Prepared by:
Bennett & Pressley, P. C.
2055 N. Mt. Juliet Road, Suite 202
Mt. Juliet, TN 37122

Prior Recorded Documents References:
Quitclaim Deed, Instrument No. 20021010-0124079
Final Decree, Instrument No. 20230531-0040993
Register's Office for Davidson County, Tennessee

AFFIDAVIT OF HEIRS

Karen Johnson Davidson County
Batch# 1234310 AFFIDAVITH
02/05/2025 11:10:30 AM 3 pgs
Fees: $17.00 Taxes: $0.00
20250205-0008747

STATE OF TENNESSEE)
COUNTY OF WILSON)

Come Kenneth Baxter, Sandra Randall, and Shelia Gad (the "Affiants"), being first duly sworn according to law, being of lawful age, and do hereby swear to the following of our own free will and based upon our personal knowledge and familiarity:

1. Our father, Fred Baxter, (the "Decedent"), was born on November 25, 1933, and died on February 26, 2013 in Davidson County, Tennessee at the age of 79 years. He was a resident of Davidson County, Tennessee at the time of his death.

2. The Decedent was unmarried at the time of his death. Decedent was predeceased by his first wife, Marguerite E. Baxter, who was our Mother. Decedent was thereafter married to Althea Louise Baxter and was divorced from her by Final Decree of the Davidson County Circuit Court in Civil Action Number 92D-2556 dated November 20, 1992 and recorded in Book 8930, Page 6 in the Register's Office for Davidson County, Tennessee. This Final Decree vested sole title to the real property now known as 8366 Riley Adcock Road in Davidson County, Tennessee in Decedent, same being described as Tract 2 in the Final Decree and consisting of 19.59 acres, more or less (the "Property"). Thereafter Decedent married Evelyn Kay Baxter ("Evelyn") and by Quitclaim Deed of record in Instrument No. 20021010-0124079 in said Register's Office conveyed the Property to Evelyn and himself as tenants by the entireties. Subsequently, Decedent and Evelyn were divorced by Final Decree of the Circuit Court for Marion County, Tennessee in Case No. 17625 entered on August 10, 2009 nunc pro tunc to April 2, 2009 (the "Marion County Decree"). The Marion County Decree was recorded in Instrument No. 2023053100040993 in the Register's Office for Davidson County, Tennessee, on May 31, 2023, after the death of Evelyn which occurred on November 15, 2022. The Marion County Decree provided that Evelyn was to receive a portion of the Property consisting of 12 acres, more or less and pole barn thereupon (the "Evelyn Parcel"), and Decedent was to receive the remainder of the Property consisting of 5 acres, more or less and trailer thereupon (the "Decedent Parcel"). However, the Marion County Decree provided that Decedent would bear the cost of a survey to effectuate the above-described division of the Property, and that Decedent and Evelyn would then execute Quitclaim Deeds vesting Decedent with sole title in the Decedent Parcel and Evelyn with sole title in the Evelyn Parcel, which was not done.

3. Upon Decedent's death on February 26, 2013, Decedent being unmarried at that time, Decedent was survived by us, his three (3) adult children. Decedent never had any other children, neither natural born nor adopted. No last will and testament of Decedent was ever found, and accordingly we believe Decedent to have died intestate, with the three (3) of us, Kenneth Baxter, Sandra Randall, and Shelia Gad, being his heirs at law entitled to shares of one-third (1/3) each of all of his real and personal property, including his interest in the Property described above, specifically in the Decedent Parcel.

4. Upon information and belief, Evelyn died on November 15, 2022 in Coffee County, Tennessee while residing there, leaving a last will and testament ("Evelyn's Will") that, among other things, devised and bequeathed all of her property to her son, Rodney T. Sullivan. Evelyn's Will was admitted to probate by the Chancery Court for Coffee County, Tennessee in Docket No. 23PR-116. Accordingly, any remaining interest of Evelyn in the Property was inherited by her son, Rodney T. Sullivan, pursuant to Evelyn's Will.

5. A survey performed by Anthony T. Bollinger R.L.S. TN LIC. No. 2095 dated November 1, 2023 determined the Decedent Parcel to effectuate the Marion County Decree as being 5.25 acres, more or less, as described in Quitclaim Deed from us to ourselves dated February 12, 2024 and recorded on February 12, 2024 in Instrument No. 20240212-0009631 in the Register's Office for Davidson County, Tennessee. That Quitclaim Deed referenced the Map/Parcel as part of Parcel ID # 004 00 0 020.00 which was the entirety of the Property, and subsequently the Davidson County Assessor's Office assigned the part of the Property described by this Quitclaim Deed as Parcel ID # 004 00 0 228.00.

6. Pursuant to the foregoing, we aver and believe that we, Kenneth Baxter, Sandra Randall, and Shelia Gad are the owners of the above-described Decedent Parcel in equal shares of one-third (1/3) each as tenants in common, by intestate inheritance from Decedent, subject to any claim of Rodney T. Sullivan due to the previously incomplete performance of survey and Quitclaim Deeds to effectuate the Marion County Decree.

7. We understand that this Affidavit may be filed for record in the Register's Office for Davidson County, Tennessee and May be relied upon by any purchasers, grantees, and insurers of the Decedent's Parcel with respect to marketability of the title held by us, the above-identified heirs at law of Decedent.

DULY EXECUTED, this 5 day of February, 2025.

Kenneth Baxter, Affiant

Sandra Randall, Affiant

Shelia Gad, Affiant

STATE OF TENNESSEE)
COUNTY OF WILSON)

Personally appeared before me, the undersigned, a Notary Public in and for the State and County aforesaid, the within named Kenneth Baxter, Sandra Randall and Shelia Gad, the Affiants, who are personally known to me or proved to be same by satisfactory evidence, and who executed the foregoing instrument, acknowledged that they executed the same as their free act and deed, and that the facts set forth therein are true, correct and complete to the best of their knowledge, information and belief.

Witness, my hand and official seal, this the 5 day of February, 2025.

Commission Expires: 11/16/2028

Notary Public

S. NIXON PRESSLEY STATE OF TENNESSEE NOTARY PUBLIC COUNTY OF WILSON My Commission Expires NOV. 16, 2028

Certificate of Authenticity

I, Anthony N. Greco, 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 the 5th day of February, 2025.

02/05/2025

Anthony N. Greco, Affiant Date

State of Tennessee)
County of Davidson)

Sworn to and subscribed before me this 5th day of February, 2025.

Commission Expires July 17, 2027

Notary Public

