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This Instrument Prepared By:
Alfred E. Abbey
Trabue, Sturdivant & DeWitt
2500 Nashville City Center
Nashville, TN 37219-1738

BOOK 9484 PG 257

Address of New Owner:
H.M. & L. Company, L.P.
c/o Albert Werthan
P. O. Box 1310
Nashville, TN 37202

Send Tax Bills To:
H.M. & L. Company, L.P.
535 Baxter Lane
Nashville, TN 37220

Map/Parcel No.:
104-02-372

QUITCLAIM DEED

WHEREAS, Albert Werthan and NationsBank of Tennessee, N.A. (successor to Commerce Union Bank), as trustees under the will of Howard M. Werthan, deceased, Leah Rose Werthan, and Mary Jane Werthan own the hereinafter described property as tenants-in-common (all of said parties being hereinafter sometimes referred to as the "Grantors"); and

WHEREAS, the Grantors desire to convey the hereinafter described property to the Grantee herein being a limited partnership formed under the laws of the State of Tennessee.

NOW, THEREFORE, for and in consideration of the premises, and for no monetary consideration, the Grantors do hereby quitclaim and convey unto **H.M.& L. Company, L.P.**, a Tennessee limited partnership, its successors and assigns, all of their right, title and interest in and to the following described real property in Davidson County, Tennessee, to wit:

Being part of Lot No. 3 on the Plan of Kate Shields' Subdivision of part of Lot No. 56 in the Boyd Cockrill Spring Tract, of record in Book 57, page 77, Register's Office for Davidson County, Tennessee.

Said part of Lot No. 3 fronts 45 feet, more or less, on the southerly side of West End Avenue as widened, and runs back 115.9 feet on its westerly line, being the easterly line of 30th Avenue South (formerly Parker Street), and 127.7 feet on its easterly line, to an alley, on which it measures 43.5 feet.

Being the same property conveyed to Howard M. Werthan, Leah Rose Werthan and Mary Jane Werthan, by deed from Clinton Realty Company, of record in Book 1115, page 537, Register's Office for Davidson County, Tennessee, the said Howard M. Werthan having since died with his will being of record in Will Book 87, page 414, Probate Court for said County, with Albert Werthan and NationsBank of Tennessee (successor to Commerce Union Bank) being the surviving trustees under said will of Howard M. Werthan.

Included in the above description EXCLUDED from this conveyance is the following described land heretofore conveyed to the City of Nashville for the widening of West End Avenue:

> Beginning at the present intersection of the easterly margin of 30th Avenue South with the present southerly margin of West End Avenue; thence, in an easterly direction along said present southerly margin of West End Avenue 55 (sic) feet, more or less, to intersection with the easterly boundary of the lot or tract of land now owned by H.M.& L. Company; thence, in a southerly direction with said easterly boundary of the lot or tract of land now owned by H.M.& L. Company 3.80 feet, more or less, to intersection with the proposed southerly margin of West End Avenue; thence, in a westerly direction along said proposed

southerly margin of West End Avenue 37.10 feet, more or less, to a point being the beginning of a curve to the left of 10 foot radius; thence, in a westerly and southerly direction along said curve to the left of 10 foot radius a distance of 13.24 feet, more or less, to a point on the said easterly margin of 30th Avenue South; thence, in a northerly direction along said easterly margin of 30th Avenue South 11.19 feet, more or less, to the point of beginning; and having an area of 167 square feet, more or less.

Being the same property conveyed to the City of Nashville by deed from Howard Werthan, Mary Jane Werthan and Leah Rose Werthan, of record in Book 2480, page 489, Register's Office for Davidson County, Tennessee.

This is improved property known as 3009 West End Avenue, Nashville, Tennessee 37203.

SUBJECT TO an easement granted to the City of Nashville for trimming, cutting, grading and sodding a strip of land south of and adjacent to the proposed southerly margin of West End Avenue and extending in a southerly direction along the easterly margin of 30th Avenue South, a distance of 16 feet, more or less, and having an approximate maximum width of 1.50 feet, as set out in deed of record in Book 2480, page 489, Register's Office for Davidson County, Tennessee.

The above described property is conveyed subject to such other conditions and limitations as may affect the same.

IN WITNESS WHEREOF, the Grantors have executed this instrument, this 30 day of October 1994.

Albert Werthan, Trustee U/W
Howard M. Werthan

NATIONSBANK OF TENNESSEE, Trustee U/W
Howard M. Werthan

By: _____
Vice President

Leah Rose Werthan

Mary Jane Werthan

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The actual consideration for this transfer is $ (NONE).

Affiant

Subscribed and sworn to before me,
this 3rd day of Oct., 1994.

Notary Public

My commission expires: 11-20-96

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Albert Werthan, Trustee, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he, as such Trustee, executed the within instrument for the purposes therein contained.

Witness my hand and seal, at office in Nashville, Tennessee, this 3rd day of Oct., 1994.

Notary Public

My commission expires: 11-20-96

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Charlotte A. Csabi, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be Vice President of NationsBank of Tennessee, Trustee, the within named bargainor, a corporation, and that she as such Vice President, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation, as such Trustee, by herself as Vice President.

Witness my hand and seal, at office in Nashville, Tennessee, this 3rd day of Oct., 1994.

Notary Public

My commission expires: 11-20-96

94 OCT -4 PM 3:24
FELIX REGISTER
DAVIDSON COUNTY, TN.

96906
IDENTIF. & REFERENCE

1959 10/04 0101 03CHECK 15.00

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Leah Rose Werthan, the within named 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 office in Nashville, Tennessee, this 3rd day of Oct, 1994.

Sharron C. Couch
Notary Public

My commission expires: 11-20-96

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Mary Jane Werthan, the within named 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 office in Nashville, Tennessee, this 3rd day of Oct, 1994.

Sharron C Couch
Notary Public

My commission expires: 11-20-96

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