Return To Roy 23

THIS INSTRUMENT PREPARED BY: (JAG)
BAKER, DONELSON, BEARMAN & CALDWELL
511 Union Street, Suite 1700
P.O. Box 190613
Nashville, TN 37219

BOOK 10846 PG 339

| NEW OWNER | TAX BILLS TO: | MAP/PARCEL |
|---|---|---|
| 485 Properties, LLC.<br>730 Third Avenue<br>New York, NY 10017<br>Attn: Harry St. Clair | Same | 120-49 |

## GENERAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Two Hundred Ninety-Five Thousand and 00/100 Dollars ($295,000.00) cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **THE HORTENSE M. DOWNARD IRREVOCABLE TRUST F/B/O MELINDA MEDLIN U/A dated 12/30/92** (the "Grantor" herein), has bargained and sold, and does hereby sell, transfer, convey, and confirm unto **485 PROPERTIES, LLC**, a Delaware limited liability company (the "Grantee" herein), its successors and assigns, a certain tract of land in Davidson County, State of Tennessee, more particularly described as follows:

Beginning at a point in the westerly margin of McGavock Pike, said point being a total of 461.80 feet from the intersection with Murfreesboro Road, and said point also being 311.8 feet southwardly from the southeasterly corner of the Humble Oil and Refining Company property, as conveyed to the latter, by deed of record in Book 4052, page 448, Register's Office for said County, and as measured along the said margin of McGavock Pike; thence around a curve to the right of 924.93 foot radius, a distance of 467.40 feet to a point on the westerly margin of McGavock Pike; thence south 43° 25' west, 49.18 feet with the westerly margin of McGavock Pike to a point, said point being the point of curvature of a curve to the left having a radius of 911.45 feet; thence with said curve of 911.45 foot radius, a distance of 164.11 feet, more or less, to a point on the westerly margin of McGavock Pike; thence north 87° 05' west 356.75 feet with a line to a point on the easterly margin of the L & N Railroad spur to Avco; thence northwardly with a curve to the left of 8874.5 foot radius, a distance of 562.72 feet to a point on the said easterly margin of the L & N Railroad spur; thence north 17° 58' east, 160.4 feet with said easterly margin to a point on the easterly margin of said railroad spur; thence south 72° 35' east, 547.6 feet with a line to a point on the westerly margin of McGavock Pike, said point being the point of beginning, containing 6.98 acres, more or less.

**Included in the above but specifically excluded therefrom is that portion thereof included within the land described in the deed from Jack K. Byrd and Hortense Medlin, Co-Executors of the Estate of James M. Medlin to Sunbelt Property Group, Inc. of record in Book 6344, page 967, Register's Office for said County.**

Being the same property conveyed to the Hortense Downard Irrevocable Trust F/B/O Melinda Medlin U/A dated December 30, 1992 by Deed from Jack K. Byrd and Hortense Medlin Downard, Co-Trustees of the Hortense M. Downward Marital Trust under the Will of James M. Medlin of record in Book 8828, page 143, Register's Office for said County.

The legal description contained herein is identical to the legal description in the prior deed.

This is unimproved property located at 3325 McGavock Pike, Nashville, Tennessee.

TO HAVE AND TO HOLD the said tract or parcel of land with the appurtenances, hereditaments, estate, title, and interest thereto belonging to said Grantee, its successors and assigns, forever. And Grantor does covenant with said Grantee that Grantor is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, except for those matters shown on **Exhibit "A"** attached hereto and made a part hereof.

And Grantor does further covenant and bind its assigns, successors and representatives, to warrant and forever defend the title to the said land to the said Grantee, its successors and assigns, against the lawful claims of all persons.

The Trustee of Grantor has full power to transfer and convey without the joinder of any beneficiary.

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

IN WITNESS WHEREOF, the Grantor has hereunto set its hand as of the 19th day of March, 1998.

The Hortense M. Downard Irrevocable Trust
FBO Melinda Medlin

By: Jack K. Byrd
Jack K. Byrd, Trustee

N VRS 231709.1
782321-056 03/18/98

STATE OF TENNESSEE )

COUNTY OF DAVIDSON )

Personally appeared before me, the undersigned authority, a Notary Public in and for said State and County duly commissioned and qualified, Jack K. Byrd, Trustee, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the sole Trustee of the Irrevocable Trust of Hortense M. Downard dated December 30, 1992 (the "Maker") and is authorized by the Maker to execute this instrument on behalf of the Maker.

WITNESS my hand and seal at office, on this 19th day of March, 1998.

Ruth Anne Carothers
Notary Public

My Commission Expires: 11-28-98

**AFFIDAVIT OF CONSIDERATION**

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration for this transfer or value of property (whichever is greater) is $295,000.00.

Jack K. Byrd
AFFIANT

Sworn to and subscribed before me this the 19th day of March, 1998.

Ruth Anne Carothers
NOTARY PUBLIC

My Commission Expires: 11-28-98

**Exhibit "A"**

Permitted Exceptions

1. Taxes for the year 1998, a lien but not yet due and payable.

2. Restrictive Covenants contained in instrument of record in Book 2796, page 616, Register's Office for Davidson County, Tennessee.

3. Restrictive Covenants contained in instrument of record in Book 3218, page 155 and amended in Book 4052, page 444, said Register's Office.

4. Sewer Easement of record in Book 3498, page 176, said Register's Office.

5. Sewer Easement of record in Book 3499, page 112, said Register's office.

6. Easement for sanitary sewers and/or storm drainage of record in Book 4403, page 218, Register's Office for Davidson county, Tennessee.

98 MAR 19 PM 3:27

IDENTIF. & REFERENCE

04 14 52 4

8316 03/19 0101 03CHECK 1108.50

**OFFICIAL RECEIPT**
**FELIX Z. WILSON, II**
**REGISTER OF DAVIDSON COUNTY**
**NASHVILLE, TENNESSEE**

RECEIVED OF _____

FOR _____

BOOK 10846 PG 343

| | | |
|---|---|---|
| CO - CONVEYANCE | CC - CERTIFIED COPY | MISC - MISCELLANEOUS |
| MO - MORTGAGE | REL - RELEASE | CO TX - STATE TAX CONVEY |
| WD - WARRANTY DEED | UCC - UNIFORM COMMERCIAL CODE | MO TX - STATE TAX MORT |
| TD - TRUST DEED | | PRFEE - PROBATE FEE |

| DATE | SYMBOL | VALUATION | TAX AND FEES | TOTAL PAID |
|---|---|---|---|---|

CAMT
295000.00
CON TX 1091.50
PRFEE 1.00
WDEED 16.00
TOTAL 1108.50
CHECK 1108.50
03/19/98 01 15:26 0001 8316

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

98 MAR 19 PM 3:27

04 14524
IDENTIF. # REFERENCE

No. 1268664