Instr:200007120069069 Page: 1 OF 7
REC'D FOR REC 07/12/2000 1:04:35PM
RECORD FEE: $31.00
M. TAX: $0.00 T. TAX: $915.75

BOX 50-B

PREPARED BY: RETURN TO:
BANKERS TITLE & ESCROW CORP.
3310 WEST END AVE.
NASHVILLE, TN 37203

THIS INSTRUMENT WAS PREPARED BY:
A. Harrison Johnson, Jr., Attorney
213 Fifth Avenue, North
Nashville, TN 37219

SPECIAL WARRANTY DEED

ADDRESS NEW OWNER AS FOLLOWS:	SEND TAX BILLS TO:	MAP/PARCEL NOS.
John Terry Olive and wife, Dianne S. Olive 4116 Estes Road Nashville, TN 37215	Same	116-16-0-A

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater for this transfer is **$247,500.00.**

Affiant

Subscribed and sworn to before me this 30 day of June, 2000.

R. E. MOORE
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.

My Commission Expires: Sept 23, 2000 NOTARY PUBLIC

For and in consideration of the sum of **Two Hundred Forty-Seven Thousand Five Hundred ($247,500.00) Dollars**, cash in hand paid to the Grantors, receipt whereof is hereby acknowledged by the Estate of Frank G. Witherspoon,

We, Frank G. Witherspoon, Jr., James W. Witherspoon and Loise Ann Witherspoon, as sole surviving devisees under the Last Will and Testament of Frank G. Witherspoon, and Loise Ann Witherspoon, as Executrix thereunder (the "Grantors" herein), have bargained and sold, and do hereby transfer and convey unto John Terry Olive and wife, Dianne S. Olive (the "Grantees" herein), all of our right, title and interest in and to the following Property:

> A certain condominium apartment in Davidson County, Tennessee, being Unit No. 2-A located on Lot No. 2 of "The Garden", as shown on the Plan of record in Book 5200, page 224, Register's Office form said County, and as more particularly described by Exhibit "B", Lots 1 and 2, "The Garden Condominium", of record in Book 5810, page 170, said Register's Office, to which reference is made for a more complete description. Unit 2-A is conveyed subject to the Master Deed of record in Book 5537, page

793, and attendant By-Laws of record in Book 5537, page 799, as made applicable to Unit 2-A in Book 5810, page 167, in said Register's Office. (The "Property" herein).

Being the same Property conveyed to Frank G. Witherspoon and wife, Loise C. Witherspoon, by deed from Charles M. Johnson, a widower, of record in Book 8873, page 643, Register's office for Davidson County, Tennessee. The said Frank G. Witherspoon having since died testate, his Will of record in Will Book 235, page 422, Probate Court for Davidson County, Tennessee, being predeceased by Loise C. Witherspoon.

The legal description and the state of title of the Property have been furnished to the draftsman by the Grantor, by third parties or from the record. The draftsman assumes no liability as to the accuracy thereof.

This is [ ] unimproved [x] improved property known as 4116 Estes Road, Nashville, TN 37215.

TO HAVE AND TO HOLD said Property and real estate, with all the easements, hereditaments, appurtenances, estate, title and interest thereunto belonging to the said John Terry Olive and wife, Dianne S. Olive (the "Grantees" herein) and to their heirs, administrators and assigns forever, and we do covenant that we are lawfully seized and possessed of said real estate in fee simple, have a good right to convey it, and that the same is unencumbered, except for the following:

1. Taxes for the year 2000, which have been prorated at closing and assumed by the Grantees.

2. The property is a condominium apartment established pursuant to the provisions of the Tennessee Horizontal Property Act as the same is set out in Section 66-27-101 et seq., of Tennessee Code Annotated, and is subject to the provisions and requirements thereof; and is subject to the Master Deed and By-Laws for the administration thereof; also subject to the easements, rights and interests in favor of the other unit owners, and all sewer, water, electrical, telephone, cable and other utility easements now or hereafter established over, through, under or upon the regime and buildings thereon; and also, without limitations, all conditions, covenants, restrictions, options, burdens, assessments and other undertakings contained in the Master Deed establishing the Horizontal Property Regime of the Garden Condominium of record in Book 5537, page 793, and By-Laws appended thereto in Book 5537, page 799, as made applicable to Unit 2-A in Book 5810, page 167, said Register's Office.

3. Agreement for dedication of easement for private sanitary sewer service line of record in Book 5797, page 371, said Register's Office.

4. Subject to all matters shown on the Plan of record in Book 5200, page 224, and Exhibit "B" of the amendment to the Master deed in Book 5810, page 168, both in said Register's Office.

5. Subject to the rights of others in and to the common areas/elements.

And, we do further covenant and bind ourselves, our heirs, administrators and representatives, to warrant and forever defend the title to said real estate to said John Terry Olive and wife, Dianne S. Olive (the "Grantees" herein) and to their heirs, administrators and assigns, against the lawful claims of all persons claiming by, through or under us, but not otherwise.

This deed may be executed in counterparts. The draftsman is authorized to attach multiple signature pages and notary pages hereto.

[Signature Page(s) Follow]

[Signature Page]

Witness our hands this the day and year first above written.

Frank G. Witherspoon, Jr.

James W. Witherspoon

Loise Ann Witherspoon, individually and as Executrix of the Estate of Frank G. Witherspoon

[Signature Page]

Witness our hands this the day and year first above written.

Frank G. Witherspoon, Jr.

James W. Witherspoon

Loise Ann Witherspoon, individually and as Executrix of the Estate of Frank G. Witherspoon

STATE OF TENNESSEE)
COUNTY OF Davidson)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **James W. Witherspoon**, the within named bargainor(s), with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 28th day of June, 2000.

Linda Gayle Barnes
Notary Public
My Commission Expires: 3/23/02

(Affix Seal)

LINDA GAYLE BARNES NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

STATE OF TENNESSEE)
COUNTY OF Davidson)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **Loise Ann Witherspoon** individually and as Executrix of the Estate of Frank G. Witherspoon, the within named bargainor(s), with whom I am personally acquainted, and who acknowledged that she executed the within instrument both individually and as such Executrix for the purposes therein contained.

Witness my hand and official seal at NAshville, Tennessee, this 30th day of June, 2000.

Notary Public
My Commission Expires: Sept 23, 2010

R. L. MOORE NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

(Affix Seal)

STATE OF TENNESSEE)
COUNTY OF Shelby)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **Frank G. Witherspoon, Jr.**, the within named bargainor(s), with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Memphis, Tennessee, this 20th day of June, 2000.

BRENDA McCALLUM
MY COMM. EXP.
NOTARY
PUBLIC
AT
LARGE
DEC. 30, 2002
SHELBY COUNTY TN

Brenda McCallum
Notary Public
My Commission Expires: Dec 30, 2002

(Affix Seal)