Karen Johnson
Batch # 1165659
08/02/2024 09:51:13 AM
Fees: $57.00 Taxes: $0.00

Davidson County
AFFIDAVITH
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20240802-0058739

This instrument was prepared by:
JEFFREY N. KUYENDALL, Esq.,
P.O. Box 160154
Nashville TN 37216
615-972-9419

GRANTEE(S): **DEBORAH K. TURNER** and **JAMES M. THOMPSON, JR.,**
SEND TAX NOTICES TO: 2609 FLAMINGO DR. NASHVILLE, TN 37207; 812 WOODLAND DR. NEW JOHNSONVILLE, TN 37134

MAP PARCEL NUMBER: Map 71-8, Parcel 293

AFFIDAVIT OF HEIRSHIP REGARDING VIRGINIA ELIZABETH THOMPSON

STATE OF MISSISSIPPI
COUNTY OF Alcorn

The undersigned, being duly sworn, deposes and states:

1. My full name is CHRISTY MICHELLE COOPER-JONES, and I will refer to myself in this Affidavit as the Affiant.
2. I reside at 2103 Levee Road; Corinth, MS 38834.
3. I have personal knowledge of the matters stated in this Affidavit.
4. On January 18, 2024, VIRGINIA ELIZABETH THOMPSON died at Nashville, TN. I will refer to this person as the Decedent.
5. The real property to which this Affidavit applies is improved property located at 435 Edwin Street; Nashville, TN 37207, in Davidson County, Tennessee, more fully described as: Land in Davidson County, TN, being Lot #85 on the map of Joywood, as of record in Book 4312, Page 110, Register of Deeds Office for said county.

Said Lot 85 fronts 50 feet on the northerly side of Edwin Street and runs back between parallel lines, 175 feet to a dead line.

Being the same property conveyed to James M. Thompson and his wife, Virginia Elizabeth Thompson, by deed from Ross Meadors, Sr., and wife, Lula Meadors, who acquired the property by deed from John A. Bell as Attorney-in-Fact for Mrs. Ethel W. Bell.

6. For prior title, see Book 4223, Page 736, in the Register of Deed's Office of Davidson County, Tennessee.
7. At the time of the Decedent's death, the Decedent resided at and owned the improved property situated at 435 Edwin Street; Nashville, TN 37207 in Davidson County, Tennessee. The Decedent was the sole owner of said property.
8. The Decedent's husband, JAMES M. THOMPSON, SR., pre-deceased the Decedent.
9. The estate of the Decedent is currently administered in a proceeding supervised by a court in Davidson County, Tennessee, in the Probate Court in case no. 24P-469. According to the Probate Court of Davidson County, Tennessee, the Decedent's real property passes to the named devisees outside of the probate case.
10. Facts concerning my relationship to the Decedent are: I was a close friend of the Decedent and her family, am designated as Personal Representative in the Decedent's Last Will and Testament (attached to this Affidavit), and am serving as Personal Representative in the Decedent's estate probate case, at the time of this Affidavit, in the Probate Court for Davidson County, Tennessee.
11. Additional facts pertinent to determine who is legally entitled to the estate of the Decedent at the time of the Decedent's death are: Deborah K. Turner and James M. Thompson, Jr., are the sole surviving children of Virginia E. Thompson (Decedent), and they are both the named

devisees of the Decedent's real property, fee simple and absolute, situated at 435 Edwin Street; Nashville, TN 37207, in the Decedent's Last Will and Testament.

12. This affidavit is executed and intended for the express purpose of being an Affidavit of Heirship, pursuant to T.C.A. §30-2-712, and recorded for the purpose of confirming that ownership of the real property described within this affidavit has vested in the Decedent's children, DEBORAH K. TURNER and JAMES M. THOMPSON, JR.

Personally appeared before me, a Notary Public in and for this county and state, **CHRISTY MICHELLE COOPER-JONES**, the within named affiant, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that she executed the within instrument for the purposes therein contained and not for any fraudulent purpose.

