Prepared By and Return to:
Premier Escrow, LLC
4301 Hillsboro Road, Suite 300
Nashville, TN 37215

Karen Johnson Davidson County
Batch# 1333932 AFFIDAVITH
10/15/2025 12:34:30 PM 9 pgs
Fees: $47.00 Taxes: $0.00
20251015-0082104

AFFIDAVIT OF HEIRSHIP

As to
Nancy Smith

STATE OF TENNESSE
COUNTY OF DAVIDSON

On this 14th day of October, 2025, Lester Williams, Jr., "Affiant", who having been duly sworn, deposes and says:

That Affiant understands that this affidavit is given under penalty of perjury for any false information provided herein.

That Affiant is at least eighteen (18) years of age and is a resident citizen of Davidson County, Tennessee residing at 5000 Franklin Pike, Nashville, Tennessee 37220.

The Affiant was personally acquainted with Nancy Smith (also known as Nancy Ruth Williams McDonald Smith), "Decedent", during Decedent's lifetime and was familiar with the Decedent's family history.

The Affiant was the brother of the Decedent.

That the Decedent died on or about **August 15, 2025** and the decedent owned Real Property known as: 5628 Oakes Drive, Brentwood, Tennessee 37027. The legal description is attached hereto as Exhibit A.

The Decedent was unmarried at the time of her death, and the following children are the only children ever born to her or adopted by her: Julia M. Elliott, Jenny M. Calvin and Deborah McDonald Schwiep.

The decedent died leaving a Last Will and Testament executed on December 27, 2022. See attached Exhibit B. In said will, Julia M. Elliott, Jenny M. Calvin and Deborah McDonald Schwiep are the devisees of the real property located at 5628 Oakes Drive, Brentwood, Tennessee 37027. The heirs at law of Nancy Smith and the devisees in her Last Will and Testament are one and the same. There are no other probate assets and the said will was not offered for probate.

Affiant further understands that whoever willfully, corruptly and falsely swears to any statement in any such affidavit known by such person to be false, or about which such person does not have sufficiently definite knowledge to justify the making of such a sworn statement is false, commits a Class E Felony - T.C.A. Section 30-2-712(f). Affiant also understands that these statements may be relied upon by a subsequent lender, settlement agent and or title underwriter/company for the purpose of proceeding with the closing of a loan as well. Affiant further agrees to indemnify any and all parties relying on the statements made herein, that incurs damages arising directly from any false of misleading statement herein made.

FURTHER AFFIANT SAYETH NAUGHT.

Lester Williams, Jr.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Sworn to and subscribed before me this 15th day of October, 2025.

Notary Public

My Commission Expires: _____

KEVIN D. MONTGOMERY
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires

EXHIBIT A

Unit No. 5628 (Parcel No. 14), together with the carport designated No. 5628-C, in BRENTWOOD HALL, a Condominium, a Horizontal Property Regime, located at the corner of Old Hickory Boulevard and Oakes Drive, Brentwood, Davidson County, Tennessee, as shown on the plat of Brentwood Hall, Condominium Apartments, recorded in Instrument No. 20011023-0115309 as amended in Instrument No. 20011031-0118967, Register's Office for Davidson County, Tennessee, and described in a Master Deed recorded in Instrument No. 20011023-0115544, Register's Office for Davidson County, Tennessee, to which reference is hereby made. The easements, restrictive covenants, conditions and regulations imposed upon and relating to the apartments, property, co-owners and tenants of Brentwood Hall, Condominium Apartments, contained in the Master Deed and By-Laws appended thereto, recorded in Instrument Nos. 20011023-0115544 and 20011023-0115545, respectively, Register's Office for Davidson County, Tennessee, and restrictions in Book 4020, Page 59, said Register's Office, are incorporated in this deed by reference and made a part hereof the same as though copied herein.

EXHIBIT B

LAST WILL AND TESTAMENT

OF

NANCY R. SMITH

I, **Nancy R. Smith,** of Brentwood, Davidson County, Tennessee, being of sound mind and of disposing memory, do hereby make and publish this my Last Will and Testament, hereby revoking all Wills and Codicils by me heretofore made, with the intention of disposing of my entire estate in the manner following.

I.

I desire and direct that all my just debts, including funeral expenses, administration expenses and inheritance taxes, including any assessment of such taxes against the proceeds of any insurance on my life, shall be paid by my Executor out of the funds coming into his hands as such Executor.

II.

I direct that my household and personal effects be distributed to my daughters, **Julia Anne McDonald Elliott, Deborah Lou McDonald Schwiep, and Jenny Kay McDonald Calvin.** In the event that any of my daughters predecease me, then I direct my Executor to disburse that deceased daughter's share as he or she deems best after consulting with my surviving daughters.

