THIS INSTRUMENT PREPARED BY:
SPENCER FANE LLP
Nashville City Center
511 Union Street, Suite 1000
Nashville, Tennessee 37219

Karen Johnson Davidson County
Batch# 1111332 AFFIDAVITH
03/14/2024 02:23:30 PM 16 pgs
Fees: $82.00 Taxes: $0.00
20240314-0017778

Owners: Naomi M. Scruggs
India K. Scruggs
Devonna Ruth Scruggs-Clark
Angela T. Scruggs

Send tax notice to: 921 Gilmore Avenue
Nashville, TN 37204

Map/Parcel No.: 118-01-0-285.00

AFFIDAVIT OF INHERITANCE (REAL ESTATE)

STATE OF TENNESSEE)
COUNTY OF Davidson)

The undersigned, being duly sworn, deposes and says:

The undersigned, being duly sworn, deposes and says: India Caldwell, a resident of Davidson County, State of Tennessee, who died December 19, 2004, held fee simple interest in the following described real estate:

> Being Lot No. 81 on the Plan of Montrose, of record in Book 57, page 93, Register's Office for said County, as follows:
>
> Said Lot No. 81 fronts 50 feet on the south side of Gilmore Avenue and runs back southwardly between parallel lines 160 feet to an alley.
>
> Being the same property conveyed to India Caldwell, by deed from Lillie Mai Jarrell Carter, of record in Book 4361, page 387, in the Register's Office of Davidson County, Tennessee.

This is improved property, known as: 921 Gilmore Avenue, Nashville, Davidson County, TN 37204.

REFERENCE is made to prior title recorded in Book 4644, page 377, in the Register's Office of Davidson County, Tennessee.

Naomi M. Scruggs, India K. Scruggs, Devonna Ruth Scruggs, and Angela T. Scruggs each received a one-fourth (1/4) tenant in common interest in the real estate described above by virtue of:

Being the beneficiaries of the real estate under the provisions of the decedent's Will, probated in the Probate Court of Davidson County, State of Tennessee, Case No. 24P-186. Certified copies of (i) the Order to Probate Will for Muniment of Title and (2) a copy of the decedent's Will, are attached hereto as Exhibit A.

There are no debts or encumbrances remaining that are or might become a lien on the interest in the described real estate.

THE ABOVE LEGAL DESCRIPTION IS THE SAME AS THAT CONTAINED IN THE PREVIOUS DEED OF RECORD. SUBJECT TO ANY AND ALL PLATS, EASEMENTS, RESTRICTIONS AND OTHER MATTERS OF RECORD. THIS AFFIDAVIT OF INHERITANCE IS PREPARED ON INFORMATION PROVIDED BY THE UNDERSIGNED AND NO EXAMINATION HAS BEEN MADE BY THE PREPARER. PROPERTY IS SUBJECT TO LIENS AND ENCUMBRANCES OF RECORD. THE PREPARER GIVES NO OPINION AS TO TITLE.

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 OF A TESTAMENTARY DEVISE.

ANGELA T. SCRUGGS, ~~Petitioner~~

STATE OF TENNESSEE)
COUNTY OF Davidson)

Before me, a Notary Public, duly appointed, commissioned and qualified in and for the State and County aforesaid, personally appeared ANGELA T. SCRUGGS, Petitioner of the Estate of India Caldwell, the within named bargainor, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence to be the person described in the foregoing, who signed, sealed and delivered the foregoing instrument in my presence, and who, upon oath, acknowledged that she executed the forgoing instrument for the purposes therein contained as his free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal at my office in said County, on this 12 day of March, 2024.

Notary Public

My Commission Expires: 2/20/2028

QIANA L. HAYES
STATE OF TENNESSEE
NOTARY PUBLIC
My Commission Expires on 02/20/2028
WILLIAMSON COUNTY

EXHIBIT A

STATE OF TENNESSEE

I, JOSEPH P. DAY, Clerk of the Circuit Court for Davidson County, do hereby certify that the foregoing is a true and complete copy of the ORDER FOR MUNIMENT OF TITLE heretofore filed in the Seventh Circuit Court (Probate Division) for Davidson County, Tennessee, on the 6TH day of MARCH, 2024, in Docket Number 24P186, IN RE: INDIA SCRUGGS CALDWELL, as same remains of record in the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 6TH day of MARCH in the year 2024 and in the 247 year of American Independence.

JOSEPH P. DAY, Clerk

By: _____
Deputy Clerk

[SEAL]

IN THE SEVENTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE
PROBATE DIVISION

IN THE MATTER OF:	)	
	)	
ESTATE OF	)	**Case No. 24P-186**
INDIA CALDWELL,	)	
	)	
Deceased.	)	

ORDER GRANTING PROBATE OF WILL
AS MUNIMENT OF TITLE ONLY

This matter was set to be heard on **March 6, 2024**. The Court has reviewed the Petition of **ANGELA T. SCRUGGS** to probate the Last Will and Testament of **INDIA CALDWELL** as a muniment of title only. The Court has conducted a hearing if necessary.

