3184

#585903.01

THIS INSTRUMENT PREPARED BY:
BASS, BERRY & SIMS PLC (EWB)
2700 First American Center
Nashville, Tennessee 37238

SPECIAL WARRANTY DEED 10868:958

Address New Owner(s)	Send Tax Bills To:	Map-Parcel Number(s)
Michael D. Shmerling & Co., LLC 1900 Church Street Suite 400 Nashville, TN 37203	Same	No. 93-6-1-1

FOR AND IN CONSIDERATION OF THE SUM OF TEN ($10.00) DOLLARS, and other good and valuable consideration, receipt of all of which is hereby acknowledged, GEORGE A. SHWAB, III, ELIZABETH SHWAB STEPHEN (formerly Elizabeth Shwab Kenny), MARIE C. REED, LINDA G. RUSSELL, FIRST AMERICAN NATIONAL BANK (Successor to First American Trust Company, N.A.) and P.D. HOUSTON, III as TRUSTEES under the Will of Elise Lindenberg Houston, BARBARA D. JOHNSTON, KATHERINE D. MURFREE, RUTH D. DAVIS as TRUSTEE under the Declaration of Trust of Peter Davis dated January 18, 1982, as amended, BENJAMIN E. TATE, JR., FIRST AMERICAN NATIONAL BANK AND JACK N. SHWAB as TRUSTEES under Irrevocable Trust Agreement of Paul E. Shwab dated June 8, 1983, EQUITABLE TRUST COMPANY as SUCCESSOR TRUSTEE under the Will of Emma S. Fletcher, BARRY FLETCHER (formerly Barry Fletcher Lock), MINOS FLETCHER, IV, HUGH M. SHWAB, JR., ELIZABETH SHWAB SANDERS, WILLIAM P. SHWAB AND CLAY DAVIDSON SHWAB (collectively, "Grantors"), have this day bargained and sold, and do hereby transfer and convey unto MICHAEL D. SHMERLING & CO., LLC ("Grantee"), certain real property in Davidson County, Tennessee, described on Exhibit A attached hereto.

This is improved property known as: 618 Church Street, Nashville, Tennessee.

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

GRANTORS covenant and bind themselves, their heirs and assigns to warrant specially and forever defend the title to said real estate to Grantee, its successors and assigns, against the lawful claims of all persons claiming through and under Grantors (other than claims arising out of the matters set forth on Exhibit B), but not further or otherwise.

As used herein, the singular number shall include the plural, and the masculine gender all other genders.

IN WITNESS WHEREOF, Grantors have executed this instrument on this 16 day of March, 1998.

GEORGE A. SHWAB, III.

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public, George A. Shwab, III, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 16 day of March, 1998.

Notary Public

My Commission Expires:
11-25-2000

NOTARY PUBLIC AT LARGE DAVIDSON COUNTY

My Commission Expires NOV. 25, 2000

BOOK 10868 PG 960

Elizabeth Shwab Stephen
ELIZABETH SHWAB STEPHEN
(Formerly Elizabeth Shwab Kenny)

STATE OF Missouri)

COUNTY OF St. Louis)

Personally appeared before me, the undersigned, a Notary Public, Elizabeth Shwab Stephen, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 17th day of March, 1998.

SEAL

Notary Public

My Commission Expires:
6-13-00

MARY T. VINSON
Notary Public – Notary Seal
STATE OF MISSOURI
St. Louis County
My Commission Expires: June 13, 2000

Marie C. Reed
MARIE C. REED

BOOK 10868 PAGE 961

STATE OF TENNESSEE)

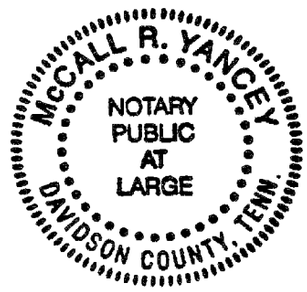
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public, Marie C. Reed, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

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

McCall R. Yancey
, Notary Public

My Commission Expires:
Nov. 24, 2001



My Commission Expires NOV. 24, 2001

Linda G. Russell
LINDA G. RUSSELL

BOOK 10868 PG 962

STATE OF Tennessee)
COUNTY OF Davidson

Personally appeared before me, the undersigned, a Notary Public, Linda G. Russell, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 17 day of March, 1998.

Julia Williams
, Notary Public

My Commission Expires:
April 21, 1999

P. D. HOUSTON, III
Trustee under the Will of
Elise Lindenberg Houston

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

10868 963

Personally appeared before me, the undersigned, a Notary Public, P. D. Houston, III, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 24 day of March, 1998.

Leslie Schrader
Notary Public

My Commission Expires:
My Commission Expires Nov. 25, 2000

FIRST AMERICAN NATIONAL BANK
(Successor to First American Trust Company, N.A.),
Trustee under the Will of Elise Lindenberg Houston

By:
Title: Vice President

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public, Doug Kirby, 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 Vice President of First American National Bank (Successor to First American Trust Company, N.A.), Trustee, a corporation, and is authorized by the corporation to execute this instrument on behalf of the corporation.

