36397-8

Karen Johnson Davidson County
Batch# 947213 AFFIDAVIT
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Fees: $62.00 Taxes: $0.00
20221205-0126523

This Instrument was prepared by:
Carney Title, LLC
400 Overbeck Ln, Ste 101
Nashville, TN 37204

AFFIDAVIT

I, **Barbara J. Moss**, hereinafter referred to as Affiant, being first duly sworn, makes oath as follows:

1. That Affiant presently works at Elder Law of Nashville PLC located at 162 Woodmont Blvd, Nashville, TN 37205.

2. That Affiant prepared a Quitclaim Deed by and between **Harold D. Houx** (also known as **Harold Houx**) and **Beverly W. Houx** (also known as **Beverly Houx** and **Beverly A. Houx**) as Grantors and the **Harold and Beverly Houx Living Trust** as Grantee for the property known as 883 Belton Dr., Nashville, TN 37205 which is of record in **Instrument No. 20191121-0120401, in the Register's Office for Davidson County, Tennessee** (hereinafter referred to as the "Quitclaim Deed").

3. That both Harold Houx and Beverly Houx executed a Durable Power of Attorney, also prepared by Affiant, in favor of their daughter **Lisa Houx** on October 2, 2019 authorizing the said Lisa Houx to, among other things, execute the hereinabove referenced Quitclaim Deed as their Attorney-in-Fact.

4. That said original Durable Powers of Attorney executed by Harold Houx and Beverly Houx in favor of Lisa Houx were not recorded and now are unable to be located.

5. That Affiant has evidence of the existence of the hereinabove referenced Durable Powers of Attorney in the form of a photocopy (See Attached Exhibit "A" and Exhibit "B").

6. That Affiant has prepared and recorded this Affidavit for the purpose of proving that the Durable Powers of Attorney authorizing Lisa Houx to sign the aforementioned Quitclaim Deed in behalf of Harold Houx and Beverly Houx were properly executed.

FURTHER AFFIANT SAITH NOT.

Barbara J. Moss, Affiant

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared the within named Affiant, Barbara J. Moss, with whom I am personally acquainted, 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 28th day of November, 2022.

Megan Paulus
Notary Public

My Commission Expires: 3/7/23

MEGAN PAULUS
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires 03-07-2023

EXHIBIT A

This Instrument Prepared by:
Barbara J. Moss, Attorney at Law
4525 Harding Pike, Suite 200
Nashville, TN 37205
(615) 852-5602

DURABLE POWER OF ATTORNEY

I, Harold Houx, appoint Lisa Houx to act as my attorney-in-fact, to act for me and in my name as if I were personally present.

ALTERNATE: In the event that my first-named agent is unavailable, unable, or unwilling to act, then I appoint Barry Bradley as successor attorney-in-fact.

EFFECTIVE DATE: I intend for this Power of Attorney to **take effect immediately**. and continue in full force and effect thereafter. It is my express intention and purpose that in the event of my mental and/or physical disability, the powers set forth in the document shall remain in effect pursuant to the provisions of Tennessee Code Annotated 34-6-101, et seq.

REVOCATION OF PRIOR POWERS OF ATTORNEY: Any prior Power of Attorney signed by me is hereby expressly revoked.

GENERAL POWERS: I authorize my attorney in fact to sign or perform in my name, place and stead, any act, deed, matter or thing whatsoever, that ought to be done, signed or performed, of every nature and kind whatsoever, as fully and effectually as I could do if personally present and acting.

Without limiting the foregoing paragraph, I specifically authorize my attorney in fact to:

(i) Receive from or disburse to any source whatever money in checking or savings or other accounts; endorse, sign and issue checks, withdrawal receipts or any other instrument, and open or close any accounts in my name alone or jointly with another person;

(ii) Buy, sell, lease, alter, maintain, pledge or in any way deal with real and personal property and sign each instrument necessary or advisable to complete any real or personal property transactions, including, but not limited to, deeds, deeds of trust, closing statements, options, notes, and bills of sale;

(iii) Make, sign and file each income, gift, property or any other tax return or declaration required by the United States or any state, county, municipality or other legally constituted authority;

(iv) Acquire, maintain, cancel or in any manner deal with any insurance policy (e.g., life, accident, disability, hospitalization, medical or casualty insurance) and prosecute each claim for benefits due under any policy;

(v) Provide for my support and protection and for the support and protection of my spouse and any dependent minor child, including, without limitation, providing for food, housing, medical services, recreation and travel;

