Karen Johnson Davidson County
Batch# 520436 AFFIDAVITH
11/23/2020 01:20:26 PM 9 pgs
Fees: $47.00 Taxes: $0.00
20201123-0137385

Prepared By:
Parker Brown, ESQ.
FIDELIS LAW, PLLC
216 Centerview Drive, Suite 317
Brentwood, TN 37027

This instrument was prepared without the benefit of a title search and was prepared with the description of the property as furnished by the parties. The preparer of this instrument assumes no liability whatsoever either for the accuracy of the legal description or the status of the title to the property.

Address New Owner:	***Send Tax Bills To:***	***Map & Parcel No.***
Dwight C. Ogleton Lizzettar D. Lewis Benjamin M. Ogleton Gina M. Ogleton Deborah F. White Narkita A. Rhodes Kevin A. Ogleton, Sr. c/o 1906 Lathan Court Nashville, TN 37207	Gina M. Ogleton 1906 Lathan Court Nashville, TN 37207	070 08 0 215.00

AFFIDAVIT OF HEIRSHIP

Comes now, Ms. Nan Margaret Mickle Hayden and Mr. Benjamin W. Ogleton, Jr., having been first being duly sworn, and on their respective oaths do depose and state that both are of lawful age and all information is based upon her and his beliefs and personal knowledge. Pursuant to Tenn. Code Ann. §30-02-712, affiants further depose and state:

1. Ms. Nan Margaret Mickle Hayden (hereinafter "Affiant 1") is a long-time friend of Emma G. Ogleton, also known as Emma Smith Ogleton (the "Decedent"), and friend of Decedent's family for fourteen (14) years. Affiant 1 is a resident of Davidson County, Tennessee.

2. Based upon her relationship to the Decedent, Affiant 1 has personal knowledge of the family of Decedent.

3. Affiant 1 is not a beneficiary of Decedent's Estate and is an otherwise disinterested party.

4. Mr. Benjamin W. Ogleton (hereinafter "Affiant 2") is the ex-husband to the Decedent and the biological father of the heirs-at-law set forth herein. Affiant 2 is a resident of Davidson County, Tennessee.

5. Based upon his relationship to the Decedent, Affiant 2 has personal knowledge of the family of Decedent.

6. Affiant 2 is not a beneficiary of Decedent's Estate and is an otherwise disinterested party.

7. The Decedent, at the time of her death, held a fee simple absolute interest in the property known as 1906 Lathan Ct., Nashville, Davidson County, Tennessee 37207 (the "Premises"), which Affiants are advised has the following legal description:

Land in Davidson County, Tennessee, being Lot No. 2 on the Plan of Riverside Homes, Inc., as of Record in Book 2330, page 108, Register's Office for said County.

Said Lot No. 2 fronts 149.13 feet on the westerly side of Lathan Court and extends back 136.1 feet on the northerly line and 148.8 feet on the southerly line to a dead line measuring 84 feet thereon.

Being part of the same property conveyed to Gaines and Gaines Construction Company, Inc., by deed from Will Lathan, individually and as Trustee, and M.G. Ferguson, of record in Book 2594, page 345, said Register's Office.

This conveyance is made subject to restriction easement and setback lines of record.

8. The Premises were owned solely and outright by the Decedent following Decedent's divorce from her ex-husband, Affiant 2, as demonstrated in the Final Decree attached hereto as **Exhibit A**.

9. Decedent died on August 26, 2019, at the age of eighty-four (84) years (Death Certificate attached hereto as **Exhibit B**), leaving her seven (7) children as the sole heirs-at-law to the Premises.

10. Dwight C. Ogleton, Lizzettar D. Lewis, Benjamin M. Ogleton, Gina, M. Ogleton, Deborah F. White, Narkita A. Rhodes, and Kevin A. Ogleton, Sr. are the seven (7) biological children of the Decedent and are the only children born or adopted by Decedent during her lifetime.

