Karen Johnson Davidson County
Batch# 856382 AFFIDAVIT
05/17/2022 09:24:30 AM 7 pgs
Fees: $37.00 Taxes: $0.00
20220517-0056434

THIS INSTRUMENT PREPARED BY:
JOHN T. COOK, ESQ.
2927 Berry Hill Drive
Nashville, Tennessee 37204
File 33900-8

AFFIDAVIT IN FURTHERANCE OF TITLE
(To Evidence Resolution of Events or Claims Related to Title)

RE: 8689 Old Charlotte Pike (Map 112-00-0 Parcel 054-00) and 0 Manning Hollow Road (Map 112-00-0 Parcel 139-00) Davidson County, Tennessee

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The undersigned, Michael Warner Chester, Roger Lee Chester, and Brian Alan Chester, being first duly sworn, depose and say as follows to the best of their knowledge and belief:

1. We are the children, and heirs-at-law, of the late Jesse Warner Chester, who died November 1, 2019. The Estate of the said Jesse Warner Chester (the "Estate") has been administered in the Seventh Circuit Court for Davidson County, Tennessee, Probate Division under Case No. Docket No. 19P2180. Affidavits of Heirship for Jesse W. Chester, deceased, are recorded in Instrument No. 20201203-0140276 and Instrument No. 20201203-0140277, Register's Office for Davidson County, Tennessee.

2. Jesse Warner Chester owned certain property (the "Property") in Davidson County, Tennessee known as 8689 Old Charlotte Pike and 0 Manning Hollow Road. A legal description of said Property is attached to this Affidavit as Exhibit A.

3. No claims have been filed against the Estate.

4. A handwritten, and mostly illegible, note or memorandum (the "Note") which appears to have been signed by Jesse W. Chester, which references Betty Bozmann and Bill Woods, is recorded as Instrument No. 20181001-0097009, Register's Office of Davidson County, Tennessee. The Note was not witnessed or notarized, and is not in recordable form. The Register's Office cannot explain how this Note came to be recorded. No claim or petition related to the matters set forth in the Note (to the limited extent that it can be determined what such matters would be) was filed in the Estate proceeding, or any other court proceeding.

5. A "Claim of Lien" against Jesse W. Chester in favor of William J. Woods dated October 4, 2018 is recorded as Instrument No. 20181004-0098692, said Register's Office (the "Lien"). No suit has been filed in General Sessions, Circuit, and/or Chancery Court of Davidson County, Tennessee, or in the Estate proceedings, to enforce said Lien, and any effect of the Lien has lapsed and/or expired.

6. A Detainer Warrant was entered December 19, 2018 in the Metropolitan General Sessions Court, of Davidson County, Tennessee under Case No. 18GT10406, the same having been filed by Jesse W. Chester, by Conservator, Roger Chester, against Betty Bormann aka Bette Bormann and William J Woods aka William J Wood aka Billy Woods aka Bill Wood (collectively the "Respondents"). Judgment was entered against the Respondents confirming that they had no interest in, or right to possess, the Property. Accordingly, the Respondents were removed from the Property. No appeal of such ruling was filed in any court.

7. This Affidavit has been executed and published to provide evidence of the circumstances surrounding the recording of the Note and the Lien and the final resolution of any claims or matters asserted therein. The undersigned are the sole owners of the Property and have the full right and authority to sell and convey the Property without encumbrance or effect of the Note or the claim of the Lien. This Affidavit may be recorded in the Register's Office for Davidson County, Tennessee in order to provide the information provided herein.

Executed this 5th day of May, 2022.

Michael Warner Chester

Roger Lee Chester

Brian Alan Chester

Sworn to and subscribed before me
this 5th day of May, 2022.

Notary Public
My Commission Expires: 12/14/24

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 Michael Warner Chester, Roger Lee Chester, and Brian Alan Chester, the bargainors, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence) and who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, this 5th day of May, 2022.

