BOOK 10394 PG 645

41

TO: Madison Funeral Home, Inc.

FROM: Paul F. Durham

THIS INSTRUMENT PREPARED BY:
C. MARK CARVER, ESQ.
FARRIS WARFIELD & KANADAY, PLC
424 CHURCH STREET, 18TH FLOOR
NASHVILLE, TN 37219

Address New Owner:	Send Tax Bills To:	Map/Parcel No.
Madison Funeral Home, Inc. c/o Keystone Group Holdings 100 N. Tampa, Suite 3100 Tampa, Florida 33602	SAME	43-13-9

RE-RECORD BOOK 10422 PG 297

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

1225 04/18 0101 03CHECK 24.00

The actual consideration or value, whichever is greater, for this transfer is $1,000,000.

Steven S. Indvik
Affiant

Subscribed and sworn to before me, this 27th day of March, 1997.

Notary Public

My Comm. Expires: 1-27-01

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION OF the sum of Ten Dollars, cash in hand paid by the hereinafter named Buyer, and other good and valuable considerations, the receipt of which is hereby acknowledged, **Paul F. Durham** (hereinafter called the "Seller"), has bargained and sold, and by these presents does transfer and convey unto **Madison Funeral Home, Inc.**, a Tennessee corporation (hereinafter called the "Buyer"), and Buyer's successors and assigns, all of Seller's interest in a certain tract of land in Davidson County, Tennessee, described on Exhibit A attached hereto and incorporated herein by reference.

The above-referenced property is conveyed subject to the following:

1. 1997 taxes to Davidson County, a lien, but not yet due and payable; and

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RE-RECORD DENIE[illegible] REFERENCE

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2. Matters of public record in said Register's Office.

TO HAVE AND TO HOLD the said real property, together with all rights and appurtenances thereunto belonging or in any wise appertaining to Buyer, its successors and assigns, forever in fee simple.

Seller further covenants and binds itself, its representatives, successors and assigns to warrant specially and forever defend the title to said real estate to Buyer, and Buyer's successors and assigns, against the lawful claims of all persons claiming through and under Seller (other than claims arising out of the matters set forth above), but not further or otherwise. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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IN WITNESS WHEREOF, Seller has caused this Special Warranty Deed to be executed effective as of the 27th day of March, 1997.

SELLER: **PAUL F. DURHAM**

Paul F. Durham

97 MAR 27 PM 4:15
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

IDENTIF. & REFERENCE
0288071

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Dawn Reed, a Notary Public of said County and State, personally appeared Paul F. Durham, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the within named bargainor, and that he executed the foregoing instrument for the purposes therein contained, by signing his name.

Witness my hand and seal, at Office in Nashville, Tennessee this 27th day of March, 1997.

NOTARY PUBLIC AT LARGE

Notary Public

My Commission Expires: 1-27-01

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RE-RECORD BOOK 10422 PG 299

2542 02/27 0401 CHECKS 11.00

RE-RECORD

BOOK 10422 PG 300

EXHIBIT A

PROPERTY DESCRIPTION

TRACT I

Land in the 11th, formerly the 19th, Civil District of Davidson County, Tennessee, described according to a survey made by Lewis D. Justice, Surveyor, December 17, 1952, as follows:

Beginning on the southerly margin of Burwood Avenue, as proposed, at the northwest corner of the property conveyed to Mrs. Lucien Claybrooke Bernard by deed from Opha R. Bixler, of record in Book 2015, Page 583, Register's Office for said County, thence with said Avenue north 86° 32' west 144 feet to a stake; thence south 10° 43' west 324 feet to a stake in the northerly line of the property conveyed to Paul D. Alexander by deed from Opha R. Bixler, of record in Book 1852, page 175, said Register's Office; thence with said line north 70° 14' east 34.3 feet to a stake; thence north 81° 33' east 100 feet to a stake, the northwest corner of the Youngblood property, continuing in the same direction and with the northerly line of the Youngblood property 100 feet to a stake, the northwest corner of the Scruggs property being the southwest corner of said Bernard property; thence with the westerly line of said Bernard property north 8° 27' west 278 feet to the beginning, containing 1.31 acres, more or less.

TRACT II

Land in the 11th, formerly the 19th, Civil District of said County, described according to a copy of a survey thereof made by Lewis D. Justice, Surveyor, June 6, 1950, as follows:

Beginning at a stake on the northerly margin of old Hickory Boulevard at a point 1,481.45 feet west of the westerly margin of Delaware Avenue, as measured with the northerly margin of said Boulevard, being 253.45 feet west of the southwest corner of the property conveyed to McKendree J. Scruggs and wife, by deed from Opha R. Bixler, of record in Book 1425, page 392, Register's Office for said county; thence along a curve, with the northeasterly margin of said Boulevard, 69 feet to a iron stake; thence north 9° 03' east 167 feet to an iron stake; thence north 70° 14' east 9.1 feet to a stake; thence south 8° 27' east 196.7 feet to the point of beginning.

