This instrument was prepared by Reber Boult, Attorney, 21st Floor First American Center, Nashville, Tennessee 37238

ADDRESS NEW OWNER AS FOLLOWS:

First American National Bank, Trustee
First American Center
Nashville, Tennessee 37238

I, or we, hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater is $11,250.00, which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

Brannon Holdsclaw
Affiant

Subscribed and sworn to before me this the 1st day of Feb 1972

Evelyn P. Ward
Notary Public

118-9
20Ad

DEED

BOOK 4996 PAGE 822

WHEREAS, Dr. Benjamin F. Byrd died, a resident of Davidson County, Tennessee, on January 30, 1972, leaving a Last Will and Testament dated the 29th day of August, 1956, which will has been duly probated in the Probate Court of Davidson County, Tennessee, at Nashville, on the 18th day of February, 1972, a certified copy of said Last Will and Testament being attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, under the terms of said Last Will and Testament, First American National Bank, Nashville, Tennessee, testator's wife, Ida Brister Byrd, and testator's son, Dr. Benjamin F. Byrd, Jr. were named Co-Executors, as well as Co-Trustees, and pursuant to the terms of the Order of Probate, were granted Letters Testamentary upon the Estate of Dr. Benjamin F. Byrd, and have since pursued the administration of said estate; and

WHEREAS, all debts and expenses of said estate have been paid in full and all federal and state taxes have been paid in full, and it is appropriate at this time to make distribution of the assets under administration to the beneficiaries named in said Last Will and Testament; and

WHEREAS, one of the assets of said estate consists of an improved tract of real estate located on Granny White Pike, Davidson County, Tennessee, hereinafter more fully and particularly described; and

WHEREAS, under the terms of said will, testator devised to his wife, Ida Brister Byrd, a portion of his estate equal in value to one-half of the value of his adjusted gross estate, with the remainder of the residue of his estate to be set up in trust, pursuant to Sub-paragraph (B) of Item V of said will, and the subsequent provisions relating thereto, these separate trusts to be for the benefit of testator's grandchildren as named in said Item V; and

WHEREAS, said Co-Executors have determined that said widow, Ida Brister Byrd, is entitled to receive a one-half undivided interest in said real estate in partial discharge of the bequest and devise to

her, and that the other undivided one-half interest is to be distributed by deed to First American National Bank, of Nashville, Ida Brister Byrd, and Dr. Benjamin F. Byrd, Jr., as Trustees of the trusts described in said Item V of said will, to be held and administered pursuant to the terms and conditions relating to said trusts, and for the benefit of the respective beneficiaries thereof; and

WHEREAS, Ida Brister Byrd desires to make a gift of her said undivided one-half interest in said real property to said Trustees, to be held and administered for the benefit of said beneficiaries.

NOW, THEREFORE, in consideration of the premises, and of the considerations represented thereby, which are acknowledged to be substantial and valuable, we, First American National Bank, Ida Brister Byrd, and Dr. Benjamin F. Byrd, Jr., Co-Executors of the Estate of Dr. Benjamin F. Byrd, do hereby bargain and sell, and by these presents do transfer and convey unto the said Ida Brister Byrd an undivided one-half interest in and to a certain tract or parcel of land in Davidson County, state of Tennessee, more particularly described as follows:

> Being the northwestern corner of Lot No. 16 in O. F. Noel's Subdivision of land, being known as Noelton, not of record, and being more particularly described according to a plat, survey and measurements made in August, 1922, by W. B. Southgate as follows:
>
> BEGINNING at the northwest corner of John Lellyett's lot, fronting on Fourth Street, running thence westerly with the southern margin of Fourth Street 458 feet to the southeast corner of the intersection of Fourth Street and Granny White Road; thence southerly with the east margin of Granny White Road 185-1/2 feet to a stake; thence easterly 457 feet to the southwest corner of said Lellyett's lot; thence northerly with the line of Lellyett's lot 187-1/2 feet to the beginning point.
>
> Being the same property conveyed by deed from Oscar F. Noel and John H. Noel, Trustees, to B. F. Byrd (being one and the same person as Dr. Benjamin F. Byrd) dated the 12th day of September, 1922, and recorded the 25th day of July, 1924, in Book 644, page 373, R.O.D.C., Tennessee.

