40.A

WARRANTY DEED

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 126,440.00 6300

X
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 1st DAY OF June, 2001

Notary Public

MY COMMISSION EXPIRES:
(AFFIX SEAL)

ANDREA L. GIBSON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires July 26, 2003

THIS INSTRUMENT WAS PREPARED BY
Gibson & Gregory, Suite 1900, 201 Fourth Ave., N., Nashville, Tennessee 37219

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP AND PARCEL NUMBERS
The Rose and The Thorn, LLC (NAME)	New Owner (NAME)	MAP 57
P. O. Box 363 (ADDRESS)	(ADDRESS)	P/O PARCEL 31
Brentwood, TN 37024 (CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	

FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, WE, Robbie McKee Clay, unmarried

HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO The Rose and The Thorn, LLC

HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN Davidson COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

SEE ATTACHED EXHIBIT A

This conveyance is made subject to the real estate taxes for the current year, which have been prorated, and such limitations, restrictions and easements as may affect the premises.

The property herein conveyed by Grantor to Grantee as described in Exhibit "A" is subject to and has the use of the easement for ingress and egress and installation and maintenance of utilities as described in Exhibit "B" attached hereto and incorporated herein by reference. Said easement is established for the benefit of Tracts 5, through 11, as reflected on an unrecorded boundary survey prepared by Bruce Rainey & Associates, dated February 23, 2001, as revised, not of record, and shown as Exhibit "C" attached hereto and incorporated herein by reference.

Davidson County DEEDWARR
Recvd: 06/05/01 16:11 5pgs
Fees:23.00 Taxes:467.83

20010605-0058557

unimproved (X)
This is improved ( ) property, known as Tract 7, Hydes Ferry Pike, Nashville, TN 37218
(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 GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES 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 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 GRANTEES, 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 hand this 1st day of June, 2001

Robbie McKee Clay

Robbie McKee Clay

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Robbie McKee Clay, unmarried

the bargainor _____, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that she executed the within instrument for the purposes therein contained. Witness my hand and official seal at Nashville, Tennessee, this 1st day of June, 2001

Commission expires 7/26/03

Notary Public

STATE OF TENNESSEE
COUNTY OF

Before me, _____, a Notary Public, within and for the State and County aforesaid, personally appeared _____ with whom I am personally acquainted and who upon _____ oath acknowledged _____ to be the _____ of the _____ the within named bargainor, and corporation, and that _____ as such _____ being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing the name of the said _____ as such _____.

Witness my hand and official seal at office at _____ on this the _____ day of _____.

My commission expires _____

Notary Public

ANDREW B. GIBSON JR.
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.
My Commission Expires July 26, 2003

Exhibit A

Property located in the 1st Councilmanic District of Davidson County, Tennessee and being described according to a survey by J. Bruce Rainey, Surveyor #823, dated February 23, 2001 and known as Job No. 010017, more particularly described as follows:

Beginning at an iron pin set in the northerly margin of Hydes Ferry Pike, said pin being the Southwest corner of the herein described tract and the Southeast corner of Tract 6, said pin being located easterly 2155.21', as measured along the northerly margin of Hydes Ferry Pike, from the intersection of Old Hickory Boulevard. Thence from said point of beginning, leaving Hydes Ferry Pike with Tract 6, N 35°47'58" E – 1370.03' to an iron pin set; Thence N 51°24'00" W – 151.96' to an iron pin set; Thence with tract 5, N 38°36'00" E – 400.27' to an iron pin set; Thence N 24°42'05" E – 1522.16' to a 18" Oak tree in the southerly line of the Dennis Earl Wood property of record in Book 10319, Page 982, R.O.D.C., TN. Thence with Wood's line S 82°27'38" E – 37.89' to a 14" Oak Tree; Thence N 88°29'10" E – 61.50' to a 16" Oak Tree; Thence N 80°54'54" E – 188.74' to an old fence corner post. Said point being a corner to the Chester P. Craus property of record in Book 3158, Page 288, R.O.D.C., TN. Thence with Craus' line S 49°07'34" E – 55.38' to a steel fence post; Thence S 52°40'32" E – 43.91' to an 18" Oak Tree; Thence S 44°07'52" E – 291.14' to a 34" Oak Tree at the Northeast corner of this tract and the Northwest corner of Tract 11. Thence leaving the line of Craus with Tract 11, S 26°20'23" W – 2086.14' to an iron pin set at the Northeast corner of Tract 10. Thence with the northerly lines of Tracts 10, 9 and 8 N 51°24'00" W – 420.00' to an iron pin set at the Northwest corner of Tract 8; Thence with Tract 8, S 35°47'58" W – 1344.61' to an iron pin set in the northerly margin of Hydes Ferry Pike. Thence with said margin N 65°49'00" W – 101.97' to the point of beginning, containing 31.61 acres ±.

