THIS INSTRUMENT PREPARED BY: **Martin Heller Potempa & Sheppard** 2122 21st Avenue South Nashville, Tennessee 37212 (615) 800-7096 Bill Garrett Davidson County Batch# 82546 AFFIDAVITH 04/19/2018 09:01:35 AM 4 pgs Fees: $22.00 Taxes: $0.00 20180419-0036785	STATE OF Tennessee COUNTY OF Davidson The actual consideration for this transfer is: $0.00 Michael Grafton Smith Subscribed and sworn to before me, this 17th day of April 2018. NOTARY PUBLIC My Commission Expires: 7/6/2020 GARRETT KNISLEY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

Address New Owner:	**Send Tax Bills To:**	**Tax Information:**
Cora Ann Smith, et al. 3678 Richbriar Circle Nashville, TN 37211	New Owner	Map & Parcel: 119-4-22-PW

STATE OF Tennessee)
)
COUNTY OF Davidson)

AFFIDAVIT OF HEIRSHIP

1. My name is Michael Grafton Smith ("Affiant"). I am an adult resident of the State of Tennessee. I am competent to give the testimony in this sworn Affidavit, and my testimony herein is based upon my personal knowledge.

2. Cecilia McFarland ("Decedent") died on September 3, 2017. I am the Personal Representative of the Estate of Cecilia McFarland. I was granted Letters of Administration on December 8, 2017 by the Seventh Circuit Court of Davidson County, *Docket No. 17P1820*. A copy of said Letters of Administration is attached hereto as **Exhibit 1**.

3. Decedent had an ownership interest in a certain parcel of improved real property at the time of her death located at 297 Browning Road, Nashville, TN 37211 (the "Property"), which is more fully and particularly described as follows:

Being Lot No. 95 on the plan of Glencliff Estates, Section 5, as of Record in Book 2133, page 21, Register's Office aforesaid county as follows: Beginning on the northerly margin of Browning Road at the corner of Lots 95 and 96; thence with a line between said two lots, northwardly 200.4 feet; thence south 39° 10 feet east 82 feet to the westerly margin of Barrett Road; thence with the same, southwardly 142.5 feet to the beginning of a curve; thence around said curve, with a radius of 25 feet southwesterly 39.3 feet to the northerly margin of Browning Road; thence with the same westwardly 72.3 feet to the beginning.

Being the same property conveyed to Robert M. McFarland, Ellen W. McFarland, Cecilia W. McFarland, and Margaret C. McFarland by deed from Oscar Thomas Johns and Betsy Johns, of Record in Book 5309, Page 924, Register's Office for Davidson County, Tennessee.

4. After the aforementioned conveyance, the property was owned jointly by Robert M. McFarland, Ellen W. McFarland, Cecilia W. McFarland, and Margaret C. McFarland, all of whom were siblings, as equal tenants in common.

5. Ellen W. McFarland died on June 17, 1996. Her Last Will and Testament was probated in Davidson County, *Docket No. 96P1308*. A certified copy of her Will is attached as **Exhibit 2**. The beneficiaries of her Will were the other three owners of the Property. Pursuant to Tenn. Code Ann. § 31-2-103, immediately upon the death of Ellen W. McFarland, her one-fourth (1/4) interest in the Property vested in the beneficiaries of her Will. The Property was thereafter owned by Robert M. McFarland, Cecilia W. McFarland, and Margaret C. McFarland as equal, one-third (1/3) tenants in common.

6. Robert M. McFarland died intestate on November 8, 1997. Robert was unmarried and without issue at the time of his death. His parents were predeceased. Pursuant to Tenn. Code Ann. § 31-2-103, immediately upon the death of Robert M. McFarland, his one-third (1/3) interest in the Property vested equally in his four surviving siblings, Cecilia W. McFarland, Margaret C. McFarland, Cora Ann Smith, and Clara Louise Shacklett, as heirs-at-law. The Property was thereafter owned as tenants in common as follows:

Cecilia W. McFarland, a five-twelfths (5/12) interest;
Margaret C. McFarland, a five-twelfths (5/12) interest;
Cora Ann Smith, a one-twelfth (1/12) interest; and
Clara Louise Shacklett, a one-twelfth (1/12) interest.

7. Margaret C. McFarland died on July 18, 2000. Her Last Will and Testament was probated in Davidson County, *Docket No. 00P1242*. A certified copy of her Will is attached as **Exhibit 3**. The named beneficiaries of her Will were Robert M. McFarland, Ellen W. McFarland, and Cecilia W. McFarland. Robert M. McFarland and Ellen W. McFarland were predeceased without issue as described in Paragraphs 5 and 6 herein. Thus, their interest lapsed, and the entirety of Margaret C. McFarland's interest vested in Cecilia C. McFarland, pursuant to Tenn. Code Ann. § 31-2-103. The Property

was thereafter owned as tenants in common as follows:

Cecilia W. McFarland, a ten-twelfths (10/12) interest;
Cora Ann Smith, a one-twelfth (1/12) interest; and
Clara Louise Shacklett, a one-twelfth (1/12) interest.

8. Clara Louise Shacklett died on January 11, 2009. Her Last Will and Testament was probated in Davidson County, *Docket No. 09P181.* A certified copy of her Will is attached as **Exhibit 4**. Pursuant to Tenn. Code Ann. § 31-2-103, immediately upon her death, her one-twelfth (1/12) interest vested in the beneficiaries of her Will, which were her five children, Robert S. Shacklett, John J. Shacklett, Peggy Warren, Tom P. Shacklett, and Mary Ann Shacklett. The Property was thereafter owned as tenants in common as follows:

Cecilia W. McFarland, a ten-twelfths (10/12) interest;
Cora Ann Smith, a one-twelfth (1/12) interest;
Robert S. Shacklett, a one-sixtieth (1/60) interest;
John J. Shacklett, a one-sixtieth (1/60) interest;
Peggy Warren, a one-sixtieth (1/60) interest;
Tom P. Shacklett, a one-sixtieth (1/60) interest; and
Mary Ann Shacklett, a one-sixtieth (1/60) interest.

9. Cecilia W. McFarland died intestate on September 3, 2017. As referenced in Paragraph 2 above, Affiant was appointed Personal Representative of her Estate on December 8, 2017, *Docket No. 17P1820.* Pursuant to Tenn. Code Ann. § 31-2-103, her ten-twelfths (10/12) interest vested immediately in her heirs-at-law – one-half (1/2) her interest to her surviving sibling, Cora Ann Smith, and one-half (1/2) her interest to be divided between the issue of her predeceased sibling, Clara Louise Shacklett. As of the filing of this Affidavit, ownership of the Property remains vested as follows:

Cora Ann Smith, a one-half (1/2) interest;
Robert S. Shacklett, a one-tenth (1/10) interest;
John J. Shacklett, a one-tenth (1/10) interest;
Peggy Warren, a one-tenth (1/10) interest;
Tom P. Shacklett, a one-tenth (1/10) interest; and
Mary Ann Shacklett, a one-tenth (1/10) interest.

FURTHER AFFIANT SAYETH NOT.

SWORN this 17th **day of** April **2018.**

Michael Grafton Smith

STATE OF Tennessee)
)
COUNTY OF Davidson)

Now having first been sworn, the above-named Michael Grafton Smith, Affiant, appeared before me and proved her identity to me by a government issued photograph identification card, and gave the testimony in this Affidavit for the purpose(s) stated herein.

Sworn to and subscribed before me, the undersigned Notary Public, this 17th day of April 2018.

GARRETT WESLEY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

Notary Public My commission expires: 7/6/2020