(vi) Have free and private access to any safe deposit box in my name, alone or with others, in any bank, including authority to have it drilled, with full right to deposit and withdraw therefrom;

(vii) Receive any money or other obligation due or to become due to me from the United States, or any agency or subdivision thereof, and to act as representative payee for any payment to which I may be entitled, and to redeem any bond or other security wherein the United States or any agency or subdivision thereof is the obligor or payor;

(viii) Contract for or employ agents, accountants, advisors, attorneys and others for services in connection with the performance of the duties of the attorney in fact herein;

(ix) Open, use, and close checking and savings accounts, money market accounts, and agency accounts with financial institutions of all kinds, including securities brokers, and corporate fiduciaries;

(x) Invest or reinvest each item of money or property and lend money or property upon such terms and conditions and with such security as my attorney in fact may deem appropriate, or renew, extend, or modify all loans, all in accordance with the fiduciary standards of T.C.A. §35-3-117;

(xi) Engage in and transact any and all lawful business of whatever nature or kind for me and in my name, whether as partner, stockholder, or in any other manner or form, and vote any stock;

(xii) Pay dues to any club or organization to which I belong and make charitable contributions in fulfillment of any charitable pledge made by me;

(xiii) Transfer any property owned by me to any revocable trust created by me with provisions for my care and support;

(xix) Sue, defend or compromise suits and legal actions, and employ counsel in connection with the suits and legal actions, including the power to seek a declaratory judgment interpreting this power of attorney, or a mandatory injunction requiring compliance with the instructions of my attorney in fact, or actual and punitive damages against any person failing or refusing to follow the instructions of my attorney in fact;

(xx) Reimburse the attorney in fact or others, after furnishing receipts or verifiable proof, for all reasonable costs and expenses actually incurred and paid by such person on my behalf;

(xxii) Create contribute to, borrow from and otherwise deal with my employee benefit plan or individual retirement account for my benefit, select any payment option under any employee benefit plan or change options I have selected, make "roll-overs" of plan benefits into other retirement plans, and apply for and receive payments and benefits;

(xxiii) Make advance arrangements for my funeral and burial, if I have not already done so;

(xxiv) Act as my "personal representative" as defined in 45 CFR Section 164.502(g)(1) and be treated as I would for all purposed of HIPAA, 42 USC Section 1320d and 45 CFE Sections 160 and 164, and as such (1) have access to all my "individually identifiable health information," including any "protected health information" (as those terms are defined under HIPAA) verbal or written; (2) possess, without limitation, my right of access to inspect and obtain a copy of protected health information about me as required by HIPAA; and (3) possess, without limitation, my right to an accounting of disclosures of protected health information as required by HIPAA;

(xxv) Appoint a successor attorney in fact;

(xxvi) Access, take control of, handle, conduct, continue, distribute, dispose of, or terminate any digital assets and digital accounts which I may own and access any on-line accounts; and

(xxvii) Generally to act for me in all matters affecting my property, with the same force and effect to all intents and purposes as though I were personally present and acting myself, hereby ratifying and confirming whatsoever my attorney in fact shall do by authority thereof.

LIMITATION OF THE POWERS OF MY ATTORNEY IN FACT: My attorney in fact is not authorized to agree on my behalf to submit any dispute to binding arbitration or to enter into any agreement that waives my right to submit any dispute to the appropriate judge and/or jury.

LIABILITY OF ATTORNEY IN FACT: My attorney in fact may invest in such stocks, bonds, and other securities and properties, real, personal or mixed, and wherever situated, as my attorney in fact deems advisable, including stocks and unsecured obligations, undivided interest, interests in investment trusts, common trust funds, mutual funds (including any such trust or funds managed by a subsidiary, parent or affiliate of any corporate trustee), annuities (including actuarially sound commercial or private annuities), leases on property that is outside of my domicile, all without diversification as to kind or amount and without being restricted in any way by an statute or court decision (now or hereafter existing) regulating or limiting investments by a fiduciary.

My attorney in fact may make and change such investments from time to time according to his/her discretion and may continue to hold, manage, invest, and lend any stocks, securities or other property received by him/her, without any duty of diversification and without being subject to the "prudent person rule" as set forth in Tennessee Code Annotated Section 35-3-117. Unless inconsistent with other provision of this instrument, I authorize my attorney in fact to hold any portion of my estate in cash and invested, non-income producing assets whenever my attorney in fact deems such holding to be to the advantage of me, my estate, or the ultimate beneficiaries of my estate.

