Karen Johnson Davidson County
Batch# 1033903 AFFIDAVITH
08/02/2023 03:46:30 PM 7 pgs
Fees: $37.00 Taxes: $0.00
20230802-0059820

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

AFFIDAVIT OF HEIRSHIP

STATE OF Tennessee
COUNTY OF Davidson

I, Michael Rakes, 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 Dorothy J. Cothron (the "Decedent") died on April 23, 2021, a resident of Davidson County, Tennessee.

2. Decedent owned real property at the time of her death more commonly known as 3840 Priest Lake Drive, Nashville, TN 37217 (the "Property").

3. Decedent, at the time of her death, was the sole vested owner of the Property.

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 died testate. The Last Will and Testament of Dorothy Jean Cothron has not and will not be submitted to Probate and is attached hereto as Exhibit "A".

7. Affiant further states that the Decedent was survived by the following child:

Name:	**Relationship:**
Michael Douglas Rakes	Son

8. Affiant is aware of these facts because he is the son of the Decedent.

9. The Decedent had no children who predeceased her, 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 Momentum Title, LLC and their title insurance underwriter for liability which any of them may incur as a result of issuing policies of title insurance on property located at 3840 Priest Lake Drive, Nashville, TN 37217 in reliance on this affidavit.

This 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, Michael Rakes, 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.

Michael Rakes, Affiant

Sworn to and subscribed before me this 28th day of June, 2023.

Notary Public
My Commission Expires: _____

MICHAEL FERRENCE
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 5-9-2025

STATE OF Tennessee
COUNTY OF Davidson

Personally appeared before me, the undersigned, a Notary Public, Michael Rakes, 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 28th day of June, 2023.

Notary Public
My Commission Expires: _____

MICHAEL FERRENCE
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 5-9-2025

EXHIBIT A

LAST WILL AND TESTAMENT
OF
DOROTHY JEAN COTHRON

I, DOROTHY JEAN COTHRON, a resident of White House, Sumner County, Tennessee, being of sound mind and disposing memory, do hereby make, publish and declare this as my Last Will and Testament, hereby revoking any and all wills and codicils heretofore made by me.

References in this Will to "child" or "children" shall refer only to the following children: Michael Douglas Rakes. References in this Will to "issue" shall refer to both natural-born and adopted descendants. Unless otherwise provided herein, all issue shall take by representation, with the initial division into shares for such purpose to be the first generation below me.

ARTICLE I
PAYMENT OF DEBTS, EXPENSES AND TAXES

I direct that all of my just and enforceable debts, (except debts secured by mortgages or other security instruments, which may be paid off or retained in the discretion of my Executor), including funeral and testamentary expenses and expenses of my last illness, be paid as soon as may be convenient after my death. I further direct that all estate, inheritance and other taxes of the same nature (except any generation-skipping taxes imposed by the Internal Revenue Code or by any state) which are payable because of my death, including any interest or penalties thereon, with respect to the property comprising my estate for such tax purposes, whether or not such property passes under this Will and whether such taxes are payable by my estate or by any recipient or beneficiary of any such property, shall be paid entirely out of my residuary estate as an expense of administration and without apportionment, and with no right of reimbursement from any recipient or beneficiary of any such property.

My Executor is specifically authorized, in my Executor's sole discretion, to apply the proceeds from any insurance policies on my life which are payable to my estate in paying debts, expenses of administration and taxes, notwithstanding the provisions of any state law to the contrary.

ARTICLE II
DISPOSITION OF PERSONAL PROPERTY

I give all the tangible personal property that I own at my death, including any household furniture and furnishings, automobiles, books, pictures, jewelry, art objects, hobby equipment and collections, and other articles of household or personal property to my son, Michael Douglas Rakes. All costs of safeguarding, insuring, packing, and storing my tangible personal property before its distribution and of delivering each item to the place of residence of the beneficiary of that item shall be deemed to be expenses of administration of my estate.

ARTICLE III

DISPOSITION OF RESIDUARY ESTATE

I hereby give, devise and bequeath all of the rest, residue and remainder of my estate, howsoever constituted and wheresoever situated, including any insurance on my life (unless otherwise designated in said insurance policy) and including property of every kind which I may own or have an interest in at my death, real, personal, or mixed and wherever situated, to my son, Michael Douglas Rakes. If my son does not survive me but leaves issue then surviving, such issue shall receive my residuary estate. If such issue shall be under the age of eighteen (18) years, the distributive share for such issue shall be distributed to an adult of the Executor's choosing (including the Executor) to hold as custodian for such issue pursuant to the Uniform Transfers to Minors Act, and the receipt of such custodian shall constitute complete acquittance of my Executor.

ARTICLE IV

APPOINTMENT OF EXECUTRIX

I nominate and appoint Michael Douglas Rakes as Executor of this my Last Will and Testament. In the event that Michael Douglas Rakes should predecease me or be unable or unwilling to serve as Executor, I direct that Karen Rollins act as Executor(ix) of my Last Will and Testament.

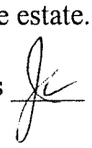
Whenever the term "Executor" is used herein, it shall be deemed to apply to the party or parties acting and any reference to such party or parties in one gender shall be deemed to mean the proper gender. I direct that no bond shall be required of my Executor for serving in such capacity in this or any other jurisdiction.