Notary Public
My Commission Expires: 12/14/24

JOHN T. COOK
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY

Exhibit A

TRACT I (Map 112-00-0 Parcel 054.00):

The following described land in Davidson County, Tennessee, to wit:

Beginning at a point on the South side of a 25' easement for an access road from Old Charlotte Pk., said point also being the Southeast corner of parcel No. 82, and being South 47 degrees 30 minutes East 384 feet from the center of Old Charlotte Pk., thence with a line common to Parcel No. 82 North 42 degrees 35 minutes East 291 feet to a point; thence with a line common to parcel No. 81 North 43 degrees East 180.2 feet to a point; thence with a line common to a 0.36 Ac. +/- tract of land North 37 degrees 30 minutes East 200 feet to a point common to parcel No. 55; thence with a line common to parcel No. 55 South 57 degrees 30 minutes East 914.00 feet to a point; thence with a line common to parcel No. 70 South 3 degrees West 1122 feet to a point; thence with a common line to parcel No. 52 North 47 degrees 30 minutes West 1039.70 feet to a point; thence with a line common to parcel No. 53 North 51 degrees 30 minutes East 220 feet to a point; thence North 47 degrees 30 minutes West 200 feet to a point; thence with a line common to parcel No. 80 North 47 degrees 31 minutes West 200 feet to a point; thence South 43 degrees West 219 feet passing thru a 25' easement for access road from Old Charlotte Pk.; thence along the South side of said easement North 47 degrees 31 minutes West 159 feet to the point of beginning and containing 20.87 Ac. +/- Access Easement provided in the Final Order Memorializing Easement by Prescriptive Use and Granting Permanent Injunction of record in Instrument No. 20220114-0006271, Register's Office of Davidson County, Tennessee.

Being part of the same property conveyed to Clifton E. Chester, Sr., and wife, Jessie Elizabeth Chester, a ½ undivided interest and Jesse W. Chester, a ½ undivided interest by Deed dated June 8, 1956, from Charles Hale and wife, Claudeen Hale of record in Book 2532 Page 17 and further being all of the same property conveyed to Jesse W. Chester and wife, Evelyn L. Chester by Quitclaim Deed dated August 31, 1978, from Clifton E. Chester, Sr., and wife, Jessie Elizabeth Chester, and Jesse W. Chester, and H. E. Collins, Trustee, of record in Book 5332 Page 785, Register's Office for Davidson County, Tennessee. The said Jesse W. Chester and wife, Evelyn L. Chester having since divorced by Final Decree of Divorce of record in Docket No. 04D-78, in the Eighth Circuit Court for Davidson County, Tennessee. The said property was further conveyed to Jesse Warner Chester by Quitclaim Deed dated May 18, 2005, from Evelyn L. Chester of record in Instrument No. 20050620-0070130, Register's Office for Davidson County, Tennessee. The said Jesse Warner Chester being one and the same person as Jesse W. Chester having since died intestate on November 1, 2019, and pursuant to an Order filed in Docket No. 19P2180, Seventh Circuit Court for Davidson County, Tennessee, Probate Division, Letters of Administration were issued to Roger Lee Chester; and Michael Warner Chester, Roger Lee Chester, and Brian Alan Chester were determined to be the sole heirs-at-law of Jesse Warner Chester. And Affidavits of Heirship for Jesse W. Chester, deceased, of record in Instrument No. 20201203-0140276, dated November 24, 2020, and Instrument No. 20201203-0140277, dated November 23, 2020, Register's Office for Davidson County, Tennessee.

TRACT II (Map 112-00-0 Parcel 039.00):

Land in the 9th Civil District of Davidson County, Tennessee, and being described according to a survey by P. A. Chapdelaine, Tennessee Surveyor No. 882, dated May 2, 1983, and being an 11.44 acre tract served by an unnamed easement road which existed with gravel prior to July 1, 1984, and said easement road being established on May 8, 1979, by instrument of record in Book 5393, page 898, Register's Office for Davidson County, Tennessee, and the within described property consisting of more than 10 acres, described as follows:

