Karen Johnson Davidson County
Batch# 932538 AFFIDAVITH
10/21/2022 02:26:30 PM 8 pgs
Fees: $42.00 Taxes: $0.00
20221021-0114910

This Instrument Prepared By and Return To:
Rudy Title and Escrow, LLC
2012 21st Avenue South
Nashville, TN 37212
Phone: (615)383-2903

AFFIDAVIT OF HEIRSHIP

I, Dana R Withers, hereinafter referred to as Affiant, being at least eighteen (18) years of age, and after being first duly sworn, make oath as follows:

1. That Affiant presently resides at the following address:
1 Sleepy Hollow, Mount Vernon IL 62864

2. That Affiant personally knew W. Russell Withers, Jr and hereinafter referred to as the "Decedent"), and has personal knowledge of the family of the Decedent.

3. That the Decedent died on January 24, 2014, and was at that time a resident of Jefferson County, State of Illinois.

4. That the Decedent had a Last Will and Testament at the time of his death (attached hereto as Exhibit A). The said Last Will and Testament has not been probated in the state of Tennessee but was probated in Jefferson County, Illinois, identifying the only heir to the Estate is Dana Withers.

5. That the Decedent was unmarried at the time of his death.

6. That all of the children born to (or adopted by) the Decedent during his lifetime are: Dana Withers

7. That the following persons constitute, as of the date of this Affidavit, all of the heirs-at-law of the Decedent: Dana Withers

8. Additional information, if any, either known or understood to be true by Affiant:

FURTHER AFFIANT SAITH NOT.

Dana R Withers
Affiant

STATE OF Illinois)
COUNTY OF Jefferson)

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared the within named Affiant, Dana R Withers, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), who made oath that the statements contained in the foregoing affidavit are true of Affiant's own knowledge.

WITNESS my hand and official seal this the 18th day of October, 2022

Lisa B Roddy
Notary Public

My Commission expires: 05-28-2025

OFFICIAL SEAL
LISA S RODDY
Notary Public, State of Illinois
My Commission Expires 05-28-2025

Exhibit A

FILED
SECOND JUDICIAL COURT
FEB 21 2014
CLERK OF CIRCUIT COURT
JEFFERSON COUNTY ILLINOIS

Last Will and Testament of

W. RUSSELL WITHERS, JR.

I, W. RUSSELL WITHERS, JR., revoke any prior wills and codicils made by me and declare this to be my last will.

ARTICLE I
DEATH TAXES

I direct that all estate, inheritance and other death taxes payable by reason of my death, other than any generation-skipping tax or any tax allocable to assets with respect to which I had a qualifying income interest for life, on any property included in my estate for tax purposes shall be paid as an expense of administration without contribution from any person and without apportionment. No death taxes shall be allocated to or paid from any gift which qualifies for the federal estate tax marital or charitable deductions.

ARTICLE II
STATEMENT AS TO FAMILY

My only child now living is DANA RUTH WITHERS. Any references in my will to my children or to my child are to such child. My siblings now living are RICHARD KENT WITHERS, JAMES K. WITHERS, LINDA W. JAYNES and WILLIAM I. WITHERS, SR. Any references in my will to my siblings are to these four persons.

ARTICLE III
PERSONAL AND HOUSEHOLD EFFECTS

I give all my personal and household effects, such as jewelry, clothing, furniture, furnishings, sporting equipment, silver, books, pictures, and automobiles, except such property used in any business in which I may have any interest, together with any insurance policies and claims under such policies on such property, in accordance with a writing which I intend to leave at my death. If for any reason no such memorandum is in existence at my death or to the extent

W. Russell Withers, Jr.

such memorandum fails to dispose of all of such property effectively, I give such property not disposed of by such memorandum to DANA RUTH WITHERS, if she survives me by ten days. If Dana Ruth Withers does not so survive me, I give such property to my siblings who survive me by ten days in shares of substantially equal value, to be divided among them as they shall agree. In case my siblings do not agree within three months after the appointment of my personal representative as to the division among them, any court of competent jurisdiction shall make the division. All reasonable expenses of storage, packing, shipping, delivery, and insurance, or of sale, shall be paid as an expense of administration.

