Karen Johnson Davidson County
Batch# 884523 AFFIDAVITH
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Fees: $22.00 Taxes: $0.00
20220706-0077839

This Instrument prepared by:
Elizabeth Ryder Sykes, Esq.,
Belcher Sykes Harrington, PLLC
320 Seven Springs Way, Suite 110
Brentwood, TN 37027

AFFIDAVIT OF INHERITANCE
REGARDING
2540 WOODBERRY DRIVE, NASHVILLE, TENNESSEE 37214
(MAP & PARCEL: 095 12 0 023.00)

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The undersigned, being first duly sworn hereby deposes and says:

1. I am over the age of 18.

2. For purposes of this Affidavit of Inheritance, the term "Property" shall mean the real property located at 2540 Woodberry Drive, Nashville (Davidson County), Tennessee 37214, being further described as follows:

   Being Lot No. 77 on the Plan of Woodberry Park Subdivision, as of record in Book 2133, Pages 117, 118 and 119, Register's Office for said County.

   Said Lot No. 77 fronts 90.00 feet on the north side of Woodberry Drive and runs back between lines, measuring 187.9 feet on the east line and 190.5 feet on the west line, to the rear line, which is a broken line, measuring 65.3 feet thereon.

   Being the same property conveyed to Charles W. Garton and wife, Elizabeth O. Garton, from Dorothy S. Vick, a widow, of record in Book 3810, Page 942, Register's Office for Davidson County, Tennessee.

3. The Property was conveyed to Charles W. Garton and wife, Elizabeth O. Garton, by Warranty Deed of record in Book 3810, Page 942, Register's Office for Davidson County, Tennessee.

4. Charles W. Garton died on January 13, 2019. Upon Charles W. Garton's death, Elizabeth O. Garton became the sole owner of the property known as 2540 Woodberry Drive, Nashville, Tennessee 37214.

5. Elizabeth O. Garton died testate on June 8, 2019. Elizabeth O. Garton left a Last Will and Testament dated August 27, 2007 (the "Will"), pursuant to which she bequeathed all of her property to her daughter, Susann Smalling. A copy of Elizabeth O. Garton's Will is attached as **Exhibit A** hereto.

6. Elizabeth O. Garton's Will was admitted to probate on January 22, 2020 by the Seventh Circuit Court for Davidson County, Tennessee at Nashville (Probate Division) (Docket No. 19P2257). The undersigned was appointed by the Court as the Administrator Pendente Lite for Elizabeth O. Garton's estate.

7. As a result, Susann Smalling is the sole beneficiary of Elizabeth O. Garton's interest in the Property.

8. Upon Elizabeth O. Garton's death, Susann Smalling became the owner of Elizabeth O. Garton's interest in the Property.

9. Elizabeth O. Garton and Elizabeth Odell Garton are one and the same person.

T.C.A. § 67-4-409(a)(3)(D) exempts this instrument from tax and T.C.A. § 67-4-409(a)(5) further provides the valuation oath is unnecessary, the affidavit being used to evidence transfer of title to the property to a beneficiary.

G. PHILIP ANDERSON,
Administrator Pendente Lite of the Estate of Elizabeth Odell Garton

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **G. PHILIP ANDERSON**, the within named bargainor, 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, at office, this 29 day of JUNE, 2022.

Sally Elpers
Notary Public
My commission expires: 10-2-23

Sally Elpers State of Tennessee Notary Public Davidson County

Aug. 24, 2007 Copy

Last will and Testament

Be it known that I, Elizabeth Odell Garton
2540 Woodberry Dr. Nashville, Tennessee 37214
Being of sound mind do make and declare this to be
my last will and Testament expressly revoking all
my prior wills and Codicils at any time made.

1. I do appoint Susann Smalling of 519 Idlewood Dr.
Mt. Juliet Tennessee as Personal Representative of
this my last will and Testament and provide if
this Personal representative is unable or unwilling to
serve then I do appoint Dennis Ray Smalling of same
address as alternate Personal Representative. my
Personal representative shall be authorized to
Carry out all provisions of this will and pay my
just debts, obligations and General expenses.
I do further provide my Personal Representative shall
not be required to Post surety bond in this or
any other jurisdiction and direct that no Expert
Appraisal be made of my estate unless required by law

2. I do direct that after payment of all my just debts, my
Property is bequeathed in the manner following.
I leave all my property of every nature and discripton
to my loving husband Charles Walter Garton, but if
he shall not survive me. I leave said Property to
my surviving Daughter Susann Smalling.

Elizabeth O. Garton

Appeared before me this 27th day of August, 2007.

Ginger C. Hee

NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

MY COMMISSION EXPIRES MARCH 21, 2009

202207060077839

CERTIFICATE OF AUTHENTICITY

I, Elizabeth Ryder Sykes, 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 June 29, 2022.

Elizabeth Ryder Sykes

6/29/2022
Date

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Sworn to and subscribed before me this 29th day of June, 2022.

Lynne E. Neeley
Notary Public

LYNNE E. NEELEY STATE OF TENNESSEE NOTARY PUBLIC COUNTY OF DAVIDSON My Commission Expires

My Commission Expires: 3/7/2023