THIS INSTRUMENT IS BEING RE-RECORDED TO CORRECT THE LEGAL DESCRIPTION.

Davidson County DEEDWARR
Recvd: 11/01/00 12:20 3pgs
Fees:15.00 Taxes:355.20
20001101-0108382

This document was prepared by:
Ronald H. Bice, Jr., Attorney
4515 Harding Road, Suite 103
Nashville, TN 37205

Mail

# WARRANTY DEED

ADDRESS NEW OWNER(S) AS FOLLOWS: SEND TAX BILLS TO: MAP PARCEL #

KIRKLAND PROPERTIES
910 HART LANE
NASHVILLE, TN 37216

SAME

72-02/069

FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS ($10.00), cash in hand paid by **KIRKLAND PROPERTIES**, A TENNESSEE GENERAL PARTNERSHIP, with good and valuable consideration accepted as cash, the receipt of all of which is hereby acknowledged, WE, **CLARICE F. SMILEY, a widowed woman; and, GLEN R. SMILEY and DON N. SMILEY, TRUSTEES OF THE LLOYD E. SMILEY AND CLARICE F. SMILEY REVOCABLE LIVING TRUST**, have this day bargained and sold, and do hereby transfer and convey unto the said **KIRKLAND PROPERTIES**, A TENNESSEE GENERAL PARTNERSHIP, the Grantee herein, its successors and assigns, certain real estate in Davidson County, Tennessee, as follows: SEE ATTACHED EXHIBIT A WHICH SHOWS THE CORRECTED LEGAL DESCRIPTIO

LAND in Davidson County, Tennessee, being Lot No. 17 and the Northwesterly triangular part of Lot No. 16 on the map of D.T. Crockett's Subdivision of part of Maplewood, of record in Book 421, page 159, Register's Office for said County and described as follows:

Beginning at a point in the West margin of Maplewood Road at the corner of Lots Nos 16 and 17; thence along an old established tree line and fence, leaving the line between Lots Nos 16 and 17, South 86 degrees 15' West 164.8 feet to a fence post in the East right-of-way line of L&N Railroad; thence along said right-of-way line along a fence, North 10 degrees 07' West 172 feet to an iron pin in the South margin of Ben Allen Road, sometimes called Home Road, as follows; South 76 degrees East 128 feet to an iron pin, South 17 degrees East 50 feet to the point of beginning.

Being the same real property conveyed to Lloyd Eugene Smiley and wife, Clarice Fentress Smiley, from Wynn Properties, Inc. by installment deed recorded in Book 4115, page 799, Register's Office for Davidson County, Tennessee; the said Clarice Fentress Smiley having survived her husband, Lloyd Eugene Smiley, whom predeceased her on March 13, 2000.

Being the same real property conveyed to The Lloyd E. Smiley and Clarice F. Smiley Revocable Living Trust by quitclaim deed from Lloyd E. Smiley and Clarice F. Smiley of record in Book 10723, page 46, Register's Office for Davidson County, Tennessee.

This instrument is executed by Grantor, Clarice Fentress Smiley, by her attorneys-in-fact in accordance with her directive in a certain Durable Power of Attorney recorded as instrument number 20001030-0107328, in the Register's Office for Davidson County, Tennessee.

Taxes for 2000 have been pro-rated and assumed by Grantee.

This is improved property known as 902 Hart Lane, Nashville, TN 37216.

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest thereto belonging, to the said Grantee, its successors and assigns forever. And we covenant that we are

**RE-RECORD**

Davidson County DEEDWARR
Recvd: 11/21/00 14:32 4pgs
Fees:18.00 Taxes:0.00
20001121-0115122

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 as follows:

Taxes for 2000 are not yet due and have not been paid.

We further covenant and bind ourselves, our heirs and assigns, to warrant and forever defend the title to said real estate to said Grantee, its successors and assigns, against the lawful claims of all persons.

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

Witness our hands this 1ST day of NOVEMBER, 2000.

Clarice Fentress Smiley
CLARICE FENTRESS SMILEY
by her ATTORNEYS-IN-FACT
GLEN R. SMILEY AND DON N. SMILEY

Glen R. Smiley
GLEN R. SMILEY, TRUSTEE

Don N. Smiley
DON N. SMILEY, TRUSTEE

**STATE OF TENNESSEE )**
**COUNTY OF DAVIDSON )**

The actual consideration or value whichever is greater for this transfer is $96,000.00. Subscribed and sworn to before me, this the 1ST day of NOVEMBER, 2000.

Raymond M Vandiver, PARTNER
AFFIANT

Ronald H. Bice Jr
NOTARY PUBLIC

My commission expires: 11-24-2001

**STATE OF TENNESSEE )**
**COUNTY OF DAVIDSON )**

Personally appeared before me, Ronald H. Bice Jr, a Notary Public in and for said County and State, **GLEN R. SMILEY AND DON N. SMILEY, TRUSTEES OF THE LLOYD E. SMILEY AND CLARICE F. SMILEY REVOCABLE LIVING TRUST,** the within named bargainors, with whom I am personally acquainted, and who acknowledged that they executed the within instrument of their own free will for the purposes therein contained by signing their names as Trustees of the Lloyd E. Smiley and Clarice F. Smiley Revocable Living Trust.

Witness my hand and official seal at Nashville, Tennessee, this 1ST day of NOVEMBER 2000.

Ronald H. Bice Jr
NOTARY PUBLIC

My commissions expires: 11-24-2001

**STATE OF TENNESSEE )**
**COUNTY OF DAVIDSON )**

Personally appeared before me, Ronald H. Bice, Jr., a Notary Public in and for said County and State, **GLEN R. SMILEY AND DON N. SMILEY,** the within named bargainors, with whom I am personally acquainted, and who acknowledged that they executed the within instrument in behalf of **CLARICE FENTRESS SMILEY** and acknowledged that they executed the same as the free act and deed of **CLARICE FENTRESS SMILEY** for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 1st day of November, 2000.

Ronald H Bice Jr
NOTARY PUBLIC

My commissions expires: 11-24-2001

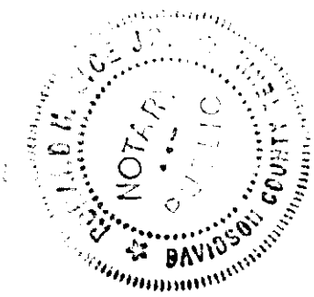


**EXHIBIT A- CORRECTED LEGAL DESCRIPTION**

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