Karen Johnson Davidson County
Batch# 696485 AFFIDAVITH
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This Instrument Prepared by:
Midtown Title, LLC
1704 Charlotte Avenue #105
Nashville, TN 37203
File No: 5-12632-RL-s

AFFIDAVIT OF HEIRSHIP

STATE OF TENNESSEE
COUNTY OF Wilson

I, Judy R Potts of Wilson County, Tennessee, being first duly sworn on oath, state that I am of lawful age and that based upon my personal knowledge, and pursuant to Tennessee Code Annotated §§ 30-2-712, *et seq.*, I hereby affirm the following:

1. That SUSAN ST. CHARLES (the "Decedent") died on March 12, 2019, a resident of DAVIDSON County, Tennessee.

2. Decedent's place of residence and homestead at the time of death was 4111 Addine Street, Nashville, TN 37216 (the "Property").

3. To the best of my knowledge, the Decedent did not have any unpaid debts.

4. Affiant is a resident of Wilson County, in the State of Tennessee.

5. Affiant is familiar with the family history of the Decedent.

6. Decedent left a will that is not going to be probated.

7. Affiant further states that Decedent was married at the time of her death and had no children.

Name:	**Relationship:**
JASON ST. CHARLES	HUSBAND/SURVIVING SPOUSE

8. Affiant is aware of these facts because she is a close friend of the Decedent and knew the Decedent for more than 20 years.

9. The Decedent had no children who predeceased him, no adopted children, or any other descendants of deceased children or adopted children, except as listed above.

The undersigned agrees to indemnify and hold harmless Midtown Title, LLC and its title underwriter for liability with either or both of them may incur as a result of issuing policies of title insurance on property located at 4111 Addine Street, Nashville, TN 37216, in reliance on this affidavit.

The Affidavit of Heirship was freely given pursuant to Section 30-2-712, et seq., Tenn. Code Ann., for the purpose of clearing title to the aforementioned Property.

Tennessee Code Annotated § 30-2-712(f) provides that "Whoever willfully, corruptly and falsely swears to any statement in any such affidavit known by the person to be false, or about which the person does not have sufficiently definite knowledge to justify the making of such a sworn statement, and the statement is false, commits a Class E crime."

STATE OF TENNESSEE
COUNTY OF Wilson

I, Judy R. Potts, being first duly sworn, make oath that I have read the foregoing Affidavit of Heirship and that the facts contained therein are true and correct to the best of my knowledge, information and belief.

Judy R. Potts

Sworn to and subscribed before me this 1st day of July, 2021.

LISA VIRDEN STATE OF TENNESSEE NOTARY PUBLIC WILSON COUNTY

Notary Public

My Commission Expires 3/12/2024

EXHIBIT A
LEGAL DESCRIPTION

Land in Davidson County, Tennessee, being Lot No. 7 of Block "D" on the Map of Greenland Estates as of record in Plat Book 974, Page 13, Register's Office for Davidson County, Tennessee.

Said Lot No. 7 fronts 50 feet on the Westerly side of Addine Street, and runs back between parallel lines 150 feet to a dead line.

Being the same property conveyed to Susan St. Charles, by Quitclaim Deed from Jason St. Charles, of record in Instrument No. 20100730-0060002, in the Register's Office of Davidson County, Tennessee, dated July 30, 2010 and recorded on July 30, 2010.

Being the same property conveyed to Susan Dorothy St. Charles and husband Jason Mark St. Charles, by Warranty Deed from Bobby A. Felts and wife, Elizabeth A. Felts, of record in Book 9650, Page 352, in the Register's Office of Davidson County, Tennessee, dated April 13, 1995 and recorded on April 20, 1995.

LAST WILL AND TESTAMENT
OF
SUSAN ST. CHARLES

I, Susan St. Charles, a resident of Nashville, Tennessee declare this to be my Last Will and revoke all former Wills and Codicils.

ARTICLE I
Identification of Family

In making this Will I have in mind my husband, Jason Mark St. Charles, but does not include any children hereafter born to or adopted by my husband and me.

ARTICLE II
Disposition of Remains

I direct that my remains be cremated. I authorize my Executor to carry out these directions and wishes, particularly those for the disposition of my remains.

ARTICLE III
Appointment of Fiduciaries

A. Appointment of Personal Representative. I appoint my husband as Executor of my estate.

B. Bond; Court Supervision. My Executor shall have the right to serve without bond and to administer and settle my estate without the intervention or supervision of any court, except to the extent required by law. Nothing herein shall prevent my Executor from seeking the assistance of the court in any situation where my Executor deems it appropriate.

