BOOK 11042 PAGE 554

Send Tax Bills To:

Thomas M. Harned
5024 Cravens
Antioch TN 37013
82-16-38 - Tract 1
Map/Parcel No: 96C-C10/140-Tract 2

This Instrument Prepared By:
Goodman & Walker, Attorneys
Springfield, Tennessee

0333 07/30 0101 03CHECK 38.00

EXECUTOR'S DEED

THIS INSTRUMENT made and entered into on this the 20th day of July, 1998, by and between THOMAS MARION HARNED, Executor of the Estate of Frank Wayne Harned, hereinafter called the Party of the First Part, and MARK EDWARD MILLER and THOMAS MARION HARNED, devisees under the Last Will and Testament of Frank Wayne Harned, hereinafter called the Parties of the Second Part;

98 JUL 30 PM 2:05

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WITNESSETH: PICK-UP

In accordance with the terms and conditions of the Last Will and Testament of Frank Wayne Harned, of record in Will Book 10, Page 226, Office of the Clerk and Master, Robertson County, Tennessee, the Party of the First Part conveys and quitclaims unto the Parties of the Second Part, all of his right, title and interest in and to the following described tract of land, situated in the _____ Civil District of Davidson County, Tennessee, more particularly described as follows, to-wit:

TRACT NO. 1
BEING Lot 140 on the Map of Williams' Addition to Edgefield, now East Nashville, as of record in Book 21, page 45, Register's Office for said County. Said Lot No. 140 fronts 50 feet on the northerly side of Shelby Avenue and runs back between parallel lines, 175 feet to an alley.

AND BEING the same property as that conveyed to Frank Harned, by Deed from Virginia L. Miller, appearing of record in Deed Book 7226, page 464, Register's Office for Davidson County, Tennessee. The said Frank Harned died testate on November 27, 1997, and by his Last Will and Testament, appearing of record in Will Book 10, page 226, in the Clerk & Masters Office for Robertson County, Tennessee, a copy of which is attached hereto, he devised the said real property to Mark Edward Miller and Thomas Marion Harned.

TRACT NO. 2

BEING Lot No. 136 on the Plan of Golden Valley Estate Section One, as of record in Book 4175, page 142, Register's Office for said County.

Said Lot No. 136 fronts 54.38 feet along the southerly margin of Greggwood Drive and extends back between lines 149.68k feet on the easterly line and 144.81 feet on the westerly line to a broken line in the rear which measures 74.37 feet thereon.

AND BEING the same property as that conveyed to Frank Harned, by Deed from Toinette Pakutka, appearing of record in Deed Book 7698, page 341, Register's Office for Davidson County, Tennessee. The said Frank Harned died testate on November 27, 1997, and by his Last Will and Testament, appearing of record in Will Book 10, page 226, in the Clerk & Masters Office for Robertson County, Tennessee, a copy of which is attached hereto, he devised the said real property to Mark Edward Miller and Thomas Marion Harned.

IN WITNESS WHEREOF, the Party of the First Part has hereunto set his signature, the day and year first above written.

Thomas Marion Harned

THOMAS MARION HARNED

STATE OF TENNESSEE)
COUNTY OF ROBERTSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named THOMAS MARION HARNED, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the foregoing instrument for the purposes and considerations therein contained.

WITNESS my hand and official seal of office, this the 20th day of July, 1998.

Amanda S. Brockshier

Notary Public

My commission expires: 5-22-2001

I, or we, hereby swear or affirm that the actual consideration for this transfer, or value of property or interest in property transferred, whichever is greater, is $ -0-, which amount is equal to or greater than the amount which the property or interest in property transferred would command at a fair and voluntary sale.

Affiant

SUBSCRIBED and SWORN to before me, this the 23rd day of July, 1998.

Amanda L. Brackin
Notary Public or Register

My commission expires: 5-22-2001

FWH

Last Will and Testament

Of

FRANK WAYNE HARNED

I, FRANK WAYNE HARNED, of Greenbrier, Tennessee, being of sound mind and under no restraint, hereby publish and declare this instrument to be my Last Will and Testament, revoking all previous Wills and Codicils I have made.

I am not married to any person. I have six children, JEFFREY SCOTT HARNED, CARL MORRIS HARNED, MELISSA KAY PULLEY, KELLY DUANE HARNED, THOMAS MARION HARNED and MARK EDWARD MILLER.

