WARRANTY DEED

STATE OF TENNESSEE
COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $270,000.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 29th Day of September, 2000.

Notary Public

MY COMMISSION EXPIRES:

(AFFIX SEAL)

LINDA V. JONES NOTARY PUBLIC AT LARGE WILSON COUNTY, TENN.

Record & Return To:

Southern Title Services
Three Maryland Farms, Suite 150
Brentwood, TN 37027
File No. 200011352

THIS INSTRUMENT WAS PREPARED BY
David W. Kious, Attorney at Law, Three Maryland Farms, Suite 150 Brentwood, TN 37027

My Commission Expires September 18, 2001

WARRANTY DEED

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
Joseph Allen Kelly and wife, Sammie LeAnn Kelly	Owner	Map 49, Parcel 305 Tract One
(NAME) 3831 Whites Creek Pike	(NAME) 3831 Whites Creek Pike	Map 49, Parcel 324, Tract Two
(ADDRESS) Nashville, TN 37207	(ADDRESS) Nashville, TN 37207	Map 49, Parcel ~~312~~ 312, Tract Three
(CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	

FOR AND IN CONSIDERATION of the sum of ten dollars, cash in hand paid by the hereinafter named GRANTEE(S), and other good and valuable considerations, the receipt of which is hereby acknowledged, we, **Martha Bates, widowed**, hereinafter called the GRANTOR(S), have bargained and sold, and by these presents do transfer and convey unto **Joseph Allen Kelly and wife, Sammie LeAnn Kelly** herereinafter called the GRANTEE(S), their heirs and assigns, a certain tract or parcel of land in DAVIDSON County, State of Tennessee, described as follows, to-wit:

Land in the 12th formerly 21st Civil District of Davidson Counmty, Tennessee, described according to a survey by Michael V. Holmes & Associates, Inc., dated April 23, 1981 as follows:
TRACT ONE:
Beginning at the southwest corner of William P. Dickens property and the northwest corner of Earl Bates property; thence south 36 degrees, 37 minutes east 215 feet to the point of beginning in the center of Whites Creek Pike; thence leaving Whites Creek Pike north 54 degrees 15 minutes east 320.40 feet to an iron pin; thence south 45 degrees 22 minutes east 136.44 feet to an iron pin; thence south 39 degrees 23 minutes west 92.69 feet to an iron pin; thence south 48 degrees 22 minutes west 255.65 feet to the corner of Whites Creek Pike; thence north 35 degrees 32 minutes west 184.50 feet to the point of beginning.

TRACT TWO:
Land in the 12th formerly 21st Civil District of Davidson County, Tennessee, described as follows:

Beginning at a point in the center of Whites Creek Pike, the common corner of the William F. Dickens property and the Earl B. Bates and Sons Nursery and Garden Center property; then with the center of said Whites Creek Pike south 36 degrees 37 minutes east 215 feet to a point; thence north 54 degrees 15 feet east 320.4 feet to an iron pin; thence north 36 degrees 37 minutes west to a point in William F. Dickens southerly boundary; thence south 49 degrees 45 minutes west 320.4 feet, more or less, to the center of Whites Creek Pike, the point of Beginning.

Being part of the same property conveyed to Earl B. Bates and Sons Nursury & Garden Center by Deed of Record in Book 5744, page 718, said Register's Office. Being the same property conveyed to Earl B. Bates and wife, Martha Bates, by Warranty Deed of Record in Book 6336, page 126, said Register's Office.
Being the same property conveyed to Earl B. Bates and wife, Martha Bates by QuitClaim Deed from George P. Linebaugh Jr. Attorney, Trustee of Record in Book 6324, page 54, Register's Office for Davidson County, Tennessee. The said Earl B. Bates having since died.

Easement for Right of Way of Whites Creek Pike. & for overflow, Easement of Record in BOOk 5974, page 83, said Register's Office.
Tract Three

A tract of land in the First Civil District, Nashville, Davidson County, Tennessee, lying generally east of Whites Creek Pike and north of Briley Parkway and being more particularly described as follows:

Beginning at an existing iron pin on the east right-of-way of Whites Creek Pike; said pin being at the common line between Martha Bates of record in Book 6324, Page 54, R.O.D.C., Tn, and Earl B. Bates & Sons Nursery and Garden Center of record in Book 5744, Page 718, R.O.D.C., Tn; thence with said common line N 48°21'30" E 225.61 feet to an existing iron pin; thence N 39°22'55" E 92.58 feet to an existing iron pin; the true point of beginning of the herein described tract; thence continuing with the common line N 45°22'00" W 136.45 feet to an existing iron pin; thence with the northeasterly boundary of Martha Bates of record in Book 6336, Page 126, R.O.D.C., Tn and Earl B. Bates & Sons Nursery and Gardon Center N 36°37'36" W 240.41 feet to an iron pin set in the southeasterly boundary of Jessie Dickens, et al, of record in Book 7754, Page 465, R.O.D.C., Tn; thence with said Dickens N 49°22'17" E, 497.49 feet to an iron pin set; thence leaving said Dickens and severing the land of Earl B. Bates & Sons Nursery and Garden Center of record in Book 5744, Page 718 R.O.D.C., Tn. S 43°36'31" E 190.73 feet to an iron pin set; thence S 42°02'10" W 166.77 feet to an iron pin set; thence S 41°58'38" E 115.33 feet to an iron pin set; thence S 38°16'57"W 346.15 feet to an iron pin set; thence N 71°12'07" W 20.71 feet to the point of beginning, containing 159,506 square feet or 3.66 acres more or less.

Davidson County DEEDWARR
Recvd: 10/05/00 10:23 2pgs
Fees:11.00 Taxes:999.00

20001005-0098968

Being the same property conveyed to Martha Bates, a single person by Deed of Record in Book 9471, page 255, said Register's Office.

This is unimproved ( )
improved(X) property, known as 3831 Whites Creek Pike Nashville TN 37207
(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE(S), their heirs and assigns forever; and we do covenant with the said GRANTEE(S) that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and except for the current year property taxes which are being prorated between the parties and Grantee agreeing to pay said tax when due; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEE(S), their heirs and assigns, against the lawful claims of all persons whomsoever.

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

Witness my/our hand(s) this 29th Day of September, 2000.

Martha Bates

Martha Bates

STATE OF TENNESSEE)
) ss:
COUNTY OF DAVIDSON)

Before me, the undersigned Notary Public, personally appeared Martha Bates, who is/are known to me or proved to me on the basis of satisfactory evidence, and who acknowledged that she executed the foregoing instrument for the purposes therein contained.

Witness my hand and official seal this 29th Day of September, 2000.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

LINDA V. JONES
NOTARY PUBLIC AT LARGE
WILSON COUNTY, TENN.

My Commission Expires SEPT. 6, 2001