ARTICLE IV
Specific Gifts

A. Gifts of Specified Items of Property. I give all my interest in certain items of tangible personal property to the beneficiaries designated in this section as follows:

1. Specific Gift One. I give my house located at 4111 Addine Street, Nashville, TN to my husband, Jason Mark St. Charles if he survives me. If Jason Mark St. Charles does not survive me no property shall pass under this Article.

2. **Specific Gift Two.** I give Chevrolet Van to my husband, Jason Mark St. Charles if he survives me. If Jason Mark St. Charles does not survive me no property shall pass under this Article.

3. **Specific Gift Three.** I give St. Charles Publishing (BMI) Catalogue to my husband, Jason Mark St. Charles if he survives me. If Jason Mark St. Charles does not survive me no property shall pass under this Article.

B. Insurance. I give to each recipient of an item of tangible personal property my interest in any insurance covering the item. My purpose in making this gift is to give each recipient the benefit of insurance coverage for which I have already paid. It is not my intention to give any recipient the proceeds of an insurance claim that exists but is unpaid at my death.

ARTICLE V
Disposition of Residue

A. Provision for Husband. I give all of the rest and residue of my estate, wherever located (hereafter referred to in this Article as "residue"), to my husband if he survives me.

1. **Provision for Others.** If I am not survived by my husband, I give the entire residue to Nashville Humane Society.

ARTICLE VI
Alternative Methods of Distribution

A. Purpose of Article. Recognizing that under certain circumstances the terms of this Will may direct that property be distributed outright to a person who is under age twenty-one (21) or under a legal disability; I make the following provisions to facilitate the distribution of property to such persons.

B. Alternative Methods. Whenever the terms of this Will direct my personal representative (referred to in this Article as the "fiduciary") to distribute property outright to a person who is then under age twenty-one (21) or under a legal disability, the fiduciary may retain pursuant to Paragraph C. of this Article or distribute all or any portion of that property in any one or more of the following ways:

1. Delivery directly to the beneficiary;

2. Delivery to the parent or stepparent of the beneficiary;

3. Delivery to the guardian of the beneficiary's person or property;

4. Delivery to any Custodian for the beneficiary under the Uniform Gifts to Minors Act;

5. Delivery to any then existing trust created for the beneficiary;

6. Deposit in a financial institution in an account established in the name of the beneficiary alone pursuant to the laws of the State of Tennessee;

7. Storage of any tangible personal property in safekeeping with the costs of storage to be borne by the beneficiary; or

8. Sale of any tangible personal property and delivery of the proceeds in any manner permitted by this Article.

Provided the fiduciary acts in good faith, upon delivery of any property in accordance with the provisions of this Article, the fiduciary shall be discharged from all responsibilities in connection with the property.

C. **Discretionary Trust.** Any property not distributed as provided in Paragraph B. of this Article shall be retained by the fiduciary in trust for the beneficiary on the following terms and conditions: During any period in which the beneficiary is under a legal disability or under twenty-one (21) years of age, the fiduciary shall pay to or apply for the benefit of the beneficiary so much of the income and principal of the trust as the fiduciary, in its sole and absolute discretion, determines is advisable for the beneficiary's health, support, education and general welfare. At such time as the beneficiary is neither under a legal disability nor under age twenty-one (21), the fiduciary shall distribute any remaining trust assets to the beneficiary. If the beneficiary dies before all of the trust assets have been distributed, the fiduciary shall distribute any remaining trust assets to the beneficiary's estate.

ARTICLE VII
Administrative Provisions

A. **Powers and Duties of Personal Representative.** My personal representative shall have all of the powers and duties granted to or imposed upon personal representatives serving with non-intervention powers pursuant to the laws of the State of Tennessee.

B. **Debts and Expenses.** All expenses of administration chargeable to principal, the expenses of the disposition of my remains, and all my legitimate debts, if and when paid, shall be paid from the principal of my residuary estate. No debt need be paid prior to its maturity in due course and except as otherwise provided in this Will no interest in any property passing under this Will need be exonerated.

C. Taxes. All estate, inheritance or other similar death taxes, together with any interest or penalties thereon, arising by reason of my death with respect to any property includable in my taxable estate, and any adjusted taxable gifts, whether passing under or outside of this Will, shall be paid from the principal of my residuary estate without reimbursement from the recipients or beneficiaries of such property, provided, however, that in the event any proceeds of insurance upon my life or any property over which I held a power of appointment are included in my estate for purposes of determining the federal estate tax liability of my estate, then the residue of my estate shall be entitled to receive from the recipients of any such proceeds or property the portion of such federal estate tax liability attributable to such proceeds or property determined in accordance with IRC §§ 2206 and 2207..

ARTICLE VIII
Miscellaneous

A. Number and Gender. Unless the context indicates a contrary intent, the plural and singular forms of words shall each include the other, and every noun and pronoun shall have a meaning that includes the masculine, feminine and neuter genders.

B. Survival. To "survive" me, as that term is used in this Will, a person must continue to live for thirty (30) days after my death.

C. Descendants. The "descendants" of an individual include only the following:

1. All such individual's biological descendants, except any person not born in lawful wedlock and his descendants, unless the biological parent who would otherwise cause him or her to be a descendant has acknowledged paternity or maternity in legitimation proceedings, or in an unambiguous signed writing identifying such person by name, or by raising such person in the same household; and

2. Persons adopted by such individual or one of his or her descendants, and their descendants.

If the parent, who would cause a person to be a descendant as defined above, is replaced in an adoption proceeding, such person shall remain a descendant unless such parent voluntarily consents to the relinquishment of his or her status as parent in connection with such adoption proceedings.

D. Heirs. The term "heirs" shall mean those persons entitled to inherit under the then-applicable laws of the State of Tennessee governing the descent of an intestate's separate estate. They shall inherit in their statutory proportions. If the provisions of this

Will call for a distribution of property to my heirs or the heirs of any other person and the event giving rise to the requirement for such distribution takes place at a time later than my death or the death of such person, the determination of the identity of such heirs shall be made as if I (or such other person) had died on the date of the event giving rise to such requirement for distribution.

E. Exclusion of Pretermitted Heirs. Other than as set forth in this Will, I make no provision for any child of mine or descendant of a deceased child of mine. I specifically make no provision for any person (whether now living or hereafter born), other than a child named or referred to in Article I or a descendant of mine as defined in this Will, who may be entitled to claim an interest in my estate under the laws of the State of Tennessee.

F. Legal Disability. A person is under a legal disability if my personal representative determines, in good faith, that the person is incapable of managing her property or of caring for herself, or both, or is in need of protection or assistance by reason of physical injury or illness, mental illness, developmental disability, senility, alcoholism, excessive use of drugs, or other physical or mental incapacity.

G. Title to Real Property. Upon my death, title to any real property passing under this Will shall vest in my personal representative in his fiduciary capacity and shall remain so vested until my personal representative distributes or sells that property, at which time title shall vest in the distributee or purchaser.

H. Disclaimer. Except as may be otherwise specifically provided in this Will, in the event that any beneficiary disclaims an interest arising out of this Will or any trust created herein it is my intention that the interest disclaimed shall be distributed in the same manner and at the same time as if the disclaiming beneficiary had died immediately preceding the event pursuant to the laws of the State of Tennessee.

I. Governing Law. The provisions of this Will shall be interpreted in accordance with and in light of the laws of the State of Tennessee.

J. Corporate Successors. Whenever a corporation or other business entity is referred to herein, the reference shall include any successor organization.

K. References to Statutes. In this Will, the abbreviation "IRC" shall refer to the Internal Revenue Code of 1986 as amended.

When recorded, return to:
Rudy Title & Escrow, LLC
2012 21st Avenue South
Nashville, TN 37212

I have initialed and dated for identification purposes all pages of this, my Last Will, and have executed the entire instrument by signing this page on the 25 day of January, 2013, at Nashville, Tennessee.

Susan St. Charles

Attestation and Statement of Witnesses

Each of us declares under penalty of perjury under the laws of Tennessee that Susan St. Charles, the Testator, signed this instrument as her Last Will in our presence, all of us being present at the same time, and we now, at the Testator's request, in the Testator's presence, and in the presence of each other, sign below as the witnesses, declaring that the Testator appears to be of sound mind and under no duress, fraud, or undue influence.

[Witness Signature] [Witness Signature]

Brian Howald, JR BRIAN A HOWALD SR
[Print Name] [Print Name]

Residing at 108 Dorcas Dr Hendersonville, TN 37075
Residing at 131 EAST HARBOR HENDERSONVILLE TN 37075

CAROL L. HOWALD
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission

witnessed + notarized by Carol Howald
my commission expires 06-21-16
1-26-13