Karen Johnson Davidson County
Batch# 499973 AFFIDAVITH
10/21/2020 01:19:34 PM 6 pgs
Fees: $32.00 Taxes: $0.00
20201021-0122476

THIS INSTRUMENT PREPARED BY:
COHEN & COHEN ATTORNEYS AT LAW
4908 CHARLOTTE AVENUE
NASHVILLE, TENNESSEE 37209

AFFIDAVIT OF HEIRSHIP AS TO THE HEIRS AT LAW OF MARJORIE M. ALLEN a/k/a MARJORIE MASSIE ALLEN

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this 14th day of October, 2020, personally appeared **JAMES M. BRAZELL, II** who resides at 119 Krantz Court, Ashland City, TN 37015, having been born October 22, 1965 states that he is an adult citizen of the State of Tennessee and after being duly sworn does hereby state the following:

I have known the family of **MARJORIE M. ALLEN** for over forty five (45) years. **MARJORIE M. ALLEN** was born December 26, 1933 and died July 25, 2020. At the time of her death **MARJORIE M. ALLEN** was an unmarried woman that resided at 4808 Idaho Avenue, Nashville, TN 37209.

The Decedent was survived by her only child being **SHARON L. ALLEN** who resides at 4808 Idaho Avenue, Nashville, TN 37209.

The affiant herein states that he has no knowledge of any child or children being born to or adopted by **MARJORIE M. ALLEN,** before, during or after her marriage.

At the time of her death **MARJORIE M. ALLEN** owned certain real property in Davidson County, Tennessee. Since Real Property vests in the heirs at law, her sole heir takes by intestate succession. In addition, a copy of the Last Will and Testament of **MARJORIE MASSIE ALLEN** is attached hereto to illustrate that **SHARON LYNN ALLEN** being one and the same as **SHARON L. ALLEN** would inherit said property if said LAST WILL AND TESTAMENT was admitted to Probate.

This Affidavit of Heirship is freely given pursuant to Section 30-2-712 et. seq., Tenn. Code Ann. to help establish and reflect the heirship with respect to any real or personal property in Davidson County, Tennessee or elsewhere and Affiant acknowledges that his execution of the same is subject to and governed by the penalties set forth in said Statute and this Affidavit is not made for any fraudulent purpose.

Affiant acknowledges 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 saeth not.

JAMES M. BRAZZELL, II

Sworn to and subscribed before me this 14th day of October, 2020.

My commission expires:
5/2/2022

NOTARY PUBLIC

LEE A. COHEN
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **JAMES M. BRAZZELL, II** the affiant herein, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office this 14th of October, 2020.

My commission expires: 5/2/2022

LEE A. COHEN
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON

Notary Public

LAST WILL AND TESTAMENT

OF

MARJORIE MASSIE ALLEN

COPY

I, **Marjorie Massie Allen**, a citizen and resident of Davidson County, Tennessee, being of sound mind and disposing memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all former Wills and Codicils to Wills heretofore made by me.

FIRST: I direct that those in charge of my estate pay my funeral and burial expenses from the first money coming into their hands, and I direct that they not be required to file with the Court an inventory of the assets of my probate estate, nor be required to file a final accounting of the receipts and disbursements. I direct and authorize that my real estate, wherever located, be subject to the administration of my Estate and may be sold and/or mortgaged by my Executrix without petitioning the Court for approval.

SECOND: I hereby give, will, devise and bequeath all of my estate, real, personal and mixed, of every name, nature, kind and description, whatsoever and wherever the same may be situated at the time of my death to my daughter, **Sharon Lynn Allen**, in fee simple.

THIRD: In the event my daughter should predecease me or fail to survive me for a period of sixty hours from the time specified for my death and listed on my Certificate of Death, then and in that event I give, will, devise and bequeath all of my estate to my grandson, **Mark Joseph Waller**, in trust.

FOURTH: In the event my grandson, **Mark Joseph Waller**, becomes the person to take under item THIRD above, I hereby name, designate and appoint my sister, **Jean Massie Pope**, as the Trustee of the estate of my grandson until he attains the age of

twenty-four (24) years. Should my sister, **Jean Massie Pope** fail to survive me or fail to serve for any reason, then and in that event, I direct the Court appoint the County Conservator as the Trustee of my grandson's inheritance. I bestow upon my Trustee as herein named the fullest powers to encroach upon the corpus of the trust at the needs of my grandson shall require and as they may decide. I also entrust my Trustee as herein named to make such investments as may be appropriate and reasonable using their best judgment, but I urge them not to hesitate to request direction from the Court if they have any question concerning the investment of the corpus.

It is my full intent, desire and direction that my grandson's father not be entrusted with my grandson's inheritance in any way, shape, form or manner.

FIFTH: I hereby nominate, designate and appoint my daughter, **Sharon Lynn Allen**, as Executrix of this my Last Will and Testament. In the event my daughter shall refuse to serve, die, resign or cease to act for any reason, then and in that event I hereby name, designate and appoint my sister, **Jean Massie Pope**, to serve in her place. I direct that no bond or other security shall be required of my Executrix for the faithful performance of their duties. I finally give and grant to my Executrix as herein named the fullest powers to sell, encumber, barter or hypothecate the assets of my estate, as they may deem best, for the proper settlement of my estate and without further order of any Court or tribunal.

IN WITNESS WHEREOF, I have hereunto set my hand and signed each of the three pages of this my Last Will and Testament, this 5th day of August 2003 at Nashville, Tennessee.

Marjorie Massie Allen
MARJORIE MASSIE ALLEN - Testatrix

ATTESTATION CLAUSE

Signed, signified, published and declared by the Testatrix, as and for her Last Will and Testament, in the presence of us, the undersigned attesting witnesses, who at her request and direction, and in her sight and presence and in the sight and presence of each other, have hereunto set our hands as such witnesses the day and date above written.

WITNESSES

(Signature) _____

(Address) 4800 Charlotte Ave.
Nashville, TN 37209

(Signature) _____

(Address) 4800 Charlotte Ave.
Nashville, TN 37209

THIS INSTRUMENT PREPARED BY:

Robert B. Young, Attorney
4800 Charlotte Ave.
Nashville, TN 37209

AFFIDAVIT OF WITNESS TO PROVE WILL

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Robert B. Young and Beth Armstrong,

of legal age and after being duly sworn and according to law, depose and say:

1. That they witnessed the execution of the Last Will and Testament of **Marjorie Massie Allen** dated this 5th day of August 2003, to which this affidavit is attached, and that this affidavit is being made at the request of the Testatrix, and in accordance with Tennessee Code Annotated 32-2-110.

2. That their signatures are affixed to said Last Will and Testament, that they signed or affixed the same at the instance and at the request of the Testatrix and in her sight and presence, and in the sight and presence of each other, at the place and on the date recited in said Last Will and Testament.

3. That the Testatrix signed said paper writing as and for her Last Will and Testament in their sight and presence.

4. That at the time they witnessed said Last Will and Testament, the Testatrix was, in their opinion, of sound mind and disposing memory.

Witness

Witness

Sworn to and subscribed before me this 5 day of August 2003, at Nashville, Tennessee.

NOTARY PUBLIC

My commission expires: 01-27-07

RICHARD REDGEPATH JR. NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.