This transfer is exempt from recording tax pursuant to T.C.A. § 67-4-409(a)(3)

BOOK 10307 PG 141

This Instrument Prepared By:
BOTTORFF, KAVIN and COOK, (TIB)
5110 Maryland Way, Suite 200
Brentwood, Tennessee 37027
(615) 371-0800

DEED OF EXECUTOR AND TRUSTEE

Address of New Owner:	Send Tax Bills To:	Map and Parcel No.
Darby Lee (McClendon) Kennedy 11 Beverly Heights Tuscaloosa, Alabama 35404	Carol L. Reber, C.P.A. 110 21st Avenue, South Nashville, Tennessee 37203	102 17

Mortgagee:

None

WITNESSETH:

I, Thomas H. Campbell, Executor of the Last Will and Testament of Martha C. McClendon, deceased, and Trustee of the McClendon Children's Trust established under the Last Will and Testament of Martha C. McClendon, deceased, hereinafter called the "Grantor", by these presents do hereby transfer and convey unto Darby Lee (McClendon) Kennedy, one of the beneficiaries under said Will and Trust, hereinafter called the "Grantee", a one-fourth (1/4) undivided interest in and to a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows to wit:

SEE EXHIBIT A ATTACHED HERETO

This conveyance is made subject to all restrictions, easements, zoning and planning ordinances, and health department regulations that may affect the premises.

This conveyance is further made subject to real property taxes for 1996 and subsequent years.

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

AND the said Thomas H. Campbell in his capacity as Executor and Trustee under the Last Will and Testament of Martha C. McClendon, deceased, does hereby covenant with the Grantee that that as such Executor and Trustee, (and not individually) he is lawfully seized and possessed of the said land in fee simple, has a good right to convey it, and the same is unencumbered except for those matters hereinabove mentioned;

AND as such Executor and Trustee (and not individually), he does further covenant and bind himself, to warrant and forever defend the title to the said real property to the said Grantee, and her heirs and assigns, against the lawful claims of all persons claiming by or through said Executor and Trustee.

0260573
IDENTIF. A REFERENCE

96 DEC 31 PM 3:29
FELIX Z. [illegible] REGISTER
DAVIDSON COUNTY, TN.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 31st day of DECEMBER, 1996.

GRANTOR:

Thomas H. Campbell, Executor & Trustee

Thomas H. Campbell, Executor of the Last Will and Testament of Martha C. McClendon, deceased, and Trustee of the McClendon Children's Trust established under the Last Will and Testament of Martha C. McClendon, deceased.

STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, the within named Thomas H. Campbell, Executor of the Last Will and Testament of Martha C. McClendon, deceased, and Trustee of the McClendon Children's Trust established under the Last Will and Testament of Martha C. McClendon, deceased, with whom I am personally acquainted and who acknowledged that as such Executor and Trustee, he executed the within named instrument for the purpose therein contained.

Witness my hand and official seal at Brentwood, Tennessee, this 31st day of December, 1996.

Notary Public

My Commission Expires:

Mar 2 1998

THOMAS J. DOTTORFF NOTARY PUBLIC AT LARGE WILLIAMSON CO. TENN.

1009 12/31 0101 03CHECK 12.00

EXHIBIT A

Being Lot No. 2 on the James W. McClendon Subdivision as shown in Plat Book 7900, page 914, Register's Office for Davidson County, Tennessee.

This conveyance is subject to a forty foot (40') wide permanent easement for ingress and egress over Lot No. 2, as shown on the Resubdivision of Lot No. 2 on the James W. McClendon Subdivision of record in Plat Book 7900, page 914, Register's Office for Davidson County, Tennessee, for the benefit of Lot No. 3; provided, however, Lot No. 3 is subject to a permanent easement for ingress and egress for the benefit of Lot No. 2 described as being:

