43469

IDENTIFICATION REFERENCE

MAIL ENV.

This instrument prepared by:
Justin P. Wilson, Esq.
Waller Lansden Dortch & Davis
511 Union Street, Suite 2100
Nashville, Tennessee 37219-1760
without title search

SEND TAX BILLS TO:	MAP NO.	PARCEL NO.
SANDRA OWEN 216 Belle Meade Boulevard Nashville, Tennessee 37205	116-10	119

BOOK 9021 PAGE 300

EXECUTOR'S DEED

This Deed, made this 1st day of July, 1993, by Fred D. Bryan, Executor under the Will of Ralph Owen, Jr., deceased, to Sandra Ware Davis Owen, a 50% interest as tenant-in-common, to Barbara Owen Smith, a 25% interest as tenant-in-common, and to Victoria Owen Klein, a 25% interest as tenant-in-common, hereinafter called "Grantees":

WITNESSETH

WHEREAS, Ralph Owen, Jr. died a resident of Davidson County, Tennessee, on June 4, 1992, leaving a Last Will with Codicils, admitted for probate and of file in File No. 99407 in the Probate Court of Davidson County, Tennessee; and

WHEREAS, Fred D. Bryan was named in the Will as Executor, for which he has duly qualified and is presently serving; and

WHEREAS, either Ralph Owen, Jr., individually, or Ralph Owen, Jr. and his then wife, Sandra Ware Davis, as tenants by the entirety, were the owner of certain real estate located at 216 Belle Meade Boulevard, Nashville, Davidson County, Tennessee; and

WHEREAS, Ralph Owen, Jr. had executed a certain Property Settlement Agreement with Sandra Ware Davis Owen dated December 30, 1978, which provided that the property be held by the parties as tenants-in-common and provided for other rights and duties between the parties; and

WHEREAS, Item VIII of the Will of Ralph Owen, Jr. authorizes the Executor "to take all steps he deems appropriate" relating to the Property Settlement Agreement; and

WHEREAS, Fred D. Bryan, Executor, and Sandra Ware Davis Owen, have agreed to terminate the Property Settlement Agreement; and

WHEREAS, a requirement of the termination of the Property Settlement Agreement is the execution of this Deed;

WHEREAS, Victoria Owen Klein and Barbara Owen Smith, the children of the parties, are residuary beneficiaries of the Estate of Ralph Owen, Jr.;

NOW, THEREFORE, by the power vested in him as Executor under the Will, the Executor does this day transfer and convey to the Grantees, their heirs and assigns forever, the following real property in Davidson County, Tennessee:

> Being lot No. 3 and the southerly 25 feet of lot No. 2 of Block "B" on the plan of the Honeywood Subdivision of the Malone Estate, described together according to a survey by T. R. Sanford, Surveyor, dated December 18, 1961, as follows:
>
> Beginning at a point in the easterly margin of Belle Meade Boulevard, the common corner of lots Nos. 3 and 4; thence easterly with the line between said two lots 344 feet to a point, the common corner of lots Nos. 3, 4, 14 and 15; thence northerly with the line between said lots Nos. 3 and 15, and along a portion of the line between lots Nos. 2 and 16, 229 feet to a point 25 feet northerly from the common corner of lots Nos. 2, 3, 15 and 16; thence westwardly 254.76 feet to a point in the easterly margin of said Boulevard, 25 feet northerly from the common corner of lots Nos. 2 and 3; thence southerly with the easterly margin of said Boulevard 150 feet to the point of beginning.
>
> Being the same property conveyed to Ralph Owen, Jr. by deed of record in Book 4582, Page 43, Register's Office, Davidson County, Tennessee.

This is a house and lot at 216 Belle Meade Boulevard. No surveyor prepared the description.

Sandra Ware Davis Owen shall have the exclusive right to occupy the property so long as she chooses to use the same as her personal residence, on the condition that she pay all real property taxes, utilities, and ordinary maintenance costs.

TO HAVE AND TO HOLD with the appurtenances, estate, title and interest thereto belonging to said Grantees, as tenants-in-common in the above recited percentages, their heirs and assigns forever, in fee simple.

IN WITNESS WHEREOF, the Executor has hereunto set his hand the day and year first above written.

FRED D. BRYAN, Executor of the
Estate of Ralph Owen, Jr.

Sandra Ware Davis Owen joins in this Deed to consent thereto and to transfer and convey all right, title, and interest she may have in the premises as owner of the property, as former spouse of Ralph Owen, Jr., under any agreement she may have with him, or otherwise.

SANDRA WARE DAVIS OWEN

Barbara Owen Smith and **Victoria Owen Klein** join in this Deed to consent thereto and to transfer and convey all right, title and interest they may have in the presmises, as owners of the property, as residuary legatees of the Estate of Ralph Owen, Jr., or otherwise.

BARBARA OWEN SMITH

VICTORIA OWEN KLEIN

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **Fred D. Bryan,** Executor of the Estate of Ralph Owen, Jr., the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and seal, at Nashville, Tennessee, this 1st day of July, 1993.

Notary Public

My commission expires:

3-26-94

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **Sandra Ware Davis Owen**, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand and seal, at Nashville, Tennessee, this 1st day of July, 1993.

Notary Public

My commission expires:

3-26-94

STATE OF TENNESSEE)
COUNTY OF Davidson)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **Barbara Owen Smith**, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand and seal, at Nashville, Tennessee, this 1st day of July, 1993.

Notary Public

My commission expires:

3-26-94

State of Tennessee)
County of Davidson)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **Victoria Owen Klein**, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand and seal, at Nashville, Tennessee, this 1st day of July, 1993.

Notary Public

My commission expires:

3-26-94

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STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Certificate of Value

This transfer is made either by an executor to implement a testamentary devise or an adjustment of property rights between divorced parties and is exempt from the recordation tax on the transfer of realty pursuant to T.C.A. § 67-4-409(a)(3)(D) or § 67-4-409(a)(3)(E).

Fred W. Burr, Executor

Subscribed and sworn to before me, this 1st day of July, 1993.

Mercedes L. Gregory
Notary Public

My commission expires: 3-26-94

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