Prepared By: Dana Scoggins, Esq
Columbia, TN

BOOK 11163 PAGE 379

WARRANTY DEED OF SUCCESSOR TRUSTEE

Address of New Owner: / Tax Bills

Map and Parcel No.

James Devin McClendon
6209 Milbrook Road
Brentwood, Tennessee 37027

102 17

Mail

Mortgagee:

None

WITNESSETH:

I, Carol L. Reber, Successor Trustee of the James Devin McClendon Trust established 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, as established under the Last Will and Testament of James W. McClendon, deceased, hereinafter called the "Grantor", by these presents do hereby transfer and convey unto James Devin McClendon, unmarried, 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 of 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 if further made subject to real property taxes for 1998 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, his heirs and assigns forever;

AND the said Carol L. Reber, in her capacity as Successor Trustee under the Last Will and Testament of James W. McClendon, deceased, does hereby covenant with the Grantee that as such Trustee, (and not individually) she 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 Trustee (and not individually), she does further covenant and bind herself, to warrant and forever defend the title to the said real property to the said Grantee, and his heirs and assigns, against the lawful claims of all persons claiming by or through said Trustee.

IN WITNESS WHEROF, I have hereunto set my hand on this the 16th day of October, 1998.

GRANTOR:

Carol L. Reber

Carol L. Reber, Successor Trustee of the James Devin McClendon Trust established under the Last Will and Testament of James W. McClendon, deceased.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for the said county and state, the within named Carol L. Reber, Successor Trustee of the James Devin McClendon Trust established under the Last Will and Testament of James W. McClendon, deceased, with whom I am personally acquainted and who acknowledged that as such Trustee, she executed the within named instrument for the purpose therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 16th day of October, 1998.

Janice L. Villemain

Notary Public

JANICE HILLEMANN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY TN

My Commission Expires:
05/26/2002

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 shows 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.

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

Being part of the property wherein a one-fourth (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 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.

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0502030
IDENTIF. ↑ REFERENCE

98 OCT 21 AM 9:32
BILL GARNETT REGISTER
DAVIDSON COUNTY, TN.

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