TO HAVE AND TO HOLD the said one-half undivided interest in the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Ida Brister Byrd, her heirs and assigns, forever.

Furthermore, and for the consideration stated above, we, First American National Bank, Ida Brister Byrd, and Dr. Benjamin F. Byrd, Jr., Co-Executors of the Estate of Dr. Benjamin F. Byrd, do hereby bargain and sell, and by these presents do transfer and convey unto the said First American National Bank, Ida Brister Byrd, and Dr. Benjamin F. Byrd, Jr., Trustees under the Will of Dr. Benjamin F. Byrd, an undivided one-half interest in and to a certain tract or parcel of land in Davidson County, State of Tennessee, this being the other undivided one-half interest in and to the property more particularly just described above.

TO HAVE AND TO HOLD the said undivided one-half interest in the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said First American National Bank, Ida Brister Byrd, and Dr. Benjamin F. Byrd, Jr., as Trustees under the Will of Dr. Benjamin F. Byrd, their successors and assigns forever.

Furthermore, and for the consideration above stated, I, Ida Brister Byrd, individually, do hereby bargain and sell, and by these presents do transfer and convey unto the said First American National Bank, Ida Brister Byrd, and Dr. Benjamin F. Byrd, Jr., Trustees under the Will of Dr. Benjamin F. Byrd, the undivided one-half interest just above deeded to me by said Co-Executors as a distribution to me under the will of my late husband, Dr. Benjamin F. Byrd, this being the same property hereinabove described, and end result of this deed being that all of the legal right, title and interest in and to said property will be vested in First American National Bank, Ida Brister Byrd, and Dr. Benjamin F. Byrd, Jr., as Trustees under the Will of Dr. Benjamin F. Byrd, to be administered pursuant to the terms and conditions of the trusts contained in the Last Will and Testament of Dr. Benjamin F. Byrd, in Sub-paragraph (B) of Item V thereof.

Furthermore, I, Ida Brister Byrd, execute this instrument individually, not only to re-convey my said undivided one-half interest to the Co-Trustees, as aforesaid, but to release and relinquish any right or claim which I might have against my said husband'd

estate as his surviving widow, or under his Last Will and Testament, to the undivided one-half interest conveyed above by the Co-Executors to themselves as Co-Trustees.

TO HAVE AND TO HOLD all the right, title and interest in said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said First American National Bank, Ida Brister Byrd, and Dr. Benjamin F. Byrd, Jr., Co-Trustees under the Last Will and Testament of Dr. Benjamin F. Byrd, their successors and assigns forever.

And we, as Co-Executors, do covenant with the said Co-Trustees that we are lawfully seized and possessed of said land in fee simple as Co-Executors, have a good right to convey it as Co-Executors, and the same is unencumbered, except for current taxes, which are assumed by the Co-Trustees.

We, First American National Bank, Ida Brister Byrd, and Dr. Benjamin F. Byrd, Jr., as Co-Executors, do further covenant and bind ourselves and our successors, to warrant and forever defend the title to said land, insofar as our fiduciary capacity as Co-Executors is concerned, to said Co-Trustees, against the lawful claims of all persons whomsoever who may claim by, through or under us as Co-Executors, but no further or otherwise.

And I, Ida Brister Byrd, likewise covenant that I am lawfully seized and possessed of the undivided one-half interest hereinabove conveyed by me to said Co-Trustees, have a good right to convey it, and the same is unencumbered, and do further covenant and bind myself, my heirs and representatives, to warrant and forever defend said undivided one-half interest in said land to the said Co-Trustees, their successors and assigns, against the lawful claims of all persons whomsoever who may claim by, through or under me, but no further or otherwise.

WITNESS our hands this 30th day of January, 1976.

FIRST AMERICAN NATIONAL BANK

By Brannon Huddleston
VICE PRES. & TRUST OFFICER Co-Executor

D 36064

IDENTIF. T REFERENCE

FEB 13 1 25 PM '76

FELIX E. ... REGISTER
DAVIDSON COUNTY, TENN.