TRACT III

Land in the 11th, formerly the 19th, Civil District of said County, described according to a survey made by Lewis D. Justice, Surveyor, June 17, 1949, as follows:

Beginning at a point on the northerly margin of Old Hickory Boulevard at the southwest corner of the property conveyed to McKendree J. Scruggs and wife, by deed from Opha R. Bixler of record in Book 1425, page 392, and deed of correction of record in Book 1974, page 215, Register's Office for said County; thence with said Scruggs' western boundary north 8° 27' west

250 feet to a stake being said Scruggs' northwest corner; thence south 81° 33' west 100 feet to the northeast corner of the property conveyed to Paul D. Alexander by deed from Opha R. Bixler of record in Book 1852, page 175, said Register's Office; thence with said Alexander's eastern boundary line, south 8° 87' east 250 feet to the northerly margin of said Boulevard; thence with same, north 81° 33' east 100 feet to the beginning.

TRACT IV

Land in the 11th, formerly the 19th, Civil District of said County, described according to a survey made by Lewis D. Justice, Surveyor, June 6, 1950, as follows:

Beginning at a stake on the northerly margin of Old Hickory Boulevard, at a point 1328 feet west of the westerly margin of Delaware Avenue, being 100 feet west of the southwest corner of the property conveyed to McKendree J. Scruggs and wife, of record in Book 1425, Register's Office for said County, by deed from Opha R. Bixler; thence with a curve, along the northeasterly margin of said Boulevard; northwestwardly 153.45 feet to a stake; thence north 8° 27' west 196.7 feet to a stake; thence north 70° 14' east 50.2 feet to a stake; thence north 81° 33' east 100 feet to a stake, being 100 feet west of the northwest corner of said Scruggs property; thence south 8° 27' east 250 feet to the beginning.

TRACT V

Land in Davidson County, Tennessee, being a triangular portion of a 1.83-acre tract, more or less, as shown on a survey dated November 6, 1961, by George W. Watkins, Surveyor, and described as follows:

Beginning at a concrete monument in the south margin of Burrwood Avenue located S 86° 32' East 169 feet from the East Margin of Vera Avenue, and being the northwest corner of the property conveyed to Paul D. Alexander by deed of record in Book 2145, page 409, Register's Office for Davidson County, Tennessee; thence with the west line of said property South 8° 30' West 324 feet to a monument in the north line of the property conveyed to Paul D. Alexander by deed in Book 1852, page 175; thence with Alexander's North line, South 70° 14' West 25 feet to a monument at the Northwest corner of the property conveyed to Paul D. Alexander by deed in Book 1874, page 433, above mentioned; thence in a northeasterly direction 337 feet, more or less, to the point of beginning.

EXCLUSIONS TO TRACTS I - V

Included for purposes of description but excluded for purposes of conveyance is the following:

Land in the Eleventh Civil District of Davidson County, Tennessee, more particularly described as follows:

Beginning at a point on Paul D. Alexander's westerly boundary line which is 135 feet, more or less, and north 9° 03' east of the northerly margin of Old Hickory Boulevard; thence running north 9° 03' east, 240 feet, more or less, along Alexander's westerly boundary line to a point; thence running northeasterly 191 feet, more or less around a curve to the right, the said line being left of the centerline and the radius of the curve being 1145.9 feet; thence running southerly 210 feet, more or less, along Alexander's easterly boundary line to a point; thence running southwest 74 feet, more or less, to a point; thence running south 60 degrees 56 minutes west, 92 feet to a point; thence running south 52 degrees 50 minutes west, 81 feet back to the point of beginning, containing 0.93 acres, more or less, and being part of the property conveyed to Paul D. Alexander, by deeds from Opha R. Bixler, as of record in Book 1852, page 175, in Book 1874, page 433, in Book 2293, page 3, and in Book 2145, page 409; and also part of the property conveyed to Paul D. Alexander, by deed from Trustee of the Madison Church of Christ, as of record in Book 3373, page 307, Register's Office, Davidson County, Tennessee.

Said above described land is condemned in fee simple. It is to be used for the construction of a controlled access highway and all right of ingress or egress to, from and across the same to and from abutting lands is hereby condemned.

Also included for purpose of description, but excluded for purpose of conveyance is the following:

Survey of a Parcel of land in the 10th Councilmanic District of Nashville and Davidson County, Tennessee. Being Parcel No. 364 on The Property Map of Davidson County, Tennessee. This being the Property belonging to P. D. Alexander as of Record in Book 2145, page 409 and Book 3373, page 307 in the Register's Office of Nashville and Davidson County, Tennessee. Containing 10,408 square feet.

Said property being more adequately described according to a survey made August 9, 1969, by Donald R. Carver, Surveyor, as follows:

Beginning at a concrete monument in the northerly right-of-way of Old Hickory Boulevard, corner to the Madison Church of Christ; thence North 9° 03' East 121.80 feet to a point in the southerly margin of Burwood Avenue; thence with said margin, South 86° 32' East 128.50 feet to a point in the northerly right-of-way of said Old Hickory Boulevard; thence with same, southwestwardly 196.95 feet to the beginning.

Tracts I-V being the same property conveyed to Paul F. Durham from PDHC Company, a Tennessee partnership by Deed dated February 21, 1997, of record in Register's Office for Davidson County, Tennessee, at Book 10355, page 674.