This instrument was prepared by:
Joshua G. Tillman, Esq.
Russ Cook & Associates, P.C.
5141 Virginia Way, Suite 220
Brentwood, TN 37027
WITHOUT A TITLE SEARCH

Karen Johnson Davidson County
Batch# 287444 AFFIDAVITH
09/18/2019 10:19:52 AM 3 pgs
Fees: $17.00 Taxes: $0.00
20190918-0094639

NEW OWNER(S): RICHARD E. SOMERS AND RICHARD ANDREW SOMERS, CO-TRUSTEES
JOANN SOMERS LIVING TRUST DATED JUNE 16, 2009
1000 HERMITAGE AVENUE
HUNTSVILLE, AL 35801

SEND TAX NOTICES TO: NEW OWNER(S)

PARCEL ID: 09110040800
ADDRESS: 0 TRICE DRIVE, NASHVILLE, TN 37209

AFFIDAVIT OF HEIRSHIP

Tennessee Code Annotated § 30-2-712

STATE OF TENNESSEE

COUNTY OF WILLIAMSON

The undersigned, being duly sworn, makes oath as follows:

1. My full name is Joshua Graham Tillman ("Affiant").

2. I reside at 108 Carolina Close Drive, Franklin, Tennessee 37069.

3. I have personal knowledge of the matters stated in this Affidavit; I am married to Kelly Leigh Tillman, the niece of JoAnn Eddy Somers ("Decedent").

4. Decedent died in Huntsville, Madison County, Alabama on July 11, 2018.

5. The Probate Court of Madison County, Alabama (Case No. 67989) admitted the *Last Will of JoAnn Somers* ("Will") on August 22, 2018.

6. A certified copy of the *Petition for the Probate of Self-Proving Will, Waivers, Last Will and Testament of JoAnn Somers, Decree Admitting Will to Probate and Granting Letters Testamentary and Letters Testamentary, Estate of JoAnn Somers Probate Court Case #67929*

is being filed simultaneously herewith for registration in accordance with the provisions of Tenn. Code Ann. § 32-5-109.

7. Decedent's Will named Richard E. Somers and Richard Andrew Somers, Co-Trustees, JoAnn Somers Living Trust dated June 16, 2009 ("Trust"), as sole beneficiary of Decedent's estate, which included any real property.

8. The real property to which this Affidavit applies is unimproved property located at 0 Trice Drive, Nashville, Tennessee 37209, and legally described as:

> Lot in the Town of West Nashville, Davidson County, Tennessee, beginning at a stake on the S. W. margin (sometime stated N. W. margin) of the Morrow Road, 100 feet in a S.E. direction from J. H. and W. J. Davis' No. E. corner, running thence south 59 degrees East 150 feet with said road to a stake; thence south 31 degrees West at right angles with said road 1098 feet to the center of Richland Creek; thence meandering with the center of said Creek and N. W. about 170 feet to a point opposite a stake on the bank of said Creek; thence north 31 degrees East 1054-1/4 feet to the beginning, containing 3.7 acres, more or less.
>
> Being a portion of the same property conveyed to Jo Ann Eddy Somers by testate succession as described in an *Affidavit of Inheritance* recorded at Instrument No. 20100420-0029777, Register's Office Davidson County, Tennessee.
>
> Included in the description above, but EXCLUDED FROM THIS TRANSFER, is improved property known as 5711 and 5707 Marrow Road, Nashville, Tennessee 37209, and legally described as:
>
> Land in Davidson County, Tennessee, being Lots 2 and 3, EDDY'S FOLLY, RESUBDIVISION OF LOT 2, as shown on plat of record in Instrument No. 20131223-0129397, in the Register's Office, Davidson County, Tennessee, to which plat reference is hereby made for a more particular description of said property.
>
> Being the same property conveyed by Warranty Deed from Jo Ann Eddy Somers, Married, to Nashville Intown Development Co., LLC, dated May 30, 2014 and recorded at Instrument No. 20140610-0050251, in the Register's Office, Davidson County, Tennessee.

Legal description taken from prior Affidavit of Heirship of record at Instrument No. 20100420-0029777, and from prior Warranty Deed of record at Instrument No. 20140610-0050251, each in Register's Office for Davidson County, Tennessee, without the benefit of title search.

9. JoAnn Somers and Jo Ann Eddy Somers are one and the same person.

10. Affiant has executed this *Affidavit of Heirship* and is registering a certified copy of Decedent's Will to evidence the transfer of Decedent's interest in the real property to the

Trust, as beneficiary of Decedent's testate estate, and to establish a muniment of title to the same in accordance with Tenn. Code Ann. § 32-5-109.

IN WITNESS WHEREOF, I have hereunto set my hand to this Affidavit of Inheritance, this 12th day of September 2019.

Joshua G. Tillman, Affiant

Sworn to and subscribed before me by Joshua G. Tillman, this 12th day of September 2019.

Notary Public

My Commission Expires: 10/20/20

ERIN STEVENSON
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF WILLIAMSON
My Comm. Expires
October 20, 2020