BOOK 4956 PAGE 826

Ida Brister Byrd
Ida Brister Byrd Co-Executor

Benjamin F. Byrd, Jr.
Dr. Benjamin F. Byrd, Jr. Co-Executor

Ida Brister Byrd
Ida Brister Byrd, Individually

STATE OF TENNESSEE

FEB 13 76 CONV 11,250.00
COUNTY OF DAVIDSON FEB 13 76 S TAX B* 29.12
FEB 13 76 PR FEE B* .50
FEB 13 76 [illegible] 23.00 * 55.62

Before me, Evelyn N. Smith, a Notary Public within and for the State and County aforesaid, personally appeared Freeman Winchester, with whom I am personally acquainted, and who upon his oath acknowledged himself to be the [illegible] of First American National Bank, the within named bargainor, a corporation, and that he as such VICE PRES. & TRUST OFFICER, being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by himself as VICE PRES. & TRUST OFFICER.

WITNESS my hand and official seal at Nashville, Tennessee, this 30th day of January, 1976.

Evelyn N. Smith
Notary Public
My commission expires: 7-30-79

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Personally appeared before me, Mrs. Glen Locke, a Notary Public within and for the State and County aforesaid, the within named Ida Brister Byrd and Dr. Benjamin F. Byrd, Jr., as Co-Executors, the bargainors, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, this 26th day of January, 1976.

Mrs. Glen Locke
Notary Public
Aug 14-1976
My commission expires:

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Personally appeared before me, Mrs. Glen Locke, a Notary Public within and for the State and County aforesaid, the within named Ida Brister Byrd, individually, the bargainor, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, this 26th day of January, 1976.

Mrs. Glen Locke
Notary Public
Aug 14-1976
My commission expires:

LAST WILL AND TESTAMENT OF DR. BENJAMIN F. BYRD

I, DR. BENJAMIN F. BYRD, a resident of Davidson County, Tennessee, being of sound mind and disposing memory, do make, declare and publish this my Last Will and Testament, hereby revoking all former wills and codicils to wills heretofore made by me.

I

I direct my Executors to pay out of my estate all of my just debts, including the expenses of my last illness and funeral expenses.

II

I give and bequeath all of my clothing, jewelry, books, pictures, articles of personal use or diversion, automobiles, household goods, possessions, furniture, furnishings and equipment (if I own any articles of said description at my death) to my wife, Ida Brister Byrd.

III

I give, devise and bequeath to my wife, Ida Brister Byrd, if she survives me, a portion of my estate equal in value to (a) one-half of the value of my adjusted gross estate (gross taxable estate, less funeral and administration expenses, and claims and debts, but before the deduction of estate or inheritance taxes) as finally determined for Federal estate tax purposes, less (b) the value of all interests in property, if any, which pass or have passed to my wife under other provisions of this Will, or otherwise than under this Will, but only to the extent that such interests are for the purpose of the Federal estate tax included in determining my gross taxable estate and allowed as a marital deduction. All values shall be those finally determined for Federal estate tax purposes.

I hereby nominate, constitute and appoint my wife, Ida Brister Byrd, and my son, Dr. Benjamin F. Byrd, III, and the survivor of them, together with the First American National Bank in Nashville, Tennessee, as Executors of and Trustees under this Will. I direct that my Executors and Trustees shall be permitted to serve in either or both of these capacities, whether in the State of Tennessee or elsewhere, without being required to give any bond or other security for the faithful performance of their duties as such. Any authority, discretion or power conferred upon my Executors and Trustees by this Will may be exercised by such of them as shall qualify and be acting hereunder as Executors or Trustees from time to time and by the survivor and by the successor or successors of them.

V

All the rest, residue and remainder of my estate, real, personal and mixed, of whatever nature and wherever situate, I give, devise and bequeath to my Trustees in trust for the following purposes:

(A) The Trustees shall set aside the sum of TWENTY-FIVE THOUSAND DOLLARS ($25,000.00) in a separate trust for the benefit of my grandson, Benjamin F. Byrd, III, which trust shall continue until my said grandson, Benjamin F. Byrd, III, reaches twenty-one (21) years of age, at which time this trust shall cease and the funds remaining in the trust shall be paid to him outright.