ARTICLE V

POWERS OF EXECUTOR

My Executor, including any substitute or successor thereto, in the exercise of reasonable discretion with respect to all property, real and personal, at any time forming a part of my estate, may exercise any and all of the powers set forth in T.C.A. 35-50-110, to the extent applicable, all of which provisions and powers are incorporated herein by reference (as set out in said statute on the date of the execution of this will), even if said statute be amended or repealed hereafter and even if my estate or the trust hereunder be administered in a state other than Tennessee. Further, my Executrix shall exercise, in general, all power with respect to the property included in my estate which any individual would exercise in the management of similar property owned in his own right and not to be responsible for losses, if any, resulting from honest mistakes of judgment. Except for real property specifically devised in this Will, I direct that all real property in my estate is to be administered as a part of the estate subject to the control of the personal representative.

Pursuant to Sections 30-2-301 and 30-2-601, Tennessee Code Annotated, I excuse the requirements for making and filing an inventory, appraisals, and court accountings of my probate estate.

Initials 

ARTICLE VI

ALLOCATIONS BY FIDUCIARY

At anytime when it shall be come necessary to divide assets between any of the beneficiaries herein named, or to distribute any of said assets, such division or distribution shall be made in such manner as the Executor deems proper and may be made in cash or in kind, or partly in cash and partly in kind. The judgment of the Executor on the relative value of assets shall be binding and conclusive on all parties interested. Further, in making distribution of assets the Executor shall not be required to distribute a particular asset pro rata to all beneficiaries entitled to receive a distribution, and the Executor may make division and distribution of assets without regard to the basis of such assets for Federal or State income tax purposes.

ARTICLE VII

MISCELLANEOUS PROVISIONS

All references in this Will to the "Executrix" or "Executor" shall mean the Executor or Executrix named herein or any alternate or successor thereto. The foregoing terms are used for convenience, regardless of the gender or number of parties serving in such capacities, and such terms shall be read as the context shall require. Throughout this Will, the singular number shall be deemed to include the plural, the plural the singular, and the use of any gender shall be applicable to all genders, as the context may require. Paragraph headings are used for convenience only, and shall not be resorted to for interpretation of this Will.

ARTICLE VIII

FAILURE OF BENEFICIARIES

If I am not survived by any named or described beneficiary set forth in this Will, then I give my estate to my heirs. "My heirs" mean those persons, other than creditors, who would take my personal property under the laws of the State of Tennessee if I had died intestate at the time stipulated for distribution, domiciled in such state and not married.

IN WITNESS WHEREOF, I have hereunto set my hand on this 6th day of July, 2001, to this my Last Will and Testament and have initialed the foregoing TWO (2) pages at the bottom thereof for the purpose of identification.

Dorothy Jean Cothron

DOROTHY JEAN COTHRON

Signed, published and declared by the said DOROTHY JEAN COTHRON, being of sound mind and disposing memory, as and for her Last Will and Testament in the presence and sight of us, present at the same time, who at her request, in her presence and sight, and in the presence and sight of each other, have subscribed our names as attesting witnesses on the day and year last written above, and we do hereby attest to the sound and disposing mind of DOROTHY

202308020059820

JEAN COTHRON and to the performance of the aforesaid act of execution at the place and on the date hereinabove set out.

WITNESS: Kristi Howell

ADDRESS: 130 Matt Court Gallatin, TN 37066

WITNESS: Brianna Bradbury

ADDRESS: 1512 Village Green Crossing Gallatin, TN 37066

AFFIDAVIT OF WITNESSES TO PROVE WILL

Kristi Howell and Brianna Bradbury after being duly sworn according to law, depose and say:

1. That they are adult citizens of Gallatin, Sumner County, Tennessee, and Gallatin, Sumner County, Tennessee.

2. That they witnesses the execution of the Last Will and Testament of DOROTHY JEAN COTHRON, dated the 6th day of July, 2001, to which this affidavit is attached, and that this affidavit is being made at the request of the Testatrix, and in accordance with Tennessee Code Annotated §32-2-110.

3. That their signatures are affixed to said Last Will and Testament, that they signed or affixed the same at the instance and at the request of the Testatrix and in her presence, and in the presence of each other, at the place and on the date recited in said Last Will and Testament.

4. That the Testatrix signed said paper writing as and for her Last Will and Testament in their sight and presence.

5. That at the time they witnessed said Will, the Testatrix was, in their opinion, of sound mind.

Kristi Howell
WITNESS

Brianna Bradbury
WITNESS

SWORN TO AND SUBSCRIBED before me on this 6th day of July, 2001.

D. TODD SHOLAR
NOTARY PUBLIC
MY COMM. EXP.
NOTARY PUBLIC AT LARGE
9-28-02
DAVIDSON COUNTY, TENN.

My Commission Expires: 9/28/02

Prepared by:
Smith.Sholar.Associates.PLLC
1164 Nashville Pike
Gallatin, Tennessee 37066
(615)452-5282

Certificate of Authenticity

I, Emily Manno, 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 **6/28/23**.

Date

Affiant Signature

6/28/23

Date

State of Tennessee

County of Davidson

Sworn to and subscribed before me this **28** day of **June**, 20**23**.

Notary's Signature

My Commission Expires: 7/6/2024

Date

Notary's Seal (if on paper)

ALLISON TAYLOR
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON
MY COMM. EXPIRES 07/06/2026