In making investments, my attorney in fact shall be obligated only to use good faith and to exercise his/her honest judgment as to what investments are, from time to time, in my best interests. In making decisions as to how my assets should be invested or managed, I specifically allow my attorney in fact to consider the interests of the ultimate beneficiaries of my estate.

Other than for willful misconduct or gross negligence, my attorney in fact shall not incur any labiality to me, my estate, or my heirs, for acting or refraining from acing under this document.

PERSONAL BENEFIT TO ATTORNEY IN FACT: My attorney in fact may buy any assets of mine or engage in any transaction he/she deems in good faith to be in my interest, no matter what the interest or benefit to my attorney in fact.

PROTECTION OF THIRD PARTIES: Any person or corporation dealing with my attorney in fact shall be entitled to assume, and to act upon the assumption, that this Power of Attorney remains in full force and effect unless and until such person or corporation has actual notice to the contrary. Any person or corporation dealing with my attorney in fact shall be fully and completely protected by all acts of said attorney taken pursuant to any power herein granted.

HOLD HARMLESS: I hold my attorney in fact harmless and indemnify my attorney in fact for actions taken under the authority of the powers granted in this document.

APPOINTMENT OF CONSERVATOR: It is my desire and request that no conservator be appointed in the event of my disability. It is my intention that this durable power of attorney shall permit my attorney in fact to act on my behalf. If, however, an action is brought to appoint a conservator, for my person and/or my estate, then I nominate and appoint the party named above as my attorney in fact to serve as conservator of my person and/or my property, and I direct that the foregoing appointment be considered pursuant to the standards set forth in Tennessee Code Annotated Section 34-6-104.

BOND: It is my express desire that no bond be required of my attorneys-in-fact or conservators, as the case may be.

ACCOUNTING: It is my desire that my attorney in fact account at least annually to me and to my heirs at law, or beneficiaries under my will as to how he or she has managed my funds.

CERTIFICATION: I hereby certify that I have read the statement appearing at the end of this document entitled "Warning to Person Executing this Document."

A copy of this document shall be as effective as the original.

I signed this document on the 2nd day of October, 2019.

Harold Houx

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, a Notary Public in and for the County and State aforesaid, the within named affiant with whom I am personally acquainted, or proved to me by satisfactory evidence, and who executed the above Durable Power of Attorney for the purposes therein expressed on the 1st day of October, 2019.



Notary Public

My commission expires: 7/9/22

EXHIBIT B

This Instrument Prepared by:
Barbara J. Moss, Attorney at Law
4525 Harding Pike, Suite 200
Nashville, TN 37205
(615) 852-5602

DURABLE POWER OF ATTORNEY

I, Beverly Houx, appoint Lisa Houx to act as my attorney-in-fact, to act for me and in my name as if I were personally present.

ALTERNATE: In the event that my first-named agent is unavailable, unable, or unwilling to act, then I appoint Barry Bradley as successor attorney-in-fact.

EFFECTIVE DATE: I intend for this Power of Attorney to **take effect immediately**. and continue in full force and effect thereafter. It is my express intention and purpose that in the event of my mental and/or physical disability, the powers set forth in the document shall remain in effect pursuant to the provisions of Tennessee Code Annotated 34-6-101, et seq.

REVOCATION OF PRIOR POWERS OF ATTORNEY: Any prior Power of Attorney signed by me is hereby expressly revoked.

GENERAL POWERS: I authorize my attorney in fact to sign or perform in my name, place and stead, any act, deed, matter or thing whatsoever, that ought to be done, signed or performed, of every nature and kind whatsoever, as fully and effectually as I could do if personally present and acting.

Without limiting the foregoing paragraph, I specifically authorize my attorney in fact to:

(i) Receive from or disburse to any source whatever money in checking or savings or other accounts; endorse, sign and issue checks, withdrawal receipts or any other instrument, and open or close any accounts in my name alone or jointly with another person;

(ii) Buy, sell, lease, alter, maintain, pledge or in any way deal with real and personal property and sign each instrument necessary or advisable to complete any real or personal property transactions, including, but not limited to, deeds, deeds of trust, closing statements, options, notes, and bills of sale;

(iii) Make, sign and file each income, gift, property or any other tax return or declaration required by the United States or any state, county, municipality or other legally constituted authority;