ARTICLE IV
RESIDUARY ESTATE

I give my residuary estate to DANA RUTH WITHERS if she survives me by thirty days, and if she fails to so survive me, to her then living issue, by representation, if any. If Dana Ruth Withers does not survive me by thirty days and has no issue who survive me by thirty days, I give my residuary estate in equal shares to my siblings who survive me by thirty days. If any of my siblings fail to survive me by thirty days, the gift to that sibling shall lapse and be distributed in equal shares to those siblings who do survive me by thirty days.

ARTICLE V
PERSONAL REPRESENTATIVE

I appoint DANA RUTH WITHERS as my personal representative to serve without bond. My personal representative may exercise all the powers in the Colorado Fiduciaries' Powers Act, as amended after the date of my will and after my death. It is my intention that the probate of my estate be conducted as an administrative, not a judicial, proceeding under the Colorado Probate Code. I therefore direct informal probate of my will, informal appointment of my personal representative, unsupervised administration of my estate, and informal closing of my estate by sworn closing statement of my personal representative, unless changed circumstances occur which I could not have anticipated and which would necessitate formal or supervised judicial proceedings for the protection of persons interested in my estate.

W. Russell Withers, Jr.

202210210114910

ARTICLE VI
DEFINITIONS

6.01 ADOPTED CHILDREN: A child adopted by any person and the issue by blood or adoption of such child shall be considered issue of such adopting person and of such person's ancestors if the adoption is by legal proceeding while the child is under twenty-one years.

6.02 PRONOUNS, SINGULAR AND PLURAL: Unless the context requires otherwise, words denoting the singular may be construed as denoting the plural, and words of the plural may be construed as denoting the singular, and words of one gender may be construed as denoting such other gender as is appropriate.

6.03 ISSUE: The issue of a person means all his lineal descendants of all generations, with the relationship of parent and child at each generation being determined by the definition of child and parent contained in the Colorado Probate Code at the date of my will.

6.04 BY REPRESENTATION: Whenever a distribution to issue by representation is called for by my will, the distributable assets are to be divided into as many shares as there are, at the time such assets are distributable, issue in the nearest degree of kinship and then deceased issue in the same degree who left then living issue, each then living issue in the nearest degree receiving one share and the share of each then deceased issue in the same degree being divided among his issue in the same manner.

6.05 OTHER DEFINITIONS: Except as otherwise provided in my will, definitions of terms in my will shall be as defined in the Colorado Probate Code as amended after the date of my will and after my death.

Signed by me on 9/19, 2000.

W. Russell Withers, Jr.

THE FOREGOING INSTRUMENT, consisting of five pages, including the following two pages, was signed and declared by the Testator to be his last will, in the presence of us, who in his conscious presence, at his request, and in the presence of each other, have signed our names as witnesses on the date of this instrument, and we declare that at the time of the

202210210114910

execution of this instrument the Testator, according to our best knowledge and belief, was of sound mind and under no constraint or undue influence.

_____ of Grand Junction, Colorado
Witness

_____ of Grand Junction, Colorado
Witness

AFFIDAVIT OF PROOF OF LAST WILL

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

We, W. RUSSELL WITHERS, JR., the Testator, and GREGORY K. HOSKIN and JANE A. CAHILL, the witnesses, whose names are signed to the foregoing instrument, being first duly sworn, do hereby declare to the undersigned authority that the Testator signed and executed the instrument as his last will and that he signed willingly, and that he executed it as his free and voluntary act for the purposes therein expressed; and that each of the witnesses, in the conscious presence of the Testator, signed the will as witness and that to the best of his or her knowledge the Testator was at that time eighteen years of age or older, of sound mind and under no constraint or undue influence.

W. Russell Withers, Jr., Testator

Witness

Witness

202210210114910

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by W. RUSSELL WITHERS, JR., the Testator, and subscribed and sworn to before me by GREGORY K. HOSKIN and LAURIE A. CAHILL, witnesses, this 19TH day of September, 2000.

Witness my hand and official seal.

My commission expires: 7/9/04.

NOTARY PUBLIC
JANE H. COCHRAN
STATE OF COLORADO

Jane H. Cochran
Notary Public

202210210114910

- The text of a certification of an electronic document must be in the following form.

I, Kristopher Prizo 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 electric document is a true and exact copy of the original document executed and authenticated according to law on 10-21-22 (date of document).

Affiant Signature

Date: 10-21-22

State of Tennessee

County of Williamson

Sworn to and subscribed before me this 21 day of October, 2022.

Notary Signature

MY COMMISSION EXPIRES: 5-7-2024

Notary's Seal (if on paper)