III.

All the rest and residue of my estate, I give, devise and bequeath, in equal shares, to my daughters, **Julia Anne McDonald Elliott, Deborah Lou McDonald Schwiep, and Jenny Kay McDonald Calvin.** In the event any of my daughters predecease me, then her share shall go to her spouse as of the date I have executed this will, so long as they were married at the death of her death. In the event a daughter and her spouse both predecease me, then that deceased daughter's share shall be distributed equally between the remaining daughters, if living, and if deceased then to the deceased

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daughter's husband at the execution of this will, provided the are still married at her death. In the event that all of my daughters and husbands at the execution of this will predecease me, then my estate shall be divided in equal shares to my heirs at law.

IV.

I hereby nominate and appoint my **Donald K. Elliott**, as Executor of this my Last Will and Testament. In the event he predeceases me, I then nominate and appoint **Jenny Kay McDonald Calvin** as Alternate Executor of this my Last Will and Testament. I hereby request that the Court not require bond on my Executor and/or successor Executor herein named, and I further waive any requirement for any inventory and accountings.

V.

I authorize my Executor (including any successor Executor) in the exercise of reasonable discretion, with respect to all property at any time forming part of my estate, to exercise all or any 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 fully as if copied herein. These powers (as set out in said statute on the date of execution of this Will) are granted, notwithstanding that said statute may be amended hereafter or repealed at the time of my death.

I hereby direct that all real estate owned by me at the time of my death be considered as personal property for purposes of administration of my estate and shall be treated as part of my probate estate. I vest in my Executor the power to sell all real property and convert the same to cash for ease of administration if that is what he deems best in light of the current circumstances as well as considering the requests of any applicable beneficiaries. I authorize the Executor to use his/her judgment as to the method of sale, terms and price of sale without the necessity of any court approval in the event said real property is sold.

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I further hereby expressly authorize and empower the Executor or successor Executor herein named, with respect to my estate, to sell or convey any of my real or personal property, at public or private sale, for cash or on credit and on such terms as may be deemed advisable, to compromise and/or forgive debts and claims, to continue to operate any business in which I may have an interest, and generally to do any acts and execute any documents on behalf of my estate to the same extent and manner as I might do in my lifetime without the necessity of a Court order.

In witness whereof, I have set my hand to this my Last Will and Testament on this the 27th day of December, 2022.

TESTATRIX

The foregoing instrument, consisting of this and two (2) preceding typewritten pages, was signed, published and declared by **Nancy R. Smith** to be her Last Will and Testament in our presence, and we, at her request and in her sight and presence and in the sight and presence of each other have hereunto subscribed our names as attesting witnesses, the day and date above written.

Laura Snell — 4301 Hillsboro Pike Ste 300 NT 37215
WITNESS ADDRESS

WITNESS ADDRESS

Page 3 of my Last Will and Testament NRS

AFFIDAVIT BY WITNESSES TO
LAST WILL AND TESTAMENT

Each of the aforesaid witnesses, being Laura Smith, and Felicia Montgomery subscribe to the foregoing Last Will and Testament of **Nancy R. Smith**, executed on the 27th day of December, 2022, having been requested by the Testator to make and sign this Affidavit, and having first been duly sworn before the Notary Public whose name appears below, hereby state that the said **Nancy R. Smith** was over eighteen years of age, was of sound mind, declared the foregoing instrument to be her Last Will and Testament, published and executed it freely, without undue influence or coercion, by signing each page in the presence of all of us who are present at the same time and we, at her presence and at her request and in the presence of each other, subscribed our names as witnesses on the 27th day of Dec. 2022.

Laura Smith
WITNESS

4301 Hillsboro Pike #300 N, T 37215
ADDRESS

WITNESS

4301 Hillsboro Pk #300, [illegible] NT 37215
ADDRESS

Sworn to and subscribed before me on this the 27 day of Dec., 2022.

My Commission Expires: [illegible]

NOTARY PUBLIC

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Certificate of Authenticity

I, Pamela Mathenery, 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 10/15/25.

Date

Pamela Mathenery

Affiant Signature

10/15/25

Date

State of Tennessee

County of Davidson

Sworn to and subscribed before me this 15 day of October, 2025.

Michelle Osborne

Notary's Signature

MICHELLE OSBORNE
STATE OF TENNESSEE NOTARY PUBLIC
MACON COUNTY
My Commission Expires 3/5/2029

My Commission Expires: 3/5/2029

Date

Notary's Seal (if on paper)