(iv) Acquire, maintain, cancel or in any manner deal with any insurance policy (e.g., life, accident, disability, hospitalization, medical or casualty insurance) and prosecute each claim for benefits due under any policy;

(v) Provide for my support and protection and for the support and protection of my spouse and any dependent minor child, including, without limitation, providing for food, housing, medical services, recreation and travel;

(vi) Have free and private access to any safe deposit box in my name, alone or with others, in any bank, including authority to have it drilled, with full right to deposit and withdraw therefrom;

(vii) Receive any money or other obligation due or to become due to me from the United States, or any agency or subdivision thereof, and to act as representative payee for any payment to which I may be entitled, and to redeem any bond or other security wherein the United States or any agency or subdivision thereof is the obligor or payor;

(viii) Contract for or employ agents, accountants, advisors, attorneys and others for services in connection with the performance of the duties of the attorney in fact herein;

(ix) Open, use, and close checking and savings accounts, money market accounts, and agency accounts with financial institutions of all kinds, including securities brokers, and corporate fiduciaries;

(x) Invest or reinvest each item of money or property and lend money or property upon such terms and conditions and with such security as my attorney in fact may deem appropriate, or renew, extend, or modify all loans, all in accordance with the fiduciary standards of T.C.A. §35-3-117;

(xi) Engage in and transact any and all lawful business of whatever nature or kind for me and in my name, whether as partner, stockholder, or in any other manner or form, and vote any stock;

(xii) Pay dues to any club or organization to which I belong and make charitable contributions in fulfillment of any charitable pledge made by me;

(xiii) Transfer any property owned by me to any revocable trust created by me with provisions for my care and support;

(xix) Sue, defend or compromise suits and legal actions, and employ counsel in connection with the suits and legal actions, including the power to seek a declaratory judgment interpreting this power of attorney, or a mandatory injunction requiring compliance with the instructions of my attorney in fact, or actual and punitive damages against any person failing or refusing to follow the instructions of my attorney in fact;

(xx) Reimburse the attorney in fact or others, after furnishing receipts or verifiable proof, for all reasonable costs and expenses actually incurred and paid by such person on my behalf;

(xxii) Create contribute to, borrow from and otherwise deal with my employee benefit plan or individual retirement account for my benefit, select any payment option under any employee benefit plan or change options I have selected, make "roll-overs" of plan benefits into other retirement plans, and apply for and receive payments and benefits;

(xxiii) Make advance arrangements for my funeral and burial, if I have not already done so;

(xxiv) Act as my "personal representative" as defined in 45 CFR Section 164.502(g)(1) and be treated as I would for all purposed of HIPAA, 42 USC Section 1320d and 45 CFE Sections 160 and 164, and as such (1) have access to all my "individually identifiable health information," including any "protected health information" (as those terms are defined under HIPAA) verbal or written; (2) possess, without limitation, my right of access to inspect and obtain a copy of protected health information about me as required by HIPAA; and (3) possess, without limitation, my right to an accounting of disclosures of protected health information as required by HIPAA;

(xxv) Appoint a successor attorney in fact;

(xxvi) Access, take control of, handle, conduct, continue, distribute, dispose of, or terminate any digital assets and digital accounts which I may own and access any on-line accounts; and

(xxvii) Generally to act for me in all matters affecting my property, with the same force and effect to all intents and purposes as though I were personally present and acting myself, hereby ratifying and confirming whatsoever my attorney in fact shall do by authority thereof.

LIMITATION OF THE POWERS OF MY ATTORNEY IN FACT: My attorney in fact is not authorized to agree on my behalf to submit any dispute to binding arbitration or to enter into any agreement that waives my right to submit any dispute to the appropriate judge and/or jury.

LIABILITY OF ATTORNEY IN FACT: My attorney in fact may invest in such stocks, bonds, and other securities and properties, real, personal or mixed, and wherever situated, as my attorney in fact deems advisable, including stocks and unsecured obligations, undivided interest, interests in investment trusts, common trust funds, mutual funds (including any such trust or funds managed by a subsidiary, parent or affiliate of any corporate trustee), annuities (including actuarially sound commercial or private annuities), leases on property that is outside of my domicile, all without diversification as to kind or amount and without being restricted in any way by an statute or court decision (now or hereafter existing) regulating or limiting investments by a fiduciary.