(B) The Trustees shall set aside the remainder of the residue of my estate in separate trusts for my grandchildren, Benjamin F. Byrd, III, Barney Duncan Byrd, Damon Winston Byrd, Andrew Wayne Byrd, and Evelyn Brister Byrd, and any other grandchildren of mine living at the time of my death. It is my will that my grandson, Benjamin F. Byrd, III, be a beneficiary under both of the trusts hereinabove referred to, and such action on my part has not been an inadvertence.

(1) The income from each trust created under the foregoing Section V, Sub-Section (B) of this Will, shall be accumulated for

Dr. Benjamin F. Byrd

the respective grandchildren until the youngest of said grandchildren shall have attained the age of twenty-one (21) years, at which time this trust shall terminate, and the funds then remaining in each of the separate trusts shall be distributed to each grandchild then living. In the event any grandchild should die before the termination of this trust, the funds remaining in his or her trust shall be divided equally and added to the trusts of the surviving grandchildren.

(2) For the purposes of any of the trusts constituting my residuary estate, the following shall apply:

Any income payable to any beneficiary during the existence of this trust may be within the sole discretion of the Trustees, accumulated for his benefit, or applied to his support or education. In the event of emergency, the Trustees may, within their sole discretion, apply any portion of the corpus of any trust to the support or education of the beneficiary then entitled to the income of such trust.

Mr. Benjamin F. Byrd

VI

My Executors and Trustees, and the survivor and successor or successors of them, shall have the following powers, which may be exercised by them in either or both capacities, as they shall deem necessary:

(a) To hold and retain all or any part of my estate or any trust created hereby, in the form in which the same may be at the time of my decease, or at the time of the receipt thereof by my Trustees from my Executors, as long as in the exercise of their discretion it may be advisable so to do.

(b) To sell and dispose of any personal property in my estate or any trust created hereby at public or private sale, upon such terms, including sales on credit, with or without security, in such manner, and at such prices, as they may in their discretion determine.

(c) To invest and reinvest any funds in my estate or any trust created hereby in any stocks, whether common or preferred, bonds,

obligations, secured or unsecured, securities, mortgages, interests in any of the foregoing, and any other real or personal property of any kind or nature, without being limited or restricted to investments prescribed or authorized for executors or trustees by the laws of Tennessee or any other state, it being my intention to give my Executors and Trustees the same power of investment and reinvestment which I might myself possess in the management of my property.

(d) To make any loans, either secured or unsecured, in such amounts, upon such terms, at such rates of interest, and to such persons, firms, or corporations as in the exercise of their discretion they may determine.

(e) To sell, exchange, partition, or otherwise dispose of any and all real estate of which I may die seized, or which at any time may form part of my estate or any trust created hereby, either at public or private sale, and upon such terms and in such manner as in the exercise of their discretion they may determine; to mortgage any such property in such amounts and on such terms as in the exercise of their discretion they may determine; to lease any such property for such term or terms, and upon such conditions and rentals, and in such manner, as in the exercise of their discretion they may determine, irrespective of whether the term of any such lease shall exceed the period permitted by law or the probable period of any trust created hereby, and to renew or modify any such leases; and to execute the necessary instruments and covenants to effectuate the foregoing powers; to make repairs, replacements, and improvements, structural or otherwise, on any such property, and to charge the expense thereof to principal or income, as in the exercise of their discretion they may determine.

Mr. Benjamin F. Lynd

(f) To borrow money for any purpose in connection with the administration of my estate, or any trust created hereby; to execute promissory notes, mortgages, or other obligations for amounts so

borrowed, and to secure the payment of any or all amounts so borrowed by mortgage or pledge of any property at any time forming part of my estate or of any trust created hereby.

(g) To renew or extend the time of payment of any obligation, secured or unsecured, payable to or by my estate, or any trust created hereby, f r as long a period or periods of time, and on such terms, as in the exercise of their discretion they may determine, and to adjust, settle, compromise and arbitrate claims or demands in favor of or against my estate or any trust created hereby, upon such terms as in the exercise of their discretion they may determine.

(h) In respect of any securities forming part of my estate or any trust created hereby, to join in or become a party to any reorganization, readjustment, merger, voting trust, consolidation, or exchange, and to deposit any such securities with any committee, depositary, or trustee, and to pay out of my estate or any trust created hereby any and all fees, expenses, and assessments incurred in connection therewith, and to charge the same to principal or income as in the exercise of their discretion they may determine; to exercise conversion, subscription, or other rights, and to receive and hold any new securities issued as a result of any such reorganization, readjustment, merger, voting trust, consolidation, exchange, or exercise of conversion or subscription rights; to vote upon any proposition or election at any meeting of stock or security holders, and to grant proxies, discretionary or otherwise, to vote at any such meeting; and generally to take any and all action in respect of any such securities as they might or could do as absolute owners thereof.

(i) Upon the occasion w en they are required to distribute or divide my estate or any trust created hereby, to make such distribution or division in kind, or partly in kind, and partly in money.

Mr. Benjamin F. Lynch

(j) To apportion extraordinary and stock dividends received by them between income and principal in such manner as in the exercise of their discretion they may determine.

(k) In making investments with or out of funds constituting my estate or any trust created hereby, to pay premiums thereon or therefor, and they shall not be required to amortize such premiums.

(l) To hold and administer the trusts created hereby in one or more consolidated funds, in whole or part, in which the separate trusts shall have undivided interests.

(m) To employ attorneys, accountants, agents, custodians, clerks, investment counsel, and such other persons as they may deem necessary in the administration of my estate and any trust created hereby, and to make such payments therefor as they may deem reasonable and proper, and to delegate to such persons any discretion which they may deem proper.

(n) To exercise all of the powers conferred upon them by this Will with respect to all accumulations of income directed to be made in this Will.

Mr. Benjamin F. Lyall

VII

All estate, inheritance, transfer, legacy or succession taxes or death duties which may be assessed or imposed with respect to my estate, or any part thereof, wherever situated, whether or not passing under my Will, including the taxable value of all policies of insurance on my life, and of all transfers, powers, rights or interests, includable in my estate for the purpose of such taxes and duties, shall be paid out of any residuary estate as an expense of administration and without apportionment. For this purpose, if my wife shall survive me, my residuary estate shall be the portion of my estate hereinabove described in Section V, Sub-Section (B).

This Will is written on seven (7) typewritten pages which have been attached together, and on each of which, for identification purposes, I have signed my name.

IN WITNESS WHEREOF, I, Dr. Benjamin F. Byrd, have hereunto set my hand to this my Last Will and Testament, at Nashville, Tennessee, this 29 day of August, 1956.

Dr. Benjamin F. Byrd

Signed, sealed, published and declared by the testator, Dr. Benjamin F. Byrd, to be his Last Will and Testament in the presence of all of us at one and the same time, and we, at his request and in his presence, and in the presence of each other, have hereunto signed our names as witnesses, and we do hereby attest to the sound and disposing memory of said Testator and to the performance of the aforesaid act of execution at the place and on the date hereinabove set out.

Eugene A. Smith Name	835 Forest Acres Dr. Address
Kenneth F. Haas Name	809 No. 16th Street Address
J. C. Baxter Name	444 Lucinda St. Address

BOOK 4996 PAGE 834

STATE OF TENNESSEE, DAVIDSON COUNTY

I, ROBERT E. WORRALL, Clerk of the County Court of Davidson County, State aforesaid, do certify that the foregoing is a full, true and complete copy of Last Will and Testament of Dr. Benjamin F. Byrd, Deceased, being probated February 8, 1972 and entered in Minute Book 220, Page 397, and recorded in Will Book 102, Page 608 *which remains of record on file in said office.*

Given under my hand and official seal, at office, in Nashville, this 9th *day of* January *19*76.

DAVIDSON COUNTY COURT SEAL TENNESSEE

R. E. Worrall
Clerk of the County Court.

By Juanita L. Vaughan
Deputy Clerk.