ITEM I.

I hereby give to MARK EDWARD MILLER AND THOMAS MARION HARNED AT 50% each my Property at 809 Shelby, Nashville, TN 37206, Lot and Parcel #82-16-380 with Register of Deeds at Metropolitan Nashville Davidson County, TN, and 3109 Gregwood Drive, Nashville, TN 37207, Lot and Parcel #60-1-140 with Register of Deeds at Metropolitan Nashville Davidson County, TN. Also included is any furniture, appliances or contents therein. In the event such beneficiary shall fail to survive me, this gift becomes part of my residuary estate.

ITEM II.

I hereby give to KELLY DUANE HARNED, CARL MORRIS HARNED AND MELISSA KAY PULLEY my property located at 1210A Keller, Nashville, TN 37216, Lot and Parcel #72-6-359 with Register of Deeds at Metropolitan Nashville Davidson County, TN, 1204 Keller, Nashville, TN 37216, Lot and Parcel #72-06-369 with Register of Deeds at Metropolitan Nashville Davidson County, TN, 1202 Keller, Nashville, TN 37216, Lot and Parcel # 72-6-357 with Register of Deeds at Metropolitan Nashville Davidson County, TN, 1205 Keller, Nashville, TN 37216, Lot and Parcel #72-06-368 with Register of Deeds at Metropolitan Nashville Davidson County, TN, 1206 Keller, Nashville, TN 37216, Lot and Parcel #72-6-370 with Register of Deeds at Metropolitan Nashville Davidson County, TN, 1207 Keller, Nashville, TN 37216, Lot and Parcel #72-6-353 with Register of Deeds at Metropolitan Nashville Davidson County, TN, 1208 Keller, Nashville, TN 37216, Lot and Parcel #72-6-358 with Register of Deeds at Metropolitan Nashville Davidson County, TN, 1312 Litton AV., Nashville, TN 37216, Lot and Parcel #72-10-228 with Register of Deeds Metropolitan Nashville Davidson County, TN, 1820 River Drive, Nashville, TN 37218, Lot and Parcel #81-1-071 with Register of Deeds at Metropolitan Nashville Davidson County, TN At 1/3 each.

This shall include any furniture, appliances or contents therein each property. In the event such beneficiary shall fail to survive me, this gift becomes part of my residuary estate.

ITEM III.

I hereby give to Melba Ann Queen my property located at 2140 Richmond Hill Drive, Nashville, TN 37207, Lot and Parcel #50-13-008 with Register of Deeds at Metropolitan Nashville Davidson County, TN. In the event such beneficiary shall fail to survive me, this gift becomes part of my residuary estate.

ITEM IV

I hereby give to Jeffrey Scott Harned a sum of $5,000.00. In the event such beneficiary shall fail to survive me, this gift becomes part of my residuary estate.

ITEM V

I give the entire residue of my estate, whether real, personal or mixed, to my children, JEFFREY SCOTT HARNED, CARL MORRIS HARNED, MELISSA KAY PULLEY, KELLY DUANE HARNED, THOMAS MARION HARNED and MARK EDWARD MILLER, share and share alike. If any child fails to survive me, the share which would have been distributed to such child shall be distributed among those of my children who did survive me, share and share alike.

ITEM VI.

I nominate and appoint Thomas Marion Harned as Executor of this, my Last Will and Testament. If the above-named Executor is unable or unwilling to serve, or otherwise fails to complete the administration of my estate, I nominate and appoint Jo Ann Harned instead. Said Executor shall serve without bond.

ITEM VII.

I direct my Executor to pay all of my legally enforceable debts, the expenses of my funeral and burial or cremation, and of the administration of my estate.

ITEM VIII.

I direct my Executor to do all acts which my Executor deems necessary or appropriate in order to achieve the purposes of this, my Last Will and Testament, including the power to sell property and distribute the proceeds of such sale as part of my estate.

ITEM IX.

I authorize my Executor to utilize the services of an attorney, accountant and any other professional as may be necessary or desirable in the administration of this, my Last Will and Testament. The expenses incurred by the Executor using such professional services shall be an expense to my estate and shall be paid by my estate.

ITEM X.

