Karen Johnson Davidson County
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This instrument prepared by:
Chapman & Rosenthal Title, Inc.
2002 Richard Jones Rd, Ste 203A
Nashville, TN 37215
File No. 200124452

# AFFIDAVIT OF HEIRSHIP IN FURTHERANCE OF TITLE

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this 10th day of March, 2020 personally appeared Brian Shelton, hereinafter referred to as Affiant, being first duly sworn, deposes, and makes oath as follows:

1. That Affiant is at least eighteen (18) years of age and is a resident of Williamson County, Tennessee, operating at 2021 Richard Jones Road Suite 240 Nashville, TN 37215.

2. That Affiant was personally acquainted with Barbara B. Montgomery, deceased, hereinafter referred to as Decedent, during the Decedent's lifetime, and is familiar with Decedent's family history by reason of the following: Estate planning attorney for Barbara B. Montgomery and her family.

3. That Decedent died on January 12th, 2019, and was at the time a resident of Davidson County residing at 301 Bonnavale Drive Hermitage, TN 37076. Decedent left a will but will was not probated, see Last Will and Testament of Barbara B. Montgomery attached here as "Exhibit A";

4. That Decedent was survived by the following persons (*please include name and address*) If the answer is NONE, state "NONE":

**I. Surviving Spouse**

**None**

**Surviving Children (adopted, legitimate or illegitimate)**

**Karl Ray Montgomery, Jr.**
1866 Bakers Grove Road
Hermitage, TN 37076

**Pamela Ann Jackson (formerly known as Pamela Ann Montgomery and also known as Pamela Ann Jackson)**
4822 Catskill Drive
Old Hickory, TN 37138

**William Mark Montgomery**
1830 Needmore Road
Old Hickory, TN 37138

**Deceased Children (adopted, deceased, legitimate or illegitimate)**

**None**

**Children of Deceased Children (adopted, deceased, legitimate or illegitimate)**

**None**

5. That all persons above named are at least eighteen (18) years of age, except: N/A.

6. That this Affidavit of Heirship is being prepared for the purposes established in Tenn. Code Ann. 30-2-712, and the Affiants acknowledge that their execution of the same is subject to and

governed by the penalties set forth in Section (f) of the same statute, and that this Affidavit is not made for any fraudulent purpose.

7. That the Affiants acknowledge that this Affidavit of Heirship may be relied upon by third parties in order to establish chain of title by descent and distribution.

FURTHER AFFIANT SAYETH NOT.

AFFIANT

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

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

Witness my hand and official seal at Nashville, Tennessee, this 6th day of March, 2020.

(seal)

CELESTE TORGERSON
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

NOTARY PUBLIC

My Commission Expires: 3/7/23

"Exhibit A"

# Last Will and Testament

OF

BARBARA BIGGERS MONTGOMERY

I, Barbara Biggers Montgomery, of Hermitage, Davidson County, Tennessee, being of sound mind and disposing memory and realizing the uncertainty of life, do hereby make and publish this my Last Will and Testament, hereby revoking all wills and codicils thereto by me at any time heretofore made.

ITEM I: I desire and direct that my funeral expenses and all my just debts be first paid out of any funds left by me at my death, and in the event sufficient funds are not left by me for the payment of same, I hereby authorize and empower my Executor at his discretion, to sell such of my property, personal or real, disposing first of any perishable property, as is necessary to pay the same.

ITEM II: Except as otherwise directed in Item III hereof, I give, devise and bequeath to my husband, Karl Ray Montgomery, Sr., absolutely and in fee simple, all property which I own or have the right to dispose of at my decease and which remains after payment of my just debts and funeral expenses, of whatever kind, character and description, real, personal, intangible, and mixed, and wherever situated.

ITEM III: In the event my said husband, Karl Ray Montgomery, Sr., does not survive me, I give, bequeath and devise, absolutely and in fee simple, all property which I own or have the right to dispose of at my decease and which remains after payment of my just debts and funeral expenses, of whatever kind, character and description, real, personal, intangible, and mixed, and wherever situated, in equal shares, to my children, Karl Ray Montgomery, Jr., Pamela Ann Montgomery and William Mark Montgomery, except as provided in Item IV hereof.

ITEM IV: In the event my said husband, Karl Ray Montgomery, Sr. should not survive me and one or all of the devisees named in

Barbara Biggers Montgomery

Barbara Biggers Montgomery

Item III hereof should not survive me, I give, bequeath and devise, absolutely and in fee simple the property which would have passed to the devisee named in Item III if said devisee had survived me, to the children of said devisee living at my death in the event a devisee shall have no children living at my death, then I give, devise and bequeath the above described property to the survivor of the named devisees or, if all of the named devisees shall pre-decease me, to my grandchildren living at my death, in equal shares.

ITEM V: I nominate and appoint my said husband, Karl Ray Montgomery, Sr., Executor of this my Last Will and Testament and I authorize my said Executor to do any and all things which in his opinion are necessary to complete the administration and settlement of my estate, including full right, power and authority, without the order of any court and upon such terms and under such conditions as to my said Executor shall seem best for the property settlement of my estate, to bargin, sell at public or private sale, convey, transfer, deed, mortgage, lease, exchange, pledge, manage and deal with any and all property belonging to my estate, to compromise, settle, adjust, release and discharge any and all obligations or claims in favor of or against my estate, and to borrow money for the payment of inheritance and estate taxes for any other purpose. Without in any way limiting the scope of the powers enumerated herein of my Executor, I hereby specifically give to him full power to retain any and all securities or property owned by me at the time of my decease whenever, in him absolute and uncontrolled descreation, such a course shall seem to him to be best, without liability for depreciation or loss, and free from investment restrictions incident to trusteeship or executorship, whether imposed by common law or statute. In the execution of said duties and powers said Executor shall have the power to comply with all legal requirements as to the execution

Barbara Biggers Montgomery
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and delivery of deeds and all other writings, documents, or formalities without the order of any court.

In the event my said husband, Karl Ray Montgomery, Sr., does not survive me or for any other reason fails to qualify as Executor of this my Last Will and Testament, or having qualified, thereafter, for any reason shall cease, to act then I nominate and appoint my son, Karl Ray Montgomery, Jr., as Executor of this my Last Will and Testament with all the duties, rights, powers, liabilities, privileges and immunities which are hereinbefore given to my said husband, Karl Ray Montgomery, Sr., as Executor as aforesaid.

I direct that no bond be required of either my said husband, Karl Ray Montgomery, Sr. or my said son, Karl Ray Montgomery, Jr. as Executor.

In Testimony Whereof, I have hereunto subscribed my name this 15th day of February, 1979.

Barbara Biggers Montgomery
Barbara Biggers Montgomery

Signed by the said Barbara Biggers Montgomery, as and for her Last Will and Testament consisting of Three (3) pages, including this page, in the presence of us, the undersigned, who at her request and in her sight and presence, and in the presence of each other, have subscribed our names as attesting witnesses the day and date above written.

Doris W. Wigginton now residing at Hermitage, Tenn. 37076

Elaine L. Wilson now residing at Hermitage Tenn. 37076

Deborah L. Jackson now residing at Hermitage, Tn. 37076