Box 38 - 305

This instrument prepared by:
James C. Stanley, Esq.
25th Floor, 511 Union Street
Nashville City Center
Nashville, Tennessee 37219

BOOK 10045 PG 921

96 MAY -9 PM 4:13

DAVIDSON COUNTY, TN.

0180419

IDENTIF. ↑ REFERENCE

TRUSTEE'S DEED

Address New Owners:	Send Tax Bills To:	Map-Parcel Numbers:
Alexander S. Fuqua, et al 809 Lynnbrook Road Nashville, TN 37215	New Owners	Tract I: 92-15; 146, 147 & 148 Tract II: 104-8;117 & 118

WHEREAS, Samuel Knox Harwell, Jr. previously owned certain real property in Davidson County, Tennessee, referred to herein as Tracts I and II and described more fully in the attached Exhibits A and B; and

WHEREAS, Samuel Knox Harwell, Jr. died testate in Davidson County, Tennessee, on August 22, 1944, and his duly probated Last Will and Testament (the "Will") is of record in Will Book 5959, page 489, Office of the Probate Court Clerk of Davidson County, Tennessee; and

WHEREAS, in accordance with the Will, certain trusts were established and funded by the residuary estate of Samuel Knox Harwell, Jr., including Tracts I and II, one of which trusts was for the benefit of his wife, Josephine Douglass Harwell (the "Josephine Douglass Harwell Trust") and another of which trusts was for the benefit of his daughter, Leila Harwell Fuqua (the "Leila Harwell Fuqua Trust"); and

WHEREAS, following the death of Josephine Douglass Smith (nee Harwell) in 1986, a portion of the corpus of the Josephine Douglass Harwell Trust was distributed to the Leila Harwell Fuqua Trust in accordance with the terms of the Will (the single trust resulting from such distribution is referred to herein as the "Trust"); and

WHEREAS, Alexander S. Fuqua is the sole current Trustee of the Trust; and

WHEREAS, the Will further provides that upon the death of any child of Samuel Knox Harwell, Jr., the trust for her or his benefit shall immediately terminate and the corpus of such trust shall vest outright and free from trust in the then living children of the such deceased child; and

WHEREAS, Leila Harwell Fuqua died testate on December 10, 1994, leaving Knox H. Fuqua, Vincent S. Fuqua, and Alexander S. Fuqua as her surviving children; and

WHEREAS, to effectuate the above-referenced provision of the Will concerning the distribution of the Trust, Alexander S. Fuqua, as the sole, current Trustee of the trust is desirous of distributing to Knox H. Fuqua, Vincent S. Fuqua, and Alexander S. Fuqua, individually, as the surviving children of Leila Harwell Fuqua, Leila Harwell Fuqua's interest under the Trust in Tracts I and II; and

WHEREAS, by their acceptance of delivery of this Trustee's Deed, each of the Grantors hereunder acknowledges that Alexander S. Fuqua is the sole current Trustee of the Trust; and

WHEREAS, Leila Harwell Fuqua's interest in each tract herein transferred is an ~~individual~~ undivided one-third (1/3) interest.

NOW, THEREFORE, for and in consideration of the sum of Ten and No/100 Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, Alexander S. Fuqua, as Trustee of the Trust, (the "Grantor"), has this day bargained and sold, and does hereby transfer and convey all of the Trust's one-third (1/3) undivided interest in certain property in Davidson County, Tennessee, as described on the attached Exhibits A and B , the terms of which are hereby incorporated herein by reference as fully as set forth verbatim herein, to Knox H. Fuqua, Vincent S. Fuqua, and Alexander S. Fuqua, individually, in equal, undivided shares.

This conveyance is made subject to such matters affecting it as may appear of record.

This is improved property located at:

Tract I: Map No. 92-15, Parcel 148, 2300 West End Avenue, Nashville, Tennessee; and

unimproved property located at:

Tract I: Map No. 92-15, Parcels 146 and 147, 2300 West End Avenue, Nashville, Tennessee

Tract II: Map No. 104-8, Parcels 117 and 118, 2111-2113 Belcourt Avenue, Nashville, Tennessee

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed this instrument on this 22nd day of December, 1995.

BOOK 10045 PG 923

GRANTOR

Alexander S. Fuqua, Trustee

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Before me, the undersigned Notary Public, in and for the said County and State aforesaid, personally appeared Alexander S. Fuqua, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged himself to be Trustee of the trust established pursuant to the Last Will and Testament of Samuel Knox Harwell, Jr., for the benefit of his daughter, Leila Harwell Fuqua, the within named bargainor, and that he, as such Trustee, executed the foregoing instrument for the purposes therein contained, by signing the name of the trust by himself as Trustee.

Witness my hand and seal at Nashville, Tennessee, this 22nd day of December 1995.

Joan Roehl
Notary Public

My Commission Expires:

March 22, 1997

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The actual consideration for this transfer of property is good and valuable consideration, but no monetary consideration.

Affiant

Sworn to and subscribed before me
this the 22nd day of December 1995.