Christy Michelle Cooper-Jones

CHRISTY MICHELLE COOPER-JONES, *Affiant*

Sworn to and subscribed to before me this 22nd day of July, 2024

My Commission expires: 07 / 24 / 2024

STATE OF MISSISSIPPI
MISTY D. STRICKLAND
NOTARY PUBLIC
ID No. 1370
Commission Expires
July 24, 2024
ALCORN COUNTY

Misty D. Strickland

Notary Public

LAST WILL AND TESTAMENT

OF

VIRGINIA ELIZABETH THOMPSON

This instrument prepared by:
Jeffrey N. Kuykendall
Attorney At Law
P.O. Box 160154
Nashville, Tennessee 37216
(615) 972-9419

LAST WILL AND TESTAMENT
OF
VIRGINIA ELIZABETH THOMPSON

I, **VIRGINIA ELIZABETH THOMPSON**, a resident of and domiciled in the City of Nashville, County of Davidson and State of Tennessee, and being of sound mind and disposing memory, do hereby make, publish, and declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils at any time heretofore made by me.

ARTICLE I
Family

(a) Spouse. My husband, **JAMES M. THOMPSON, SR.,** is deceased, and I am currently unmarried.

(b) Children. I have two living children: **DEBORAH K. TURNER** and **JAMES M. THOMPSON, JR.**, both of whom are over the age of majority.

ATICLE II
Debts, Expenses and Taxes

I direct that all my legally enforceable debts (except secured debts, which may be paid or retained in the sole discretion of the Executor), my funeral expenses and the cost of administration of my estate, including any ancillary administration, be paid as soon as may be convenient after my death. My Executor shall pay out of my residuary estate these debts and all estate, inheritance and other death taxes which shall become payable by reason of my death, whether in respect of property passing under this Will or otherwise, as an expense of administration, without apportionment. None of these payments shall be charged to or against any recipient, beneficiary, transferee, or owner of any such property included in my estate.

ARTICLE III
Bequest of Personal Property

Except as set forth below, I give and bequeath all my personal and household effects of every kind including but not limited to furniture, appliances, furnishings, pictures, silverware, china, glass, books, jewelry, wearing apparel, boats, automobiles, and other vehicles, and all policies of fire, burglary, property damage, and other insurance on or in connection with the use of this property, to my children surviving me, **DEBORAH K. TURNER** and **JAMES M.**

V.T.

THOMPSON, JR., in approximately equal shares. If my issue do not agree to the division of the property among themselves, my Personal Representative shall make such division among them, the decision of my Personal Representative to be in all respects final, conclusive, and binding upon my issue.

In the event any child of mine shall not be living at the time of my death, I direct that my surviving child shall take the deceased child's share of my personal property.

After I execute my Will, I may leave a letter, list, or other written document directing the distribution of certain items of my tangible personal property. If I prepare this document, it will be kept with my Will. If I prepare such a document, it is my express desire that my Personal Representative carry out my wishes as expressed therein. In the event that any recipient of such specific items of tangible personal property, contained in such letter, list, or other written document, does not survive me, my Personal Representative shall have the authority to distribute such specific items as he/she sees fit and proper.

ARTICLE IV
Devise of Real Property

I give and devise to my children, **DEBORAH K. TURNER** and **JAMES M. THOMPSON, JR.,** in equal shares, if they shall survive me, in fee simple and absolute, all real property, including but not limited to, real property situated at 435 Edwin Street, Nashville, TN, 37207, and any interest in real property, wherever situated, owned by me at my death.

If my issue do not agree to the division of the real property among themselves, my Personal Representative shall make such division among them, the decision of my Personal Representative to be in all respects final, conclusive, and binding upon my issue.

In the event any child of mine shall not be living at the time of my death, I direct that my surviving child shall take the deceased child's share of my real property, in fee simple and absolute.

ARTICLE V
Residuary Disposition

I give, devise, and bequeath all the rest, residue, and remainder of my property of every kind and description (including lapsed legacies and devises) wherever situated and whether acquired before or after the execution of this Will, absolutely in fee simple to my children in equal shares, share and share alike. In the event any child of mine shall not be living at the time of my death, I direct that my surviving child shall take the deceased child's share of all the rest, residue, and remainder of my property of every kind and description (including lapsed legacies and devises) wherever situated and whether acquired before or after the execution of this Will, absolutely in fee simple.