> A strip of land of irregular width situated in the 8th Civil District of Metropolitan Nashville, Davidson County, Tennessee, more particularly described as follows:
>
> Beginning at an iron pin in the northerly right-of-way line of Charlotte Pike (U.S. 70) at the southeast corner of Lot No. 3 as shown on a plat of the James W. McClendon Subdivision of record in Book 7900, Page 914, Register's Office for Davidson County, Tennessee;
>
> Thence, with said right-of-way line and the southerly line of Lot No. 3, S 73 degrees, 31 minutes, 17 seconds, W, 0.95 feet; thence, N 23 degrees, 22 minutes, 36 seconds, W, 129.11 feet; thence, N 21 degrees, 32 minutes, 45 seconds, W, 67.77 feet; thence, N 13 degrees, 25 minutes, 45 seconds, W, 105.50 feet to a point in the northerly line of Lot No. 3; thence, with the northerly line of Lot No. 3, N 74 degrees, 25 minutes, 07 seconds, E, 11.56 feet to a nail set in the pavement; thence, with an easterly line of Lot No. 3, S 15 degrees, 34 minutes, 53 seconds, E, 203.00 feet to a nail set in the pavement; thence, with an easterly line of Lot No. 3, S 21 degrees, 24 minutes, 48 seconds, E, 98.24 feet to the point of beginning and containing 2,689 square feet or 0.062 acre of land according to a survey dated June 24, 1996, by Mark S. Goodman, R.L.S. #1491, Franklin, Tennessee.

This conveyance is subject to an agreement with the owner of Lot No. 3 of record in the Register's Office, Davidson County, Tennessee, as a covenant running with the land, that the owner of Lot No. 3 may enter upon the aforesaid easement areas for the purpose of installing drainage pipes or culverts in the easement areas upon the condition that the owner of Lot No. 3 restore the asphalt driveway therein to its original condition and do not disrupt the business of the Owner or Tenant on Lot No. 2; that notwithstanding the foregoing once the driveway is restored to its original condition, the owners of Lot No. 2 and Lot No. 3 shall each pay one-half (1/2) of the expenses and costs to resurface the said driveway in the easement areas from and after the date the owner of Lot No. 3 ties-in any parking lot on Lot No. 3 to the said asphalt driveway; provided, however, if either the owner of Lot No. 2 or Lot No. 3 employs construction vehicles for the sole benefit of that party's lot, the responsibility for repairing any damage to the asphalt driveway or easement area resulting from such construction vehicles using said driveway shall be born by such Owner employing said construction vehicles; otherwise the owner of Lot No. 2 shall maintain the forty foot (40') wide easement.

Being part of the property wherein a one-forth (1/4) undivided interest was conveyed to each of the following: James W. McClendon, one-fourth (1/4); Martha Campbell McClendon, his wife, one-fourth (1/4); James W. McClendon as Trustee for James Devin McClendon, one-fourth (1/4); and James W. McClendon as Trustee for Darby Lee McClendon, one-fourth (1/4) by Deeds of record in Book 5549, page 52, and Book 5549, page 56, Register's Office for Davidson County, Tennessee. James W. McClendon is now deceased and his one-fourth (1/4) undivided interest in said property was devised to Martha Campbell McClendon by the Last Will and Testament of James W. McClendon, deceased, filed in Will Book 46, page 112, Chancery Court, Williamson County, Tennessee, and of record in Book 6145, page 602, Register's Office for Davidson County, Tennessee. Martha Campbell McClendon is now deceased and her one-half (1/2) undivided interest in said property was devised to Thomas H. Campbell as Executor and Trustee under her Last Will and Testament filed in Will Book 57, page 698, Chancery Court, Williamson County, Tennessee, of record in Book 9527, page 608, Register's Office for Davidson County, Tennessee. Martha Campbell McClendon was appointed Successor Trustee to James W. McClendon for the one-fourth (1/4) undivided interest each in trust for Darby Lee McClendon (now Kennedy) and James Devin McClendon by Agreed Order entered in Minute Book 115, pages 387-389, Chancery Court, Williamson County, Tennessee, and of record in Book 9527, page 605, Register's Office for Davidson County, Tennessee, and Carol L. Reber has been appointed Successor Trustee to Martha Campbell McClendon (now deceased) by Agreed Order entered in Minute Book 115, pages 518-520, Chancery Court, Williamson County, Tennessee, of record in Book 9527, page 625, Register's Office for Davidson County, Tennessee.