WITNESS my hand, at office, this 24 day of March, 1998.

Leslie Schrader
Notary Public

My Commission Expires:
My Commission Expires Nov. 25, 2000

Barbara D. Johnston
BARBARA D. JOHNSTON

BOOK 10868 PG 964

STATE OF TENNESSEE)

COUNTY OF Knox)

Personally appeared before me, the undersigned, a Notary Public, Barbara D. Johnston, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 16th day of March, 1998.

Angela K. Blair
Notary Public

My Commission Expires:
9-29-99

NOTARY PUBLIC KNOX COUNTY

Katherine D Murfree
KATHERINE D. MURFREE

10868 965

STATE OF TENNESSEE)

COUNTY OF Rutherford)

Personally appeared before me, the undersigned, a Notary Public, Katherine D. Murfree, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 18th day of March, 1998.

Janice M. Smith
Notary Public

My Commission Expires:
12-12-98



Ruth D. Davis
RUTH D. DAVIS, Trustee of the
~~under the Will of~~ Peter Davis Trust

BOOK 10865 PG 966

STATE OF California)

COUNTY OF Los Angeles)

Personally appeared before me, the undersigned, a Notary Public, Ruth D. Davis, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 18 day of march, 1998.

Deborah K. Robbins
Notary Public

My Commission Expires:
Nov. 18, 2000

DEBORAH K. ROBBINS
Commission # 1117422
Notary Public — California
Los Angeles County
My Comm. Expires Nov 18, 2000

Benjamin E. Tate Jr
BENJAMIN E. TATE, JR.

10868 PG 967

STATE OF Ohio)

COUNTY OF Hamilton)

Personally appeared before me, the undersigned, a Notary Public, Benjamin E. Tate, Jr., with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 30th day of March, 1998.

Karen J. Justice
Notary Public

My Commission Expires:

KAREN J. JUSTICE
Notary Public, State of Ohio
My Commission Expires February 20, 2002

FIRST AMERICAN NATIONAL BANK,
TRUSTEE under Irrevocable Trust Agreement of
Paul E. Shwab

By: _____
Title: Vice President

10868:968

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public, Doug Kirby, 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 Vice President of First American National Bank, a national banking association, and is authorized by the association to execute this instrument on behalf of the association.

WITNESS my hand, at office, this 24 day of March, 1998.

Leslie Schrader
Notary Public

My Commission Expires:
My Commission Expires Nov. 25, 2000

Jack N Shwab
JACK N. SHWAB, TRUSTEE under
Irrevocable Trust Agreement of Paul E. Shwab
SCDL 00370457 1

STATE OF FLORIDA)
COUNTY OF DADE)

Personally appeared before me, the undersigned, a Notary Public, Jack N. Shwab, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 26 day of MARCH, 1998.

William R Heflin
Notary Public

My Commission Expires:

OFFICIAL NOTARY SEAL
WILLIAM R. HEFLIN
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC387725
MY COMMISSION EXPIRES 8/27/98

EQUITABLE TRUST COMPANY, Successor
Trustee under the Will of Emma S. Fletcher

By: M. Kirk Seeley Jr
Title: Executive Vice Pres

10868 969

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public, M. Kirk Seeley, Jr., 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 Executive Vice President of Equitable Trust Company, a corporation, and is authorized by the corporation to execute this instrument on behalf of the corporation.

WITNESS my hand, at office, this 16th day of March, 1998.

Notary Public

My Commission Expires:

May 23, 1998

Barry Fletcher
BARRY FLETCHER

10868 970

STATE OF Utah)
COUNTY OF Dc)

Personally appeared before me, the undersigned, a Notary Public, Barry Fletcher, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 18th day of August, 1998.

Notary Public

My Commission Expires:

BARRY H. DEUTSCHMAN
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires June 14, 2002

Minos Fletcher IV

MINOS FLETCHER, IV

BOOK 10868 PG 971

STATE OF Tennessee)

COUNTY OF Davidson)

Personally appeared before me, the undersigned, a Notary Public, Minos Fletcher, IV, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 31 day of March, 1998.

Leslie Schrader

, Notary Public

My Commission Expires:
Nov 25, 2000

HUGH M. SHWAB, JR.

STATE OF Kentucky)

COUNTY OF Jefferson)

BOOK 10868 PG 972

Personally appeared before me, the undersigned, a Notary Public, Hugh M. Shwab, Jr., with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 16th day of March, 1998.

, Notary Public

My Commission Expires:

Notary Public, State at Large, KY
My commission expires May 18, 2000

Elizabeth Shwab Sanders
ELIZABETH SHWAB SANDERS

BOOK 10868 PG 973

STATE OF Kentucky)

COUNTY OF Jefferson)

Personally appeared before me, the undersigned, a Notary Public, Elizabeth Shwab Sanders, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 26th day of March, 1998.