VJ

ARTICLE VI
Care of Thomas Jeffrey Warren

In the event that **THOMAS JEFFREY WARREN,** a minor who currently resides with me, has not reached the age of majority at the time of my death, and in the event that said minor still resides with me at the time of my death, it is my wish and desire that **JAMES M. THOMPSON, JR.** be given care, custody, and control of **THOMAS JEFFREY WARREN.**

ARTICLE VII
Appointment of Personal Representative

(1) I hereby nominate, constitute, and appoint as Personal Representative of this my Last Will and Testament my friend, **CHRISTY MICHELLE COOPER JONES.**

(2) If the person named above as my Personal Representative should fail to qualify as Personal Representative hereunder, or should for any reason refuse, fail, or cease to act in such capacity, then I nominate, constitute, and appoint my friend, **MICHAEL ROBNETT,** as my alternate Personal Representative.

(3) To the extent permitted by law, no Personal Representative named herein shall be required to furnish bond, file any inventory, or file any accountings with respect to the performance of his/her duties.

(4) My estate shall indemnify and hold harmless the Personal Representative from and against any and all liabilities, losses, damages, and costs, including but not limited to legal fees, surcharges, and penalties, which may arise from the Personal Representative's actions or inactions performed in the capacity as Personal Representative, except for those liabilities, losses, damages, and costs which may arise as a result of the Personal Representative's bad faith, gross negligence, and/or willful misconduct.

(5) Whenever the word "Personal Representative" or any modifying or substituted pronoun therefor is used in this my Will, such words and respective pronouns shall include both the singular and the plural, the masculine, feminine, and neuter gender thereof, and shall apply equally to the Personal Representative named herein and to any successor or substitute Personal Representative acting hereunder, and such successor or substitute Personal Representative shall possess all the rights, powers and duties, authority, and responsibility conferred upon the Personal Representative originally named herein.

ARTICLE VIII
Powers of Personal Representative

In addition to any powers and other related administrative provisions granted or contained elsewhere in the Will, my Personal Representative, in the exercise of reasonable discretion with respect to all property, both real and personal, at any time forming part of my estate or any trust hereunder, may exercise any and all of the powers set forth in Tennessee Code

V.J.

Annotated Section 35-50-110, to the extent applicable, all of which provisions and powers are incorporated herein by reference as fully as if copied herein verbatim (as set out in said statute on the date of the execution of my Will), even if said statute be amended or repealed hereafter and even if my estate or any trust hereunder be administered in a state other than Tennessee.

ARTICLE IX
Definitions Relating to Family

Definitions of Family. The following definitions shall be used to define the family:

Definition of Children. For purposes of this Will, "children" means the lawful descendants in the first degree of me, the testator. The terms "child," "children," "issue," "descendant," and "descendants" or those terms preceded by the terms "living" or "then living" shall include the lawful descendants in the first degree of me, the Testator.

ARTICLE X
Will Contests

(3) **Impact on Beneficiary of Action Taken by Beneficiary.** If any beneficiary under this Will, singly or in conjunction with any other person or persons, directly or indirectly, (i) contests in any court the validity of this Will or, in any manner, attacks or seeks to impair or invalidate any of its provisions; (ii) claims entitlement by way of any written or oral contract to any portion of my estate; (iii) unsuccessfully challenges the appointment of any person named as Trustee or successor Trustee, or as Personal Representative or successor Personal Representative of my Last Will and Testament; (iv) objects in any manner to any action taken or proposed to be taken in good faith by the Personal Representative; (v) objects to any construction or interpretation of this Will, or any provision of it, that is adopted or is proposed in good faith by the acting Personal Representative; (vi) unsuccessfully seeks the removal of any person acting as Trustee of any Trust created under this instrument; (vii) files any creditor's claim against my estate (without regard to its validity), whether the claim arose before or after the date of this instrument; (viii) files a petition or other pleading to change the character of any property subject to this Will; (ix) wrongfully claims in any proceeding that any assets held or claimed under this instrument were held as joint with right of survivorship property; (x) files a petition or other pleading seeking to impose a constructive trust or resulting trust on any assets claimed under this Will, or (xi) participates, conspires, or assists with another in any of the previous actions in a manner adverse to this Will, then and in that event that person's right to take any interest given to him or her by or under this Will shall be determined as it would have been determined if the person had predeceased the execution of this instrument without surviving issue.