Beginning at an iron pin located North 30 degrees 57 minutes 32 seconds West 1169.48 feet from an iron pin in the center of Gerry Easement Road being measured along the centerline of Leon Easement Road 3058.86 feet in a Northeasterly direction from a point being measured along the centerline of an easement road 536.47 feet in a Northerly and Northeasterly direction from an iron pin in the center of said easement road where it joins the road described in Book 5393, page 898, Register's Office for Davidson County, Tennessee, also being R.C. Bibbs' Northwest corner as shown in Book 5976, page 555, Register's Office for Davidson County, Tennessee; thence with the center of said continuing easement road which all purchasers of Heath 10 acre tracts having a right to ingress and

egress over and inuring to their heirs, successors, and assigns, but with the duties described in Book 5393, page 898, and now the within conveyed land being described as follows: North 52 degrees 30 minutes 01 seconds East 460.06 feet to an iron pin; thence North 58 degrees 55 minutes 15 seconds West 861.70 feet to a point; thence South 01 degrees 29 minutes 13 seconds West 113.03 feet to an iron pin; thence North 88 degrees 21 minutes 16 seconds West 205.37 feet to an iron pin; thence South 01 degrees 38 minutes 44 seconds West 767.81 feet with a fence in Chester's Easterly line to a post, a common corner to Chester and Thompson; thence North 76 degrees 03 minutes 50 seconds East 621.58 feet to the point of beginning.

The tract of land herein described has a 25 foot wide easement along a 15.73 acre tract adjacent to the tract herein described, existing for the purpose of providing egress and ingress to the owners of the tract herein described, their heirs, successors, and assigns, said easement is of record in Book 6425, Page 823, said Register's Office.

Being all of the same property conveyed to Jesse W. Chester and wife, Evelyn L. Chester by Deed dated December 14, 1984, from Jerry D. Heath and wife, Dorothy L. Heath of record in Book 6458 Page 32, Register's Office for Davidson County, Tennessee. The said Jesse W. Chester and wife, Evelyn L. Chester having since divorced by Final Decree of Divorce of record in Docket No. 04D-78, in the Eighth Circuit Court for Davidson County, Tennessee. The said property was further conveyed to Jesse Warner Chester by Quitclaim Deed dated May 18, 2005, from Evelyn L. Chester of record in Instrument No. 20050620-0070129, Register's Office for Davidson County, Tennessee. The said Jesse Warner Chester being one and the same person as Jesse W. Chester having since died intestate on November 1, 2019, and pursuant to an Order filed in Docket No. 19P2180, Seventh Circuit Court for Davidson County, Tennessee, Probate Division, Letters of Administration were issued to Roger Lee Chester; and Michael Warner Chester, Roger Lee Chester, and Brian Alan Chester were determined to be the sole heirs-at-law of Jesse Warner Chester. And Affidavits of Heirship for Jesse W. Chester, deceased, of record in Instrument No. 20201203-0140276, dated November 24, 2020, and Instrument No. 20201203-0140277, dated November 23, 2020, Register's Office for Davidson County, Tennessee.

Copy

STATE OF TENNESSEE, COUNTY OF DAVIDSON

This communication is an attempt to collect a debt. Any information obtained will be used for that purpose.

FILED

2018 DEC 20 PM 1:28

RICHARD R. BOOKER, CLERK

To Any Lawful Officer to Execute and Return:

WHEREAS, complaint is made to me by the Plaintiff(s) that the Defendant(s) is/are unlawfully detaining a certain real property situated in Davidson County, Tennessee and being more known and described as follows: 8689 Old Charlotte Pike, Pegram, TN 37143

Including but not limited to all parking, storage and common areas

Meadow

AND WHEREAS, the Plaintiff(s) claim the right to the possession of said real property; ____ D.C.

We therefore command you to summon the Defendant(s) to appear before the Metropolitan General Sessions Court of Davidson County, Tennessee, to be held in **Courtroom 5D**, Justice A. A. Birch Building, 408 Second Avenue North, Nashville, Tennessee, on: THURSDAY 1/10, 20 19, at 8:45 A.M., to answer the above complaint and claim for rents by Plaintiff(s) in the sum of Possession of the Dollars and the claim(s) for premises, Plaintiff reserves the right to pursue any and all damages at a later date and the costs of this cause.

BOND

We, Jesse W Chester, by Conservator Roger Chester, Principal, and A.C.A., Inc. Surety, do hereby bind ourselves, our heirs and assigns to said Defendant(s), to pay all costs and damages which shall accrue to said Defendant(s), for the wrongful prosecution of this suit.

