This Instrument Prepared by:
Midtown Title, LLC
1704 Charlotte Avenue #105
Nashville, TN 37203
File #: JM

Karen Johnson Davidson County
Batch# 958070 AFFIDAVITH
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Fees: $42.00 Taxes: $0.00
20230105-0000963

AFFIDAVIT OF HEIRSHIP

STATE OF TENNESSEE
COUNTY OF DAVIDSON

I, ZOBAIR RAHIMI, of Davidson 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 AMANULLAH KWAGA, also known as, AMAN KWAGA (the "Decedent") died on November 21, 2015, a resident of DAVIDSON County, Tennessee.

2. Decedent's place of residence and homestead at the time of death was 604 Summerbreeze Lane, Nashville, TN 37013 (the "Property").

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

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

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

6. Decedent left a will that was NOT admitted to probate. Said will is attached as Exhibit B to this Affidavit.

7. Affiant further states that Decedent was married at the time of his death and survived by the following heirs at law:

Name:	**Relationship:**
Nooria Aman Kwaga	Wife
Yamah T. Kwaga	Son
Fahima A. Khwaga	Daughter
Zarlasht Kwaga-Wahidi	Daughter
Farhad A. Kwaga	Son
Nargis Wahidi	Daughter
Nabila Kwaga Hansia	Daughter
Najellah Kwaga Amanullah	Daughter
Miriam A. Kwaga	Daughter

8. Affiant is aware of these facts because he is a distant family member of the Decedent and knew the Decedent for more than 15 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 **3706 Folkstone Drive, Antioch, TN 37013**, in reliance on this affidavit. Legal description on **Exhibit A** attached here.

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 Davidson

I, ZOBAIR RAHIMI, 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.

ZOBAIR RAHIMI

Sworn to and subscribed before me this 4th day of January, 2023

Notary Public

JIM MYERS STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

STATE OF TENNESSEE
COUNTY OF Davidson

Personally appeared before me, the undersigned, a Notary Public, ZOBAIR RAHIMI, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that such person executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 4th day of January, 2023.

Notary Public
My Commission Expires: 11-6-2024

JIM MYERS STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

EXHIBIT A
LEGAL DESCRIPTION

Land in Davidson County, Tennessee, being Lot No. 76A on the Plan of Chelsea of Priest Lake, Section 1-A, Zone Lot Division of Lots 74-77 of record in Book 6250, page 36, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate description.

Being the same property conveyed to Aman Kwaga, married by Warranty Deed from Eckhardt Realty Corporation, a Tennessee Corporation, Trustee for the Terry Cheatham Land Trust, dated September 2, 1999, recorded September 7, 1999, or record in Book 11651, page 661, Register's Office for Davidson County Tennessee. Aman Kwaga and Amanullah Kwaga being one and the same person. Said Amanullah Kwaga having since passed on November 21, 2015.

This is improved property known as **3706 Folkstone Drive, Antioch, TN 37013.**
Parcel ID# 13616000400

LAST WILL AND TESTAMENT OF

Amanullah Kwaga

I, Amanullah Kwaga, a resident of Antioch, Tennessee, being of sound and disposing mind and memory and lawfully married or having been lawfully married and not being actuated by any duress, menace, fraud, mistake, or undue influence, do make, publish, and declare this to be my last Will, hereby expressly revoking all Wills and Codicils previously made by me.

I. MARRIAGE AND CHILDREN:

I am married to Nooria Kwaga, and all references in this Will to my Wife are references to Her. I have the following children:

Name: Yamah Kwaga Date of Birth: 10/05/75

Name: Fahima Kwaga Date of Birth: 05/10/78

Name: Zarlasht Wahidi Date of Birth: 06/02/82

Name: Farhad Kwaga Date of Birth: 04/25/85

Name: Nargis Wahidi Date of Birth: 08/03/87

Name: Nabila Kwaga Date of Birth: 10/15/89

Name: Najellah Kwaga Date of Birth: 05/30/92

Name: Miriam Kwaga Date of Birth: 02/10/94

II. EXECUTOR:

I appoint Nooria Kwaga as Executo of this my Last Will and Testament. My Executor shall be authorized to carry out all provisions of this Will and pay my just debts, obligations and funeral expenses.

III. **SIMULTANEOUS DEATH OF SPOUSE:** In the event that my Wife shall die simultaneously with me or there is no direct evidence to establish that my Wife and I died other than simultaneously, I direct that I shall be deemed to have survived my Wife, notwithstanding any provision of law to the contrary, and that the provisions of my Will shall be construed on such presumption.

IV. **SIMULTANEOUS DEATH OF BENEFICIARY:** If any beneficiary of this Will, including any beneficiary of any trust established by this Will, other than my Wife, shall die within 30 days of my death or prior to the distribution of my estate, I hereby declare that I shall be deemed to have survived such person.