The Court finds that all information required by local rule and statute including Tennessee Code Annotated Section 32-2-111 is in the record, that the original Last Will and Testament of **INDIA CALDWELL** has been tendered to the Circuit Court Clerk and it appears upon the representations of counsel that all interested persons were given a copy of the Petition and notice of the hearing.

ANGELA T. SCRUGGS alleges that **INDIA CALDWELL** died having an ownership interest in the following real estate and/or personal property:

> Being Lot No. 81 on the Plan of Montrose, of record in Book 57, page 93, Register's Office for Davidson County, as follows:
>
> Said Lot No. 81 fronts 50 feet on the south side of Gilmore Avenue and runs back southwardly between parallel lines 160 feet to an alley.
>
> Being the same property conveyed to INDIA CALDWELL by deed from LILLIE MAI JARRELL CARTER, of record in Book 4361, page 377, Register's Office for said County.
>
> This is improved property known as 921 Gilmore Avenue, Nashville, Davidson County, Tennessee 37204.

The Court concludes upon consideration of the Petition, witness testimony and arguments of counsel (if applicable) and entire record that the Petition should be granted.

IT IS THEREFORE ORDERED THAT:

1. The Last Will and Testament of **INDIA CALDWELL** is admitted to probate in common form (and not in solemn form) as a muniment of title to the above-described real estate and/or personal property only.

2. An executor shall not be appointed.

3. Letters testamentary shall not be issued.

4. A Notice to Creditors shall not be published.

5. No bond shall be required.

6. No reporting to the Court shall be required.

7. Court costs are taxed to **ANGELA T. SCRUGGS**.

8. This is a final order such that the case shall close upon entry of the order.

{ELECTRONIC SIGNATURE PAGE OF JUDGE OR SPECIAL MASTER ATTACHED}

APPROVED FOR ENTRY:

By: */s/Travis L. Strickler*
Travis Strickler, BPR #041338
511 Union Street, Suite 1000
Nashville, Tennessee 37219
(615) 238-6330
tsrickler@specnerfane.com

Attorney for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing Proposed Order has been served via U.S. Mail, postage prepaid, on this the 15th day of February 2024 upon the following:

Naomi M. Scruggs
3424 Hardwood Drive
Murfreesboro, TN 37129

India K. Scruggs
1400 Sweetbriar Avenue
Nashville, TN 37212

Devona Ruth Scruggs-Clark
4850 Clarksville Pike
Nashville, TN 37218

Angela T. Scruggs
919 Gilmore Avenue
Nashville, TN 37204

Renisha L. McCarter
12457 Falling Leaves Trail
Cumberland, IN 46229

Tashlyn D. Harney
2708 Fairhaven Drive
Indianapolis, IN 46229

/s/ Travis L. Strickler
Travis L. Strickler

Case Title: SCRUGGS V CALDWELL

Case Number: 24P186

Type: FINAL ORDER

The foregoing is hereby ORDERED, ADJUDGED AND DECREED:

Judge Andra Hedrick, Seventh Circuit

STATE OF TENNESSEE

I, JOSEPH P. DAY, Clerk of the Circuit Court for Davidson County, do hereby certify that the foregoing is a true and complete copy of the LAST WILL AND TESTAMENT heretofore filed in the Seventh Circuit Court (Probate Division) for Davidson County, Tennessee, on the 6TH day of MARCH, 2024, in Docket Number 24P186, IN RE: INDIA SCRUGGS CALDWELL, as same remains of record in the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 6TH day of MARCH in the year 2024 and in the 247 year of American Independence.

JOSEPH P. DAY, Clerk

By: _____
Deputy Clerk

[SEAL]

Last Will And Testament of 24P186

FILED
MAR 06 2021
PROBATE COURT CLERK

India Caldwell

I, India Caldwell, a Resident of Davidson County, Tennessee, being of Sound and Disposing Mind and Memory and over the age of (18) years old, do Hereby Make Publish and Declare, This to be my last will and Testament, Hereby Revoking any and all Previous Wills which I may have Heretofore Made.

I

I Hereby Direct that my Personal Representative, hereinafter named, Pay all of my just Debts and obligations as Soon as is legally Possible after my Death.

II

I Hereby Devise and Bequeath all of my Household Goods + House at 921 Gilmore Ave to my Four Granddaughters

Noomie M. Scruggs
India K. Scruggs
Deonna R. Scruggs
Angelea T. Scruggs

To Share and Share alike Equally

my Car goes to my Son Willie J. Scruggs

III

I Hereby Nominate and appoint as Executrix of this Will, Willie Scruggs and Expressly Relieve Him of the Necessity of making Bond for the Performance of his duties as Such Executrix, or filing an Accounting or inventory. in the Event Willie Scruggs

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is unable To Serve as Executrix, I Hereby Nominate and appoint Vonda R. Scruggs To Serve as Executrix of This Will Without The Necessity of Making Bond, or Filing an Accounting or inventory.