Entered: December 19, 2018 20 18

Jesse W Chester by Conservator Roger Chester
Principal

A.C.A., Inc. by Lindsey Yates
Surety

181200029 /

JUDGMENT

☒ Judgment is granted to Plaintiff(s) against Defendant(s) POSSESSION ONLY in the amount of $ _____ and all costs and taxes, and for possession of the described property for which a writ of restitution and execution shall be issued on Plaintiff's request. This judgment is entered by:

☐ Default of Defendant(s) ☐ Agreement of Parties ☒ Trial in Court DAMAGES RESET 2.21.19

☐ Case is dismissed and all costs and taxes are to be paid by Plaintiff, for which execution may issue.

Dismissal is based on or entered by:

☐ Failure to prosecute the suit by Plaintiff(s)

☐ Finding in favor of Defendant(s) after trial

☐ Non-suit by Plaintiff

To request an ADA accommodation, please contact Dart Gore at 880-3309.

Entered: 1.24.19

Judge, Division ____ Metropolitan General Sessions Court

COURTROOM 5D

☐ Alias ☐ Amended ☐ Counter-Claim

No. 18GT10406

Jesse W Chester, by Conservator Roger Chester
Plaintiff(s)

Address c/o Action Collection Agency, Inc
POB 210166, Nashville, TN 37221 615-942-6380

Telephone

vs.

1. Betty Bormann aka Bette Bormann
2. William J Woods aka William J Wood aka Billy Woods aka Bill Wood
3. All Other Occupants
Defendant(s)

Serve defendant(s) at: 8689 Old Charlotte Pike Pegram, TN 37143
Address

Private Process

D **DETAINER WARRANT** **D**

Metropolitan General Sessions Court

Issued 12-21, 20 18

EARLIEST THURSDAY By: RICHARD R. BOOKER, Clerk

1/10 Deputy Clerk

Set for 8:45 A.M. on 1/10, 20 19
Courtroom 5D,
Justice A. A. Birch Building
408 Second Avenue North
P.O. Box 196304
Nashville, Tennessee 37219-6304
(615) 862-5195

Service by: ☐ Private Process ☐ D.C. Sheriff ☐ O.C. Sheriff ☐ Other

Reset for: 1-24 for possession only 2.21.19 Damages

Came to hand same day issued and executed as commanded on:

X Betty Bormann

X William J Woods

Served: Served Betty Bormann 12/20 20 18 And William Woods both by personal service at 8689 Old Charlotte Pike

Private Process Server

Terry J Canady BPR#14596/6158600676 Pegram, TN 37143

Attorney for Plaintiff

PLEASE call service returns in to: 615-942-6380

Bobby Tuller Clayborne
456 Moss Trail
Goodlettsville, TN 37072
(217) 549-0097
Attorney for Defendant

Chelsey Tuller

Southern Process Servers, LLC POB 292997, Nashville, TN 37229

20220517005643 4

Copy

NOTICE

TO THE DEFENDANT(S):

Failure to appear and answer this Summons will result in judgment by default being rendered against you for the relief requested. Tennessee law provides a ten thousand dollar ($10,000) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. This list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these items include items of necessary wearing apparel (clothing) for yourself and your family and trunks and other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to execute it, you may wish to seek the counsel of a lawyer.

AFFIDAVIT

To the best of my information and belief, after investigation of Defendant's employment, I hereby make affidavit that the Defendant is/is not a member of a military service.

Plaintiff or Attorney for Plaintiff

Notary Public My Commission Expires

ORDER

DISMISSED AS TO DAMAGES

Entered: 2-21 2019 Melissa Blackburn
Judge, Division II, Metropolitan General Sessions Court

ORDER

Entered: 20
Judge, Division , Metropolitan General Sessions Court

ORDER

Entered: 20
Judge, Division , Metropolitan General Sessions Court

20220517005643 4

Tennessee Certification of Electronic Document

I, Steven T. Mortis, do hereby make oath that I am a licensed attorney and/or the custodian of the original version of the electronic document tendered for registration herewith and that this electronic document is a true and exact copy of the original document executed and authenticated according to law on 05/09/2022 ____ (date of ~~document~~).

Affiant Signature

05/09/2022
Date

State of TN

County of DAVIDSON

Sworn to and subscribed before me this 9 day of May, 2022.

Notary's Signature

ELIZA WHITFIELD
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
NOTARY'S SEAL
MY COMMISSION EXPIRES MAY 5, 2025

MY COMMISSION EXPIRES: 5-5-2025