This instrument was prepared in the
office of Barksdale, Whalley, Leaver
mail -7 Gilbert & Frank
SEVENTH FLOOR
Third National Bank Building
Nashville, Tennessee 37219

By J. A. Gilbert

Map 91-15
Par. 243
pw

WARRANTY DEED

Address New Owner and Tax Notices:

Betty H. Carney, Trustee
Suite 914 Watterson City Building
1941 Bishops Lane
Louisville, Kentucky 40218

BOOK 4547 PAGE 372

FOR AND IN CONSIDERATION of the sum of One and No/100 ($1.00) Dollar, cash in hand paid, and love and affection, I, David M. Carney, have this day bargained and sold and do hereby transfer and convey to Betty H. Carney, Trustee, the following tract or parcel of land in Davidson County, Tennessee:

> Being Lot No. 817 in Block 113, Plan No. 1, West Nashville, as of record in Book 57, pages 74 and 75, R.O.D.C., Tenn.
>
> Said lot fronts 25 feet on the north side of Charlotte Avenue, and extends back northwardly between parallel lines 150 feet to an alley in the rear, being a part of the property conveyed to the First Savings Bank & Trust Co., by deed of the State Bank & Trust Co., of record in Book 460, page 264, R.O.D.C., Tenn., and,
>
> Being the same property conveyed to Will Carney and wife, Celia Carney, by deed of record in Book 1085, page 370, R.O.D.C., Tenn., the said Will Carney having since died and the said Celia Carney having thereafter since died, and David M. Carney being the sole heir and legatee under the Last Will and Testament of Celia Carney.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Betty H. Carney, Trustee, who shall hold said properties for the use and benefit of my five children, equally, namely: Marc Wallace Carney, Michael Laurence Carney, Martin Stuart Carney, Marla Ann Carney and Marilyn Beth Carney.

Said properties shall be held by the said Betty H. Carney, Trustee, with full power and authority to sell, subdivide, exchange, improve, mortgage and lease for any period of time, though

extending beyond the term of the trust, in whole or in part, without the consent or joinder of any beneficiary or without the authority of any Court, as he, in her judgment, may deem beneficial for said trust.

Neither the named trustee nor any successor in trust shall be required to give bond or account or report to any Court and the trustee may exercise any and all powers herein granted, authorized or vested in the trustee, in the sole and absolute discretion of the trustee, without obtaining the consent or joinder of any beneficiary or the approval of any court. Wherever the term "trustee" is used herein, it shall apply to the named trustee and any and all successors in trust, unless the context requires otherwise.

The trustee shall divide the net income equally between said beneficiaries. The trustee shall be, and is hereby authorized to collect the rents and shall distribute net rents to the beneficiaries as their respective interests appear, after providing for the payment of taxes, insurance premiums, costs and expenses of maintenance and repair, and of leasing, collecting rents and operating said properties; and, if he sees fitk the trustee may set up and maintain a depreciation account for use in renovating, adding to, or maintaining the properties from time to time. The trustee shall be, and is hereby empowered to execute any and all deeds, contracts, leases, and other paper writings, to bring suit and prosecute claims in connection therewith.

In the event of the sale of said properties, the trustee is to reinvest the proceeds and hold same under the same trust; all grantees or purchasers from said trustee and any mortgagees, lessees, or any other persons dealing with said trustee, or any successors in trust, are hereby completely relieved from any duty or obligation to

see to the reinvestment of the proceeds in any transaction with the trustee, or any successors in trust.

This trust shall terminate as to each child as they attain the age of twenty-one (21) years and as each of my said children attains the age of twenty-one (21) years, they shall be entitled to an undivided equal interest in the corpus and any undivided income of the trust. On termination of the trust, the corpus and any undistributed income or accumulated funds shall be distributed to the then living beneficiaries, as tenants in common. In the event of the death of any one or more of the beneficiaries before the termination of the trust, the interest of such beneficiary shall vest to the date of termination of the trust in the Executor of his or her Last Will and Testament, according to the terms of said Last Will and Testament, or if he or she should die intestate, the interest of such beneficiary shall vest to the date of termination of the trust in his or her heirs and distributees under the laws of intestate succession of the State of Tennessee.

During the existence of said trust, the trustee and said successor trustees shall have such powers hereinabove described, in addition to those provided by law, and shall be excused from performing certain duties required by law as hereinbefore set forth.

Neither the corpus nor the income of said trust in the hands of the trustee or substitute trustee shall be subject to anticipation or assignment, by any beneficiary in any manner whatsoever; nor shall the same be in any way distrained or subjected to payment of any beneficiary's debts, contracts, liabilities or obligations (marital or otherwise) of any nature, and in any event whatsoever by process of law or otherwise.

The trustee shall keep on hand at the place of business of the trustee, or any other place designated by the respective

trustees, convenient for and available to the inspection of the beneficiaries, or the representative of the beneficiaries, during any and all business hours of any business day, full, true and complete records and current accounts, and a full report and accounting shall be furnished each beneficiary each year, or more often, if the trustee so elects.

Should the said Betty H. Carney, Trustee, for any reason fail or cease to qualify or serve or be unwilling to serve as trustee during the term of said trust, Harris A. Gilbert shall be vested with title to the corpus of the trust, as successor trustee, with all power and authority herein vested in the original trustee. Should both said trustee and substitute trustee fail or refuse or cease to serve as such, the beneficiaries, or a majority of them, are authorized to appoint a substitute trustee by an instrument in writing registered in the Register's Office for Davidson County, Tennessee.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Betty H. Carney, Trustee, her successors and assigns, forever, subject to the provisions hereinabove set out.

And I do covenant with the said Betty H. Carney, Trustee, that I am lawfully seized and possessed of said land in fee simple; have a good right to convey it, and the same is unencumbered.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 3rd day of MAY, 1971.

David M. Carney
DAVID M. CARNEY

NOTARY PUBLIC
STATE OF TENNESSEE AT LARGE

B 35253

BOOK 4517 PAGE 376

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IDENTIF. REFERENCE

OCT 22 3 05 PM '71
FELIX [illegible] II REGISTER
DAVIDSON COUNTY, TENN.

STATE OF KENTUCKY]
:
COUNTY OF JEFFERSON]

Personally appeared before me, BERT C. BLIEDEN, a Notary Public in and for the said County and State, the within named DAVID M. CARNEY, the bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS MY HAND and official seal at Louisville, Kentucky, this 13 day of MAY, 1971.

Bert C. Bliedeu
NOTARY PUBLIC

My commission expires:
4-6-72

STATE OF TENNESSEE
COUNTY OF DAVIDSON } The actual consideration or value whichever is greater, for this transfer is $ 15,000

Subscribed and sworn to before me, this the 6 day of May 1971

My commission expires: 11,1972 (Affix Seal)

David M. Carney
Affiant

Notary Public

This is improved property known as 4916 Charlotte Avenue, Nashville, Tennessee.

OCT22	CONV	15,000.00			
OCT22	S'TAX		A*	39.00	
OCT22	PUFEE		A*	.50	
OCT22	WDEED		A*	10.00	* 49.50