My attorney in fact may make and change such investments from time to time according to his/her discretion and may continue to hold, manage, invest, and lend any stocks, securities or other property received by him/her, without any duty of diversification and without being subject to the "prudent person rule" as set forth in Tennessee Code Annotated Section 35-3-117. Unless inconsistent with other provision of this instrument, I authorize my attorney in fact to hold any portion of my estate in cash and invested, non-income producing assets whenever my attorney in fact deems such holding to be to the advantage of me, my estate, or the ultimate beneficiaries of my estate.

In making investments, my attorney in fact shall be obligated only to use good faith and to exercise his/her honest judgment as to what investments are, from time to time, in my best interests. In making decisions as to how my assets should be invested or managed, I specifically allow my attorney in fact to consider the interests of the ultimate beneficiaries of my estate.

Other than for willful misconduct or gross negligence, my attorney in fact shall not incur any labiality to me, my estate, or my heirs, for acting or refraining from acing under this document.

PERSONAL BENEFIT TO ATTORNEY IN FACT: My attorney in fact may buy any assets of mine or engage in any transaction he/she deems in good faith to be in my interest, no matter what the interest or benefit to my attorney in fact.

PROTECTION OF THIRD PARTIES: Any person or corporation dealing with my attorney in fact shall be entitled to assume, and to act upon the assumption, that this Power of Attorney remains in full force and effect unless and until such person or corporation has actual notice to the contrary. Any person or corporation dealing with my attorney in fact shall be fully and completely protected by all acts of said attorney taken pursuant to any power herein granted.

HOLD HARMLESS: I hold my attorney in fact harmless and indemnify my attorney in fact for actions taken under the authority of the powers granted in this document.

APPOINTMENT OF CONSERVATOR: It is my desire and request that no conservator be appointed in the event of my disability. It is my intention that this durable power of attorney shall permit my attorney in fact to act on my behalf. If, however, an action is brought to appoint a conservator, for my person and/or my estate, then I nominate and appoint the party named above as my attorney in fact to serve as conservator of my person and/or my property, and I direct that the foregoing appointment be considered pursuant to the standards set forth in Tennessee Code Annotated Section 34-6-104.

BOND: It is my express desire that no bond be required of my attorneys-in-fact or conservators, as the case may be.

ACCOUNTING: It is my desire that my attorney in fact account at least annually to me and to my heirs at law, or beneficiaries under my will as to how he or she has managed my funds.

CERTIFICATION: I hereby certify that I have read the statement appearing at the end of this document entitled "Warning to Person Executing this Document."

A copy of this document shall be as effective as the original.

I signed this document on the 2nd day of October, 2019.

Beverly Houx

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, a Notary Public in and for the County and State aforesaid, the within named affiant with whom I am personally acquainted, or proved to me by satisfactory evidence, and who executed the above Durable Power of Attorney for the purposes therein expressed on the 1st day of October, 2019.



My Commission Expires
JULY 09, 2022

Notary Public

My commission expires: 7/9/22

WARNING TO PERSON EXECUTING THIS DOCUMENT

Because the execution of a Durable Power of Attorney is an important legal document that can affect the management of your property for an indefinite period of time, the following considerations are important for you to consider.

(1) This document creates a Durable Power of Attorney. It will give the person you designate as your attorney in fact a wide variety of powers to sell, dispose, convey, and/or encumber real or personal property. It will become effective immediately.

(2) The powers you grant to your attorney in fact will last indefinitely unless you limit their duration within this document. Unlike an ordinary power of attorney, these powers will continue to exist even if you become disabled, incapacitated, or incompetent.

(3) Because the grant of powers is so broad and, if you become chronically disabled and incompetent, can last for your lifetime, it is very important that you exercise great care in selecting the person to be your attorney in fact, and spelling out the powers and guidelines for the attorney in fact to follow.

(4) You have the right to revoke, terminate, or modify this Durable Power of Attorney at any time. If you do so revoke it, the revocation should be recorded in the register of deeds office of the county in which you reside. In any event, it is a good idea to review this document at least once a year and make sure it is still consistent with your wishes. At the time you review it, if you find it still meets your needs, it is a good idea for you to initial and date it so there can be no doubt as to your continued approval.

(5) At such time as this Durable Power of Attorney is to be utilized, it should be recorded in the register of deeds office of the county in which you reside and in any other county where your property is located.

If there is anything in this document that you do not understand, you should ask your lawyer to explain it to you.

This Instrument Prepared by:
Barbara J. Moss, Attorney at Law
4525 Harding Pike, Suite 200
Nashville, TN 37205
(615) 852-5602