Joan Roehl
Notary Public

My Commission Expires: March 22, 1997

50914

EXHIBIT "A"

BOOK 10045 PG 924

TRACT I: 2300 West End Avenue, Nashville, Tennessee

Map 92-15; Parcel 146:

Being in the 21st Ward of the City of Nashville, and being a part of the Elliston Property in West Nashville, being undivided on said plan and of record in Book 21, page 141, Register's Office for Davidson County, Tennessee, and described as follows:

Beginning at a point in the westerly margin of Twenty Third Avenue North, formerly Elliston Avenue, 160 feet southerly from the southerly margin of Elliston Place, formerly the Harding Pike; thence southerly with the westerly margin of Twenty Third Avenue, 40 feet to the northerly margin of an alley; thence with said alley westerly 100 feet and thence easterly 100 feet to the point of beginning on Twenty Third Avenue. On the said lot there is a two story apartment house known on the said Avenue by its City Number as 109.

Being the same property conveyed to Josephine Douglass Smith and First American National Bank, Co-Trustees under the will of Samuel Knox Harwell by deed from Jean Bass Crawford, of record in Book 3256, page 541, Register's Office for Davidson County, Tennessee.

Alexander S. Fuqua, as Trustee, the Grantor under the attached Trustee's Deed, was the sole Trustee of the Trust described therein at the time of the execution of said Trustee's Deed.

Map 92-15; Parcel 147:

Being part of the Elliston Property, a plan of which is of record in Book 21, page 141, Register's Office of Davidson County, Tennessee, being undivided on said plan.

Said property begins on the Westerly margin of 23rd Avenue North (formerly Elliston Avenue) 175 feet Northerly from the Northerly margin of West End Avenue, at the intersection of the Northerly margin of a fifteen foot Alley; Thence, with said 23rd Avenue North, Northerly fifty feet to the Southerly margin of another purposed Alley; Thence, with the Southerly margin of said last mentioned Alley, Westerly 100 feet; Thence, Southerly, parallel with 23rd Avenue North, fifty feet, to the Northerly margin of the first mentioned Alley; Thence, with the Northerly margin of said Alley, Easterly, 100 feet to the beginning.

Being the same property conveyed to First American National Bank, Successor Co-Trustee with Josephine D. Smith, U/W Samuel K. Harwell, Jr. by deed from Gamma Chapter of Delta Kappa Epsilon Fraternity of record in Book 2925, page 128, Register's Office for Davidson County, Tennessee.

Alexander S. Fuqua, as Trustee, the Grantor under the attached Trustee's Deed, was the sole Trustee of the Trust described therein at the time of the execution of said Trustee's Deed.

Map 92-15; Parcel 148:

Being on the northwest corner of West End Avenue and 23rd Avenue, North, and more particularly bounded and described as follows:

Being part of the Elliston property, a plan of which is recorded in Book 21, page 141 of the Register's Office for Davidson County, Tennessee.

Beginning in the northerly margin of said West End Avenue at its intersection with the westerly margin of said 23rd Avenue, running thence northerly with said westerly margin of said 23rd Avenue, North 160 feet to an Alley; Thence westerly with the southerly margin of said Alley 50 feet;

Thence southerly and parallel with said 23rd Avenue, North 160 feet to the northerly margin of West End Avenue, and Thence easterly with the northerly margin of said West End Avenue, 50 feet to the beginning.

Being the same property conveyed to Sam K. Harwell, Jr. by deed from Fisk University of record in Book 1025, page 133, Register's Office for Davidson County, Tennessee.

Being the same property devised to Josephine Douglass Harwell, Robert E. Harwell, and Coleman A. Harwell, Co-Trustees, pursuant to the Last Will and Testament of Samuel Knox Harwell, Jr., of record in Will Book 59, page 489, Office of the Probate Court Clerk of Davidson County, Tennessee.

Alexander S. Fuqua, as Trustee, the Grantor under the attached Trustee's Deed, was the sole Trustee of the Trust described therein at the time of the execution of said Trustee's Deed.

EXHIBIT "B"

BK/ 10045PG926

TRACT II: 2111-2113 Belcourt Avenue, Nashville, Tennessee

Map 104-8; Parcel 117:

Land in Davidson County, Tennessee, being the westerly one-half of lot No. 1 on the Plan of E.C. Scruggs Subdivision, as of record in Book 57, page 114, Register's Office for said County. Said part of said lot fronts 50 feet on the southerly side of Belcourt Avenue, formerly Carlton Avenue, and extends back between parallel lines 164 feet to an alley.

Map 104-8; Parcel 118:

Land in Davidson County, Tennessee, being the east one-half of Lot No. 1 on the E.C. Scruggs Subdivision of the "Burch Orchard" Tract, a plan of which is of record in Book 57, page 114, Register's Office for Davidson County, Tennessee; said east one-half of Lot No. 1 fronts 50 feet on the south side of Carlton (now Belcourt) Avenue and runs back between parallel lines 138 feet to an alley.

Both parcels being the same property conveyed to Josephine Douglass Smith, Sam K. Harwell, III, E. Harwell Andrews, and First American National Bank of Nashville, Trustees under trusts established under the will of Sam K. Harwell, Jr. by deed from McEwell Corporation, of record in Book 6445, page 296, Register's Office for Davidson County, Tennessee.

Alexander S. Fuqua, as Trustee, the Grantor under the attached Trustee's Deed, was the sole Trustee of the Trust described therein at the time of the execution of said Trustee's Deed.

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