I direct my Executor to pay all inheritance, transfer, estate and similar taxes (including interest and penalties) on my property or interest in property included in my estate for the purpose of computing taxes out of the following asset(s) in the order indicated: First Union Bank, Account #4390140058 CAP Account

ITEM XI.

My Executor shall be entitled to reasonable compensation for services actually performed and to reimbursement for expenses properly incurred.

ITEM XII.

I direct my Executor to use best efforts to ensure that the following instructions regarding my funeral and burial are observed: Purchase a reasonable casket and funeral not to exceed $9000.00.

ITEM XIII.

It is not my intention to make provision in this, my Last Will and Testament, for any person not expressly provided for herein, except for children born to or legally adopted by me after the date of this instrument, and if any such person has not been expressly mentioned herein, he or she has been omitted by me intentionally and with full knowledge of his or her relationship and existence.

ITEM XIV.

If, after the execution of this, my Last Will and Testament, there shall be an additional child or additional children born to or legally adopted by me, such child or children shall share in the benefits of my estate to the same extent as he or she would have shared if I had died without a will, and the provisions of this will shall be modified to the extent necessary to see that this is done.

ITEM XV.

Where appropriate to the context, pronouns or other terms expressed in one number or gender shall be deemed to include the other number or gender, as the case may be.

ITEM XVI.

Any person named or referred to herein shall be deemed to have survived me only if such person shall in fact survive me for a period of at least 30 days. Any person named or referred to herein who shall not survive me for a period of at least 30 days shall be deemed to have died before I do.

IN WITNESS WHEREOF, I have hereunto signed my name, declaring and publishing this instrument, as my Last Will and Testament, in the presence of the undersigned witnesses, on August 28th, 1997.

Frank Wayne Harned
FRANK WAYNE HARNED

ATTESTATION

We hereby certify that this Last Will and Testament was signed, declared and published by FRANK WAYNE HARNED as his Last Will and Testament on this day, ~~in~~ our presence and in the presence of each other and we sign our names below as Witnesses in his presence, at his request and in the presence of each other on September 8, 1997.

Laurie Diaz-Barraza Resides 101 N Oak St
Witness 1 Signature — Street Address

Caroline Diaz Barraza — Springfield, TN 37172
Witness 1 Name (Printed) — City, State, Zip

Donald Lamb Resides 235 New Brick Rd Goodlettsville, Tenn.
Witness 2 Signature — Street Address

Donald Lamb — Goodlettsville, Tenn 37072
Witness 2 Name (Printed) — City, State, Zip

Larry A. Brock Resides 504 Village Ct.
Witness 3 Signature — Street Address

Larry A Brock — Nash. TN 37206
Witness 3 Name (Printed) — City, State, Zip

AFFIDAVIT

We, Carolina Diaz Barrios, Donald Lanius, and Larry A. Brock, having been sworn, do solemnly swear that in our presence and in the presence of each other, FRANK WAYNE HARNED signed, declared and published the above instrument on September 10, 1997, as his Last Will and Testament, and asked each of us to serve as Witnesses. We signed this Last Will and Testament as Witnesses, in the presence of FRANK WAYNE HARNED and in the presence of each other. At the time of signing this Last Will and Testament, FRANK WAYNE HARNED appeared to us to be of sound mind, free from duress, fraud or undue influence. Each of us is 21 years of age or older and fully competent to serve as Witnesses.

9-10-97 Date — Carolina Diaz Barrios Witness 1

9-10-97 Date — Witness 2

9-10-97 Date — Larry A Brock Witness 3

Subscribed and sworn to before me by Caroline Dice Barriga, Donald Dennis, and Larry A. Block, each of whom is known to me personally, this 16th day of September, 1997.

My Commission Expires:
March 24 2001
NOTARY PUBLIC

Pat Reese

(SEAL)

STATE OF TENNESSEE
ROBERTSON COUNTY

I, Kenneth Hudgens, Clerk & Master of the Chancery Court of said County, do hereby certify that the foregoing instrument contains a true and complete copy of Deed of Trust as same appears of record or on the file in Book 776 Page 862 of the records of Robertson County, Tennessee.
Given under my hand and seal this 18 day of June 1998

KENNETH HUDGENS, Clerk & Master

By _____ DC