SPECIAL WARRANTY DEED

Box 411

BOOK 7776 PAGE 294

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FROM: Henrietta Jane Rush and Third National Bank in Nashville, as Co-Executors Under the Will of Kenneth E. Rush, Grantors

This instrument was prepared by:
William B. Drescher
Farris, Warfield & Kanaday
Seventeenth Floor
Third National Bank Building
Nashville, Tennessee 37219

TO: Jane B. Rush, Grantee

Address New Owner(s) as Follows:	Name and Address of the Person or Entity Responsible for the Payment of Real Property Taxes	Map-Parcel Numbers
Jane B. Rush 615 Belle Meade Blvd. Nashville, TN 37205	Same	106-7-31 and 63

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10396

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is One Million, Four Hundred and Five Thousand and no/100 Dollars ($1,405,000.00).

Affiant

SUBSCRIBED AND SWORN TO before me, this the 10th day of February, 1989.

Notary Public

My Commission Expires: 9-11-90

FOR AND IN CONSIDERATION OF the premises herein contained and for no monetary consideration and for the purpose of closing the Estate of Kenneth E. Rush and disposing of certain real property of Kenneth E. Rush, deceased, d/b/a Jaken Investments, a sole proprietorship, and pursuant to the Final Order dated February 10, 1989 (the "Final Order"), filed with the Davidson County Probate Court, Docket No. 74620, the said Henrietta Jane Rush and Third National Bank in Nashville, as Co-Executors under the Will of Kenneth E. Rush (collectively, the "Grantors") have bargained and sold, and by these presents do transfer and convey

unto the said Jane B. Rush (the "Grantee"), her heirs, successors, and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to-wit:

> Land in the 3rd Civil District of Davidson County, Tennessee being part of Lots Nos. 10 and 13 in the subdivision of the Edward Trabue property, a plan of which is of record in Minute Book "I", pages 190 and 191, United States Circuit Court at Nashville, described according to a survey made by Norris H. Hickerson, Surveyor, April 26, 1963, and revised April 30, 1963 and May 23, 1968, as follows:
>
> Beginning on the westerly margin of Spence Lane in the northerly line of the property conveyed to the Tennessee Rural Electric Cooperative Association, Inc., by deed from Tennessee L. Harsh, et al., of record in Book 2998, Page 125, Register's Office for said County;
>
> thence with said Association's northern boundary line, north 57° 39' 09" west 389.5 feet to an iron pin and north 52° 24' west 17.1 feet to an iron pin in the easterly right-of-way of the Interstate Highway; thence with said Highway's eastern boundary line, north 2° 28' 12" west 144.3 feet to an iron pin, north 34° 50' 34" east 286.6 feet to an iron pin and north 61° 36' 20" east 143.50 feet to the southwest corner of the property conveyed to Randall E. Brown and Homer B. Brown, Jr., by deed from Tennessee L. Harsh, et al., of record in Book 3072, page 123, said Register's Office; thence with said Brown's southern boundary line, south 64° 46' east 331.5 feet to the westerly margin of Spence Lane; thence with the same, southwesterly 92.77 feet and continuing with the same, south 24° 42' 34" west 484.6 feet to the beginning, containing 5.3959 acres, more or less.
>
> BEING the same property conveyed to Kenneth E. Rush, d/b/a Jaken Investments, a sole proprietorship, by deed from Chemical Bank of record in Book 5191, page 860, Register's Office for Davidson County, Tennessee, the said Kenneth E. Rush being deceased and the property therein conveyed being a part of the Estate of Kenneth E. Rush.

This is improved property known as 706 Spence Lane, Nashville, Tennessee.

This conveyance is expressly made subject to the following:

1. The lien for 1988 taxes which will be paid by Grantee.

2. Lease dated December 31, 1982 between Kenneth E. Rush, d/b/a Jaken Investments, as Lessor, and Cummins East Central, Inc., now Cummins Cumberland, Inc., as Lessee.

3. All other matters of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, her heirs, successors, and assigns, forever.

And Grantors do covenant with the said Grantee that Grantors are the Co-Executors named under the Will of Kenneth E. Rush, entered under Order for Probate filed March 30, 1984, Docket No. 74620 and, as such Co-Executors, have a good right to convey said land pursuant to the Final Order.

And Grantors do further covenant and bind Grantors, their heirs, successors, and assigns, to warrant and forever defend the title to the said land to the said Grantee, her heirs, successors, and assigns against the lawful claims of all persons whomsoever claiming by, through or under Grantors, but not further or otherwise, except as to those matters set forth above to which this conveyance is expressly made subject.

Witness our hands this 10th day of February, 1989.

Henrietta Jane Rush, as Co-Executor Under the Will of Kenneth E. Rush

THIRD NATIONAL BANK IN NASHVILLE, as Co-Executor Under the Will of Kenneth E. Rush

By: _____

Title: _____

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Debra E. Emerson, a Notary Public of said County and State, HENRIETTA JANE RUSH, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she, as Co-Executor Under the Will of Kenneth E. Rush, executed the within instrument for the purposes therein contained.

Witness my hand, at Office, this 10th day of February, 1989.

Debra E. Emerson
Notary Public

My Commission Expires: 9-11-90

STATE OF TENNESSEE)
COUNTY OF Davidson)

Before me, Clara Milligan, a Notary Public of said County and State, personally appeared Joseph K. Pixley, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be Sr V P & Trust Officer (or other officer authorized to execute the instrument) of THIRD NATIONAL BANK IN NASHVILLE, the within named bargainor, a national banking association, as Co-Executor Under the Will of Kenneth E. Rush, and that he as such Sr V P & Trust Officer executed the foregoing instrument for the purposes therein contained, by signing the name of the national banking association by himself as Sr V P & Trust Officer.

Witness my hand and seal, at Office in Nashville, this 10th day of February, 1989.

Clara Milligan
Notary Public

My Commission Expires July 9, 1989
My Commission Expires: _____

8700W/02-01-89