
JEFFERSON COUNTY ILLINOIS

In the Matter of the Estate of)
) No. 2014-P-24
W. RUSSELL WITHERS, Jr., Deceased)

LETTERS OF OFFICE

Dana Ruth Withers of Mount Vernon, Illinois, has been appointed Executor of the Estate of W. Russell Withers, Jr., Deceased, who died January 24, 2014, and she is authorized to take possession of and collect the estate of the decedent, and to do all acts required of her by law.

WITNESS: John Scott, Clerk of the Second Judicial Circuit Court, Jefferson County, and the seal thereof, at Mount Vernon, Illinois.

DATED: Feb 21, 2014.

(Seal of Court)

John Scott
CIRCUIT CLERK
by Barbara Mace (deputy)

CERTIFICATE

I certify that this is a copy of the Letters of Office now in force in this estate.

DATED: _____, 20____.

(Seal of Court)

_____
CIRCUIT CLERK

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