Being part of the same property conveyed to J. T. Owen and wife, Luella Owen, by deed of record in Book 931, page 680, said Register's Office. The said J. T. Owen predeceased the said Luella Owen and the said Luella Owen having since died and by Will of Luella Murrey Owen of record in Will Book 118, page 69, Probate Court for Davidson County, Tennessee, devised a life estate in said property to Guy Murrey Owen, and the remainder interest in said property to Mildred Owen Paul, Robbie Owen McKee and Robbie Le Clay. The said Guy Murrey Owen having since died. The said Mildred Owen Paul, unmarried, Robbie McKee Clay, being one and the same person as Robbie Le Clay, and husband, William S. Clay, and Robbie Owen McKee and husband, Phillip McKee, conveyed their interest in said property to Mildred Owen Paul and Robbie McKee Clay by deed of record in Book 9974, page 200, said Register's Office. The said Mildred Owen Paul conveyed her interest in said property to Robbie McKee Clay by quitclaim deed of record in Book 10457, page 300, said Register's Office.

EXHIBIT B

EASEMENT FOR THE BENEFIT OF TRACTS 5-7

Property located in the 1st Councilmanic District of Davidson County, Tennessee and being described according to a survey by J. Bruce Rainey, Surveyor #823, dated February 23, 2001 and known as Job No. 010017.

Being a 20' Ingress-Egress Easement extending from the northerly margin of Hydes Ferry Pike upon and across Tracts 5-7 of said survey. The centerline of said easement being described as follows:

Beginning at a point in the northerly margin of Hydes Ferry Pike. Said point of beginning being located N 65°49'00" W – 15.47' from the Southwest corner of Tract 8 of said survey. Thence from said point of beginning with the centerline of said easement the following calls:
N 34°21'17" E – 47.72' to a point;
Thence N 0°36'10" W – 30.93' to a point;
Thence N 16°33'41" W – 33.22' to a point;
Thence N 41°38'53" W – 70.36' to a point;
Thence N 35°04'43" W – 76.21' to a point;
Thence N 34°10'29" W – 66.72' to a point;
Thence N 55°18'25" W – 51.68' to a point;
Thence N 82°50'01" W – 31.31' to the end of said easement.