(4) **Exclusions.** The provisions of this Item shall neither apply to any "qualified disclaimer" by any person of any benefit under this Will nor cause a forfeiture of any distribution otherwise qualifying for either a marital or charitable federal estate tax deduction.

V.T.

(5) Personal Representative Powers. My Personal Representative is hereby authorized to defend, at the expense of my estate, any contest or other attack of any nature on this Will or any of its provisions. All such costs of defense of such action shall be charged to and deducted from the share, if any, of that challenging beneficiary, regardless of whether the challenging beneficiary was successful or not in his or her challenge. If there is no such share, then the defense of this action shall be treated as an administrative expense of my estate.

(6) Severability. In the event that any provision of this Item is held to be invalid, void, or illegal, the same shall be deemed severable from the remainder of the provisions in this Item, and shall in no way affect, impair, or invalidate any other provision in this Item. If such provision shall be deemed invalid due to its scope and breadth, such provision shall be deemed to the extent of the scope and breadth permitted by law.

ARTICLE XI
Simultaneous Death

In the event that any beneficiary and I shall die simultaneously or under such circumstances as to render it impossible or difficult to determine which predeceased the other, it shall be presumed conclusively for all purposes of my Will that the beneficiary predeceased me.

ARTICLE XII
Savings

Should any provision or clause in my Will be determined to be contrary to the laws of the State of Tennessee, I hereby direct that such provision or provisions be construed to conform to state law in accordance with my expressed desires.

IN WITNESS WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament, consisting of this and the preceding five (5) printed pages and the following two (2) printed pages (Witnesses' signatures and the Affidavit), in the presence of the individuals witnessing it at my request, on this the 14th day of March, 2023.

Virginia Thompson

VIRGINIA ELIZABETH THOMPSON, Testator

V. T.

(This space intentionally left blank. Witness signatures contained on the following page.)

Signed and declared by the Testator, **VIRGINIA ELIZABETH THOMPSON**, 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 and in the presence of each other, have hereunto subscribed our names as witnesses on the above mentioned date, this attestation clause having been read by us and we have noted that the events herein enumerated took place as stated.

WITNESSES:

Samuel E Woodside
(signature)

Samuel E. Woodside
(print name)

ADDRESSES:

904 Beechmont Place
Nashville, Tennessee
37206

Martha Woodside
(signature)

Martha Woodside
(print name)

904 Beechmont PL
Nashville, TN 37206

(This space intentionally left blank. Affidavit contained on the following page.)

AFFIDAVIT

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The undersigned persons, after having first been duly sworn according to law, depose and state as follows:

1. That they are adult citizens and residents of the State of Tennessee.

2. That they witnessed the execution of the Last Will and Testament of **VIRGINIA ELIZABETH THOMPSON**, dated the 11th day of March, 2023, to which this Affidavit is attached, and that this Affidavit is being made at the request of the Testator and in accordance with the provisions of Tennessee Code Annotated Section 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 request of the Testator, and in her presence, and in the presence of each other, at the place and on the date recited in the Last Will and Testament of **VIRGINIA ELIZABETH THOMPSON.**

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

5. That at the time they witnessed the said Last Will and Testament of **VIRGINIA ELIZABETH THOMPSON**, the Testator was, in their opinion, of sound mind.

Witness: Samuel E Woodside

Print Name: Samuel E. Woodside

Address: 904 Beechmont Place
Nashville, Tennessee
37204

Witness: Martha Woodside

Print Name: Martha Woodside

Address: 904 Beechmont Pl
Nashville TN 37204

SWORN TO AND SUBSCRIBED before me by the persons whose signatures are affixed hereto on this 11 day of March, 2023.

APRIL RAY
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

Notary Public
My Commission Expires:

My Commission Expires
January 6, 2025