11. As of the date of execution of this Affidavit, the addresses of the seven (7) heir-at-law are as follows:

NAME: Dwight C. Ogleton
Address: 3882 Sulphur Springs Rd., Murfreesboro, TN 37129

NAME: Lizzettar D. Lewis
Address: 1000 Walden Trace, Apt. 23-3L, Spring Hill, TN 37174

NAME: Benjamin M. Ogleton
Address: 3605 Fairview Dr., Nashville, TN 37208

NAME: Gina M. Ogleton
Address: 1906 Lathan Court, Nashville, TN 37207

NAME: Deborah F. White
Address: 1906 Lathan Court, Nashville, TN 37207

NAME: Narkita A. Rhodes
Address: 4101 Tea Garden Way, Antioch, TN 37013

NAME: Kevin A. Ogleton, Sr.
Address: 559 Windsor Green Blvd., Goodlettsville, TN 37072

12. At the time of Decedent's death, she was divorced.

13. Decedent died intestate.

14. No probate proceedings for Decedent's Estate has ever been filed.

15. This Affidavit of Heirship is freely given pursuant to Tenn. Code Ann. §30-02-712 to help establish and reflect the heirship with respect to any real or personal property owned by EMMA G. OGLETON, also known as EMMA SMITH OGLETON, in Davidson County, Tennessee or elsewhere and particularly to confirm the vesting of title in DWIGHT C. OGLETON, LIZZETTAR D. LEWIS, BENJAMIN M. OGLETON, GINA M. OGLETON, DEBORAH F. WHITE, NARKITA A. RHODES, and KEVIN A. OGLETON, SR. to certain real property owned by EMMA G. OGLETON, also known as EMMA SMITH OGLETON, in Davidson County, Tennessee, known as 1906 Lathan Ct. Nashville, Davidson County, Tennessee 37207.

*****It is a Class E felony to willfully, corruptly and falsely swear to any statement herein known to you to be false. It is also a Class E felony to willfully, corruptly and falsely swear to any statement herein to which you do not have sufficiently definite knowledge to justify the making of such sworn statement, and the statement is false.**

[SIGNATURE PAGES TO FOLLOW]

Nan M Mickle Hayden
NAN MARGARET MICKLE HAYDEN

STATE OF Tennessee)
COUNTY OF Davidson)

Subscribed to and sworn before me this 11th day of November, 2020.

Notary Public
Eugene C. Smith

My Commission Expires: 5-9-2023

EUGENE C. SMITH
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

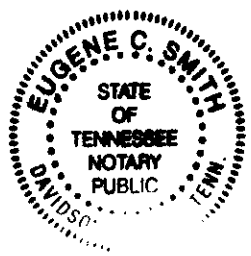
Benjamin W. Ogleton Jr.
BENJAMIN W. OGLETON, JR.

STATE OF Tennessee)
COUNTY OF Davidson)
Davidson

Subscribed to and sworn before me this 11th day of November, 2020.

Notary Public Eugene C. Smith

My Commission Expires: 5-9-2023



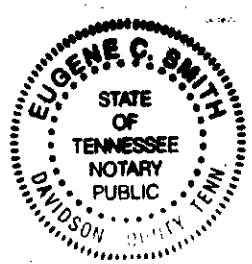


EXHIBIT A

MINUTES, FEBRUARY TWELFTH, 1976

Map 70-8 par. 215 &

IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

EMMA SMITH OGLETON	)	BOOK 5773 PAGE 59
	)	
VS.	)	NO. 67344
	)	
BENJAMIN OGLETON	)	

07/22 5.00 CHECK

F I N A L D E C R E E

This cause came on to be heard on the ~~27th~~ 26th day of January, 1976, before the Honorable Benson Trimble, Judge, upon the original bill of complaint, motion for default, oral testimony of the plaintiff in open Court and further upon the depositions of two additional corroborating witnesses, and upon the entire record in this cause, from all of which it appears to the satisfaction of the Court that the allegations contained in the original bill have been fully sustained by the proof; that is, that the defendant has been guilty of such cruel and inhuman treatment or conduct as renders further cohabitation unsafe and improper.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff Emma Smith Ogleton, be and is hereby granted an absolute divorce from the defendant, Benjamin Ogleton, and is restored to all the rights and privileges of an unmarried person.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff, Emma Smith Ogleton, be and is hereby granted full and complete custody and control of the minor children of the parties, to-wit: Gina Ogleton, Deborah Ogleton, Naikita Ogleton and Kevin Ogleton.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the defendant shall continue to pay the sum of Two Hundred Seventy-Five and no/100 ($275.00) Dollars as child support as ordered by this Court on November 17, 1975.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the home of the parties located at 1906 Lathan Court, Nashville, Tennessee, be and is hereby vested in the plaintiff, Emma Smith Ogleton and divested out of the defendant, Benjamin

RECORDER'S MEMO: Legibility of Writing, Typing or Printing in this Document Unsatisfactory When Received.

Ogleton, and further ORDERED by the Court that the furniture and furnishings located in the home be divested out of the defendant, Benjamin Ogleton and vested in the plaintiff, Emma Smith Ogleton. Said property is described as follows:

> Land in Davidson County, Tennessee, being Lot No. 2 on the Plan of Riverside Homes, Inc., as of Record in Book 2330, page 108, Register's Office for said County.
>
> Said Lot No. 2 fronts 149.13 feet on the westerly side of Lathan Court and extends back 136.1 feet on the northerly line and 148.8 feet on the southerly line to a dead line measuring 84 feet thereon.
>
> Being part of the same property conveyed to Gaines and Gaines Construction Company, Inc., by deed from Will Lathan, Individually and as Trustee, and M. G. Ferguson, of record in Book 2594, page 345, said Register's Office.
>
> This conveyance is made subject to restriction, easement and setback lines of record.

The defendant will pay the costs of this cause for all of which execution may issue if necessary.

JUDGE

2 - 12 - 76

APPROVED FOR ENTRY:

J. W. RUTHERFORD
Attorney for Plaintiff

I hereby certify that a copy of the foregoing Decree has been mailed to the Honorable Edward Nave, Attorney for the Defendant, this the 10th day of February, 1976.

J. W. RUTHERFORD

RECORDER'S MEMO:
Legibility of Writing, Typing or Printing in This Document Unsatisfactory When Received.

mail: Associates Financial Services 3411 Clarksville Highway Nashville, Tn 37218

BOOK 5773 PAGE 61

G 5. 1. 7. 3 5

IDENTIF. REFERENCE

JUL 22 11 58 AM '81

FELIX Z. WILSON JR. REGISTER
DAVIDSON COUNTY, TENN.

67344 990/1605

STATE OF TENNESSEE

I, GEORGE L. ROOKER, *Clerk of the Circuit Court for the County of Davidson, in the State aforesaid, do certify that the foregoing is a* ~~correct transcript~~ true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Emma Smith Ogleton *Plaintiff, and* Benjamin Ogleton *Defendant, as same remain of record in said Court.*

IN TESTIMONY WHEREOF, *I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the* 15th *day of* July *in the year one thousand nine hundred and* eighty-one *and in the* 206th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Randy Bryant, *D. C.*

EXHIBIT B

STATE OF TENNESSEE
Office of Vital Records

TENNESSEE DEPARTMENT OF HEALTH
CERTIFICATE OF DEATH

STATE FILE NUMBER 2019 048737

DECEDENT

1. DECEDENT'S LEGAL NAME						2. SEX	3. DATE OF DEATH
EMMA G OGLETON						FEMALE	08/26/2019
4. TIME OF DEATH (Approx.)	5a. AGE	5b. UNDER 1 YEAR		5c. UNDER 1 DAY		6. DATE OF BIRTH	7. BIRTHPLACE
		Months	Days	Hours	Minutes		
10:45 PM	84					06/07/1935	NASHVILLE, TN

TYPE/PRINT IN PERMANENT BLACK INK

8a. PLACE OF DEATH			
DECEDENT'S HOME			
8b. FACILITY NAME	8c. CITY OR TOWN		8d. COUNTY OF DEATH
1906 LATHAN COURT	NASHVILLE		DAVIDSON
9. MARITAL STATUS	10. SURVIVING SPOUSE (name prior to first marriage)	11a. DECEDENT'S USUAL OCCUPATION	11b. KIND OF BUSINESS/INDUSTRY
DIVORCED		SOCIAL WORKER	DEPT OF HUMAN SERVICES
12. SOCIAL SECURITY NUMBER	13a. RESIDENCE-STATE OR FOREIGN COUNTRY	13b. COUNTY	13c. CITY OR TOWN
-8026	TENNESSEE	DAVIDSON	NASHVILLE
13d. STREET AND NUMBER	13e. INSIDE CITY LIMITS?	13f. ZIP CODE	14. WAS DECEDENT EVER IN US ARMED FORCES?
1906 LATHAN COURT	YES	37207	NO
15. DECEDENT'S EDUCATION	16. DECEDENT OF HISPANIC ORIGIN?	17. DECEDENT'S RACE	
HIGH SCHOOL GRADUATE OR GED COMPLETED	NO, NOT SPANISH/HISPANIC/LATINO	BLACK OR AFRICAN AMERICAN	

PARENTS

18. FATHER'S NAME	19. MOTHER'S NAME PRIOR TO FIRST MARRIAGE
HENRY KING SMITH SR	LIZZETTAR COVINGTON

20a. INFORMANT'S NAME	20b. RELATIONSHIP TO DECEDENT	20c. MAILING ADDRESS
NARKITA RHODES	DAUGHTER	4101 TEA GARDEN WAY, ANTIOCH, TN 37013

DISPOSITION

21a. METHOD OF DISPOSITION	21b. PLACE OF DISPOSITION	21c. LOCATION
BURIAL	GREENWOOD CEMETERY	NASHVILLE, TN

22a. SIGNATURE OF FUNERAL DIRECTOR	22b. LICENSE NUMBER	22c. SIGNATURE OF EMBALMER	22d. LICENSE NUMBER
▶ /e/ MELVIN J SMITH	4502	▶ /e/ Christopher Lee Jefferson	6500
23a. NAME AND ADDRESS OF FUNERAL HOME			23b. LICENSE NUMBER
SMITH FUNERAL DIRECTORS, 706 MONROE STREET, NASHVILLE, TN 37208-2618			809

REGISTRAR

24. REGISTRAR'S SIGNATURE	25. DATE FILED
▶ /e/ EDWARD G BISHOP III	09/03/2019

CERTIFIER

26. CERTIFIER

26a. ☒ PHYSICIAN – TO THE BEST OF MY KNOWLEDGE, DEATH OCCURRED AT THE DATE, TIME, AND PLACE, AND DUE TO THE CAUSE(S) AND MANNER STATED

26b. ☐ MEDICAL EXAMINER – ON THE BASIS OF EXAMINATION AND/OR INVESTIGATION IN MY OPINION, DEATH OCCURRED AT THE DATE, TIME, AND PLACE, AND DUE TO THE CAUSE(S) AND MANNER STATED

PHYSICIAN OR MEDICAL EXAMINER EXECUTING CAUSE OF DEATH MUST COMPLETE AND SIGN WITHIN 48 HOURS

27a. CERTIFIER	27b. LICENSE NUMBER	27c. DATE SIGNED
▶ /e/ DANIEL CARMODY	037163	08/29/2019
27d. NAME AND ADDRESS		
DANIEL CARMODY 2000 CHURCH STREET BOX 102, NASHVILLE, TN 37236		

MEDICAL CERTIFICATION

28. PART I. ENTER THE CHAIN OF EVENTS (DISEASES, INJURIES, OR COMPLICATIONS) THAT DIRECTLY CAUSED THE DEATH. DO NOT ENTER TERMINAL EVENTS SUCH AS CARDIAC ARREST, RESPIRATORY ARREST, OR VENTRICULAR FIBRILLATION WITHOUT SHOWING THE ETIOLOGY. ENTER ONLY ONE CAUSE ON A LINE.

		APPROXIMATE INTERVAL ONSET TO DEATH
IMMEDIATE CAUSE (Final disease or condition resulting in death)	a. LUNG CANCER	12 MONTHS
	DUE TO (OR A CONSEQUENCE OF)	
Sequentially list conditions, if any, leading to the cause stated on line a. Enter the UNDERLYING CAUSE (disease or injury that initiated the events resulting in death) LAST	b.	
	DUE TO (OR A CONSEQUENCE OF)	
	c.	
	DUE TO (OR A CONSEQUENCE OF)	
	d.	

PART II. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN PART I	29a. WAS AN AUTOPSY PERFORMED?
CORONARY ARTERY DISEASE, AORTIC STENOSIS, CHRONIC OBSTRUCTIVE PULMONARY DISEASE	NO
	29b. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH?

30. MANNER OF DEATH	31. DID TOBACCO USE CONTRIBUTE TO DEATH?	32. IF FEMALE
NATURAL	YES	NOT PREGNANT WITHIN PAST YEAR

33. IF TRANSPORTATION INJURY, SPECIFY:	34a. DATE OF INJURY	34b. TIME OF INJURY	34c. INJURY AT WORK?	34d. PLACE OF INJURY
	34e. DESCRIBE HOW INJURY OCCURRED		34f. LOCATION OF INJURY	

PH-1659 (Rev. 8/2017) RDA 10112

11463685

I hereby certify the above to be a true and correct representation of the record or document on file in this department. This certified copy is valid only when printed on security paper showing the red embossed seal of the Tennessee Department of Health. Alteration or erasure voids this certification. Reproduction of this document is prohibited.

Tennessee Code Annotated 68-3-101 et seq., Vital Records Act of 1977.

Edward G. Bishop III
State Registrar

Lisa Piercey, MD, MBA, FAAP
Commissioner

1 1 4 6 3 6 8 5

Date Issued: SEP 03 2019

CERTIFICATION OF VITAL RECORD