Prepared by: Frank M. Kirchner
Valley Ridge Drive

DACEY TRUST

DT-103

Declaration of Trust

BOOK 7237 PAGE 289

WHEREAS, I, Grac W. Mason, of the City/~~Town~~ of Nashville, County of Davidson, State of Tennessee, am the owner of certain real property located at (and known as) 3101 Wingate Ave., in the City/~~Town~~ of Nashville, State of Tennessee, which property is described more fully in the Deed conveying it from Wrenne Mortgage & Realty Co. to David L. Mason & wife, Grace, as "that certain piece or parcel of land with buildings thereon standing, located in said Nashville, being

on the westerly margin of Wingate Avenue the common corner of Lots Nos. 30 and 31; thence with the line between said lots westerly 160 feet to the easterly line of Lot "D"; thence with the easterly line of said lot northerly 65 feet to the southerly margin of Radnor Avenue, as extended; thence with the southerly margin of said Avenue easterly 145 feet to the beginning of a curve; thence around said curve scutheasterly 31.3 feet to the westerly margin of Wingate Avenue; thence with the margin of same southerly 44.74 feet to the beginning.

26.00

IDENTIFICATION REFERENCE

MAY 15 8 57 AM '67

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

Being the same premises earlier conveyed to the Settlor by an instrument dated May 10, 1967 and recorded in Vol. 116, Page 385 of the Davidson County Land Records.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that I do hereby acknowledge and declare that I hold and will hold said real property and all my right, title and interest in and to said property and all furniture, fixtures and personal property situated therein on the date of my death, IN TRUST

1. For the use and benefit of the following two (2) persons, in equal shares, or the survivor of them/~~per stirpes~~

Alyce M. Kirchner - my daughter
David L. Mason Jr. - my son

05/15 5.00 CASH

If because of my physical or mental incapacity certified in writing by a physician, the Successor Trustee hereinafter named shall assume active administration of this trust during my lifetime, such Successor Trustee shall be fully authorized to pay to me or disburse on my behalf such sums from income or principal as appear necessary or desirable for my comfort or welfare. Upon my death, unless all the beneficiaries shall predecease me or unless we all shall die as a result of a common accident or disaster, my Successor Trustee is hereby directed forthwith to transfer said property and all right, title and interest in and to said property unto the beneficiaries absolutely and thereby terminate this trust; provided, however, that if any beneficiary hereunder shall not have attained the age of 21 years, the Successor Trustee shall hold such beneficiary's share of the trust assets in continuing trust until such beneficiary shall have attained the age of 21 years. During such period of continuing trust the Successor Trustee, in his absolute discretion, may retain the specific trust property herein described if he believes it in the best interests of the beneficiary so to do, or he may sell or otherwise dispose of such specific trust property, investing and reinvesting the proceeds as he may

deem appropriate. If the specific trust property shall be productive of income or if it be sold or otherwise disposed of, the Successor Trustee may apply or expend any or all of the income or principal directly for the maintenance, education and support of the beneficiary without the intervention of any guardian and without application to any court. Such payments of income or principal may be made to the parents of such beneficiary or to the person with whom the beneficiary is living without any liability upon the Successor Trustee to see to the application thereof. If such beneficiary survives me but dies before attaining the age of 21 years, at his or her death the Successor Trustee shall transfer, pay over and deliver the trust property being held for such beneficiary to such beneficiary's personal representative, absolutely.

2. Each beneficiary hereunder shall be liable for his proportionate share of any taxes levied upon the Settlor's total taxable estate by reason of the Settlor's death.

3. All interests of a beneficiary hereunder shall be inalienable and free from anticipation, assignment, attachment, pledge or control by creditors or by a present or former spouse of such beneficiary in any proceedings at law or in equity.

4. I reserve unto myself the power and right during my lifetime (1) to place a mortgage or other lien upon the property, (2) to collect any rental or other income which may accrue from the trust property and to pay such income to myself as an individual. I shall be exclusively entitled to all such income accruing from the trust property during my lifetime, and no beneficiary named herein shall have any claim upon any such income and/or profits distributed to me.

5. I reserve unto myself the power and right at any time during my lifetime to amend or revoke in whole or in part the trust hereby created without the necessity of obtaining the consent of any beneficiary and without giving notice to any beneficiary. The sale or other disposition by me of the whole or any part of the property held hereunder shall constitute as to such whole or part a revocation of this trust.

6. The death during my lifetime, or in a common accident or disaster with me, of all of the beneficiaries designated hereunder shall revoke such designation, and in the former event, I reserve the right to designate new beneficiaries. Should I for any reason fail to designate such new beneficiaries, this trust shall terminate upon my death and the trust property shall revert to my estate.

7. In the event of my physical or mental incapacity or my death, I hereby nominate and appoint as Successor Trustee hereunder the beneficiary named first above, unless such beneficiary shall not have attained the age of 21 years, or is otherwise legally incapacitated, in which event I hereby nominate and appoint as Successor Trustee hereunder the beneficiary named second above. If such beneficiary named second above shall not have attained the age of 21 years, or is otherwise legally incapacitated, then I nominate and appoint

(Name) _____, of

(Address) _____
Number *Street* *City* *State* *Zip*

to be Successor Trustee.

8. This Declaration of Trust shall extend to and be binding upon the heirs, executors, administrators and assigns of the undersigned and upon the Successors to the Trustee.

9. The Trustee and his successors shall serve without bond.

10. This Declaration of Trust shall be construed and enforced in accordance with the laws of the State of _____.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this Seventh day of May, 19 87.

(Settlor sign here) X Grace W. Mason L.S.

I, the undersigned legal spouse of the Settlor, hereby waive all community property, dower or curtesy rights which I may have in the hereinabove-described property and give my assent to the provisions of the trust and to the inclusion in it of the said property.

(Spouse sign here) _____ L.S.

Witness: (1) _____ Witness: (2) _____

STATE OF Tennessee
COUNTY OF Davidson
City or Town Nashville

On the 7 day of May, 19 87, personally appeared _____

known to me to be the individual(s) who executed the foregoing instrument, and acknowledged the same to be _____ free act and deed, before me.

(Notary Seal)

_____
Notary Public