Bradley K Allen
, Notary Public

My Commission Expires:

[illegible] January 6, 200[illegible]

William P. Shwab
WILLIAM P. SHWAB

STATE OF Georgia)
COUNTY OF Hall)

BOOK 1056 PAGE 974

Personally appeared before me, the undersigned, a Notary Public, William P. Shwab, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 26 day of March, 1998.

Notary Public

My Commission Expires:

Notary Public, Hall County, Georgia
My Commission Expires Oct. 3, 2000

CLAY DAVIDSON SHWAB

BOOK 1086 PG 975

STATE OF Tennessee)

COUNTY OF Knox)

Personally appeared before me, the undersigned, a Notary Public, Clay Davidson Shwab, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 17 day of March, 1998.

Notary Public

My Commission Expires:
8-30-00

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

BOOK 10868 PG 976

The actual consideration or value (whichever is greater) for this transfer is $ 1,199,400.00 .

Affiant

Subscribed and sworn to before me, this 1st day of April, 1998.

Notary Public

My Commission Expires:
7/22/2000

EXHIBIT A

BEGINNING at the northeast corner of Church Street and Seventh Avenue (North), and running thence eastward with the northern margin of Church Street and with the southern margin of the store-house thereon (previously occupied by The Castner-Knott Dry Goods Co.) one hundred and eleven feet to the center of the eastern wall of said store-house; thence with the center of said wall one hundred and thirty-five feet to the northern margin of the northern wall of said store-house, and thence on in the same line and direction, so as to include eleven feet of a private court in the rear of the said store-house, in all one hundred and forty-six feet from the southern margin of the southern wall of said house; thence westward, and parallel with the southern margin of said store-house one hundred and eleven feet and two inches, more or less, to the eastern margin of Seventh Avenue and to the southwest corner of a parking lot, a point eleven feet from the northwest corner of said store-house; thence southward with the eastern margin of said Avenue one hundred and forty-six feet to the beginning.

BEING the same property conveyed to George A. Shwab, III, Elizabeth Shwab Stephen (formerly Elizabeth Shwab Kenny), Enid Lindenberg Daniel, Elise Lindenberg Houston, Paul M. Davis, Jr., Peter Davis, Benjamin E. Tate, Jr., Paul E. Shwab, Emma S. Fletcher, Hugh M. Shwab, Jr., Elizabeth Shwab Sanders, William P. Shwab and Robert D. Shwab, by Deed of Record in Book 10132, page 473, Register's Office for Davidson County, Tennessee. The said Enid Lindenberg Daniel having since died, and her interest having now vested in Marie C. Reed and Linda Russell pursuant to her last will and testament. The said Elise Lindenberg Houston having since died, and her interest having now vested in P.D. Houston, III and First American National Bank, Trustees, pursuant to her last will and testament. Paul M. Davis, Jr. having since died, and his interest having now vested in Barbara D. Johnston and Katherine D. Murfree pursuant to his last will and testament. The interest of Peter Davis having now vested in Ruth D. Davis, as Trustee of the inter vivos trust he created prior to his death. Paul E. Shwab having since died, and his interests having now vested in First American National Bank and Jack N. Shwab as Trustees, under Irrevocable Trust Agreement of Paul E. Shwab dated June 8, 1983. Emma S. Fletcher having since died, and her interest having now vested in Equitable Trust Company as Successor Trustee and in Barry Fletcher (formerly known as Barry Fletcher Lock) and Minos Fletcher, IV pursuant to her last will and testament.

EXHIBIT B

1. Any discrepancies, conflicts, encroachments, servitudes, shortages in area and boundaries or other facts which a correct survey would show.

2. 1998 taxes, a lien, which are not yet due and payable.

3. Agreement for Bridge Easement of record in Book 7823, page 221.

4. Easement and Declaration of Restrictions of record in Book 4678, page 545 and Book 4690, page 1.

5. Easement(s) to Nashville Hotel Developers, Ltd., as set forth in instrument recorded in Book 4690, page 12.

6. Terms and provisions of an Agreement between The Castner-Knott Dry Goods Co. and Nashville Hotel Developers, Ltd. of record in Book 4825, page 615.

04 20578
IDENTIF. & REFERENCE
98 APR -2 PM 2:27
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.
4748 04/02 0101 03CHECK 4522.78

OFFICIAL RECEIPT

FELIX Z. WILSON, II

REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____ BOOK 10568 PG 979

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

CAHT

11PF430.00

CON TX 4427.75

PRFEE 1.00

MO TX 94.00

TOTAL 4522.75

CHECK 4522.75

04/02/98 01 14125 0001 4748

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

0420578
IDENTIF. ↑ REFERENCE

98 APR -2 PM 2:27

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

No.1275003