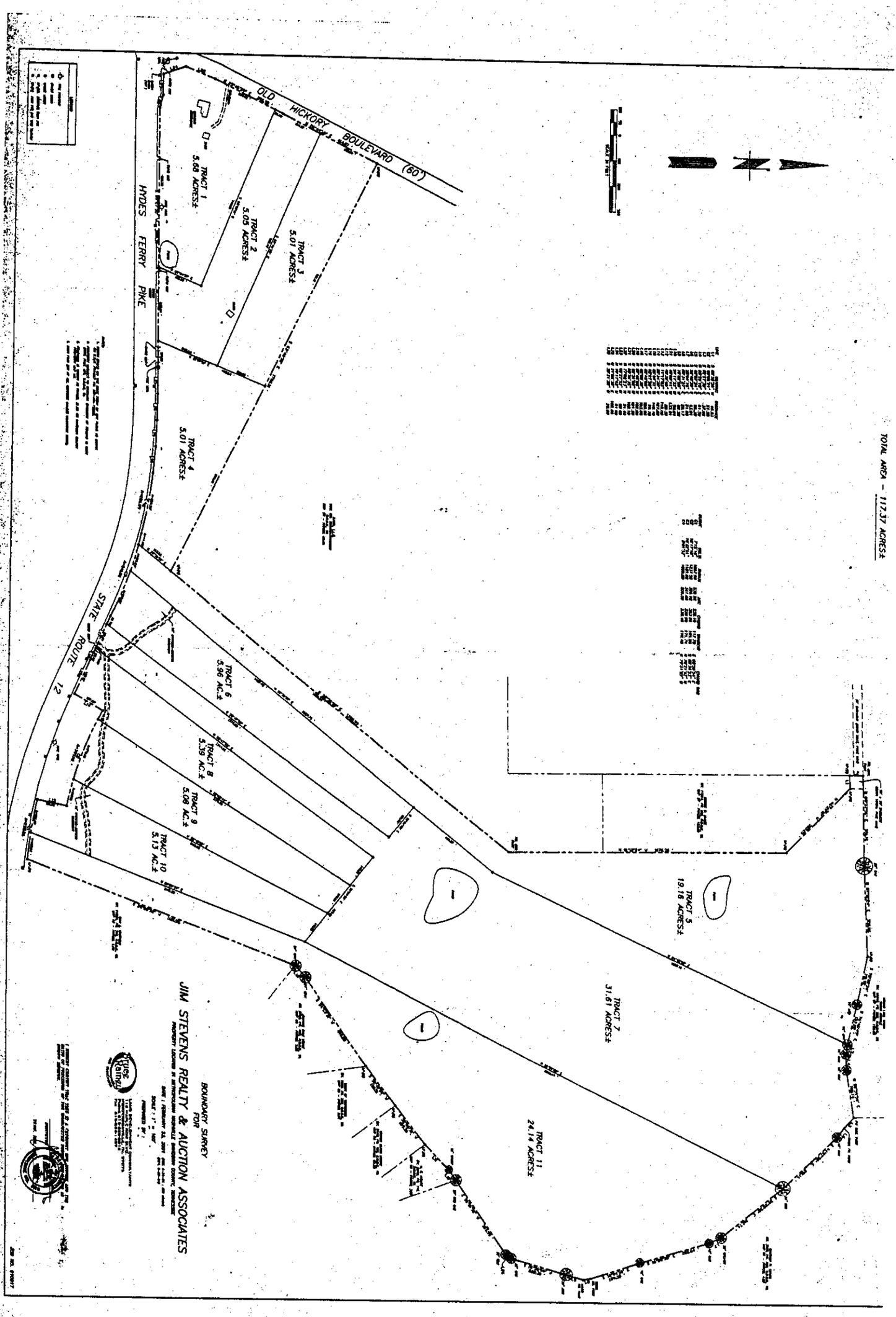
EASEMENT FOR THE BENEFIT OF TRACTS 7-11

Property located in the 1st Councilmanic District of Davidson County, Tennessee and being described according to a survey by J. Bruce Rainey, Surveyor #823, dated February 23, 2001 and known as Job No. 010017.

Being a 20' Ingress-Egress Easement extending from the northerly margin of Hydes Ferry Pike upon and across Tracts 7-11 of said survey. The centerline of said easement being described as follows:

Beginning at a point in the northerly margin of Hydes Ferry Pike. Said point of beginning being located N 65°49'00" W – 15.47' from the Southwest corner of Tract 8 of said survey. Thence from said point of beginning with the centerline of said easement the following calls:
N 34°21'17" E – 47.72' to a point;
Thence S 89°39'50" E – 54.24' to a point;
Thence N 88°17'48" E – 105.05' to a point;
Thence S 88°26'25" E – 77.94' to a point;
Thence S 78°25'49" E – 29.73' to a point;
Thence S 81°52'32" E – 93.91' to a point;
Thence N 88°42'