V. **BEQUESTS:**

I will, give, and bequeath unto the persons named below, if he or she survives me, the Properties described below:

Name: Nooria Kwaga

Relationship: Wife

Land Property: 608 Summerbreeze Lane, Antioch, TN 37013

Real Estate Property: 604 Summerbreeze Lane, Antioch, TN 37013

Real Estate Property: 3706 Folkstone Drive, Antioch, TN 37013

Real Estate Property: 105 Karen Ray Ct., Antioch, TN 37013

If a named beneficiary to this Will predeceases me, the bequest to such person shall lapse, and the property shall pass under the other provisions of this Will. If I do not possess or own any property listed above on the date of my death, the bequest of that property shall lapse.

VI. **ALL REMAINING PROPERTY; RESIDUARY CLAUSE:** I give, devise, and bequeath all of the rest, residue, and remainder of my estate, of whatever kind and character, and wherever located, to my Wife, provided that my Wife survives me. I make no provision for my children, knowing that, as their parent, my Wife will continue to be mindful of their needs and requirements. If my Wife does not survive me, then I give, devise, and bequeath all of the rest, residue, and remainder of my estate, of whatever kind and character, and wherever located, to my children per share, but if any child predeceases me, then his or

her share will pass, per share, to his or her lineal descendants, natural or adopted, if any, who survive me; but if there are none, then his or her share will lapse and pass equally as part of the shares of my other named children; but if none of my named children survives me or leaves a lineal descendant who survives me, then according to the order of intestate succession in the State of Tennessee.

VII. **ADDITIONAL POWERS OF THE EXECUTOR:** My Executor shall have the following additional powers with respect to my estate, to be exercised from time to time at my Executor's discretion without further license or order of any court.

The Power of Attorney to sign any forms on testator behalf.

VIII. **WAIVER OF BOND, INVENTORY, ACCOUNTING, REPORTING AND APPROVAL:** My Executor shall serve without any bond, and I hereby waive the necessity of preparing or filing any inventory, accounting, appraisal, reporting, approvals or final appraisement of my estate. I direct that no expert appraisal be made of my estate unless required by law.

IX. **CONSTRUCTION:** The term "testator" as used in this Will is deemed to include me Amanullah Kwaga as Testator or Testatrix. The pronouns used in this Will shall include, where appropriate, either gender or both, singular and plural.

X. **SEVERABILITY AND SURVIVAL:** If any part of this Will is declared invalid, illegal, or inoperative for any reason, it is my intent that the remaining parts shall be effective and fully operative, and that any Court so interpreting this Will and any provision in it construe in favor of survival.

IN WITNESS WHEREOF, I, Amanullah Kwaga, hereby set my hand to this last Will, on this 25 day of October, 2015 at 604 Summerbreeze Lane, Antioch, TN, 37013, State of Tennessee.

Amanullah Kwaga [Signature of Testator]

Amanullah Kwaga [Printed or typed name of Testator]

604 Summerbreeze Lane, Antioch, TN 37013 [Address of Testator]

WITNESSES

The foregoing instrument, consisting of 4 pages, including this page, was signed in our presence by Amanullah Kwaga and declared by Him to be His last Will. We, at the request and in the presence of Him and in the presence of each other, have subscribed our names below as witnesses. We declare that we are of sound mind and of the proper age to witness a Will, which to the best of our knowledge the testator is of the age of majority, or is otherwise legally competent to make a will, and appears of sound mind and under no undue influence or constraint. Under penalty of perjury, we declare these statements are true and correct on this 25 day of October, 2015 at

604 Summerbreeze Lane, Antioch, TN 37013, State of Tennessee.

[Signature of Witness #1]

YAMAH TOM KWAGA [Printed Name of Witness #1]

604 Summerbreeze Lane Antioch [Address of Witness #1, Line 1]

TN 37013 [Address of Witness #1, Line 2]

[Signature of Witness #2]

Najellah Amanullah [Printed Name of Witness #2]

604 Summerbreeze lane, [Address of Witness #2, Line 1]

Antioch TN 37013 [Address of Witness #2, Line 2]

[Signature of Witness #3]

Farhad Kwaga [Printed Name of Witness #3]

604 Summerbreeze lane [Address of Witness #3, Line 1]

Antioch TN 37013 [Address of Witness #3, Line 2]

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

I, Kirsten Virden **, 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 01/04/2023 **(date of document).**

Kirsten Virden

Affiant Signature

Date: 01/04/2023

State of Tennessee

County of Davidson

Sworn to and subscribed before me this 4 **day of** January **,** 2023 **.**

Rachel Marie Collins

Notary Signature

MY COMMISSION EXPIRES: 3.6.2024

Notary's Seal (if on paper)

RACHEL MARIE COLLINS
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF CHEATHAM