India Caldwell

In Witness Whereof, I Have Heretofore Subscribed my name at the Bottom of Each Page of This Will and I Have Declared This To Be my last Will and Testament on This ____ day of ____ 2002, at Nashville Davidson County, Tennessee.

India Caldwell
INDIA CALDWELL TESTATRIX

Signed, Published and declared By The Testatrix India Caldwell to Be Her last will and Testament in the Presence of all of us at one and the Same Time and we at Her Request and in Her presence [redacted] and in the Presence of Each Others, after Testatrix Signed First have Hereunto Subscribed our names as we do Hereby attest To the Sound and Disposing Mind of the Testatrix and to the Performance of the Aforementioned act of Execution at the Place and on the date hereinabove Set out.

Witness

Witness

202403140017778

STATE OF TENNESSEE

****

IN RE: ***INDIA SCRUGGS CALDWELL***

Docket No: ***24P186***

I, JOSEPH P. DAY, Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the document heretofore entered in the above styled case on March 1, 2024 in the Seventh Circuit Court for Davidson County, Tennessee, as same remains of record in the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, on March 6, 2024.

JOSEPH P. DAY CIRCUIT COURT CLERK

JOSEPH P. DAY, Clerk,

By: _____

Deputy Clerk

IN THE CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE
PROBATE DIVISION

IN RE: ESTATE OF INDIA CALDWELL, DECEASED) Case No. 24P-186

AFFIDAVIT OF ATTESTING WITNESS

STATE OF Tennessee)
COUNTY OF Davidson)

Before me, a Notary Public, personally appeared ROLLIE MCADOO, the affiant, who can attest to the handwriting of INDIA CALDWELL, deceased, pursuant to T.C.A. § 32-1-105, and after being duly sworn says as follows:

I was personally acquainted with the Decedent during her lifetime. I am a disinterested person regarding the Decedent's Last Will and Testament, and I will not receive any personal inurement upon the Probate of Decedent's Last Will and Testament for Muniment of Title.

During the Decedent's lifetime, I had numerous occasions to observe samples of the Decedent's handwriting and signature. Based on my personal knowledge of the Decedent's handwriting, I attest that the entirety of the Last Will and Testament is written in the Decedent's handwriting and the signature on the final page of the Last Will and Testament is that of the Decedent.

Michael Corbett Notary Public State of Tennessee Davidson County

Rollie McAdoo
ROLLIE MCADOO

Sworn to and subscribed before me this 22 day of February, 2024.

Notary Public

My commission expires: 5/9/2026

STATE OF TENNESSEE

****

IN RE: ***INDIA SCRUGGS CALDWELL***

Docket No: ***24P186***

I, JOSEPH P. DAY, Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the document heretofore entered in the above styled case on March 1, 2024 in the Seventh Circuit Court for Davidson County, Tennessee, as same remains of record in the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, on March 6, 2024.

JOSEPH P. DAY CIRCUIT COURT CLERK

JOSEPH P. DAY, Clerk,

By: _____

Deputy Clerk

IN THE CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE
PROBATE DIVISION

IN RE: ESTATE OF INDIA CALDWELL, DECEASED) Case No. 24P-186

AFFIDAVIT OF ATTESTING WITNESS

STATE OF Tennessee)
COUNTY OF Davidson)

Before me, a Notary Public, personally appeared JANICE M. SMITH, the affiant, who can attest to the handwriting of INDIA CALDWELL, deceased, pursuant to T.C.A. § 32-1-105, and after being duly sworn says as follows:

I was personally acquainted with the Decedent during her lifetime. I am a disinterested person regarding the Decedent's Last Will and Testament, and I will not receive any personal inurement upon the Probate of Decedent's Last Will and Testament for Muniment of Title.

During the Decedent's lifetime, I had numerous occasions to observe samples of the Decedent's handwriting and signature. Based on my personal knowledge of the Decedent's handwriting, I attest that the entirety of the Last Will and Testament is written in the Decedent's handwriting and the signature on the final page of the Last Will and Testament is that of the Decedent's.

Janice M Smith
JANICE M. SMITH

Sworn to and subscribed before me this 23rd day of February, 2024.

Jessica J Matthews
Notary Public

My commission expires: Jan. 11, 2026

JESSICA J. MATTHEWS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires Jan. 11, 2026

CERTIFICATE OF AUTHENTICITY

I, Travis Strickler 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 March 14, 2024 (date of document).

Affiant Signature

3-14-24
Date

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Sworn to and subscribed before me this 14th day of March, 2024.

Notary's Signature

My Commission Expires: 11-2-2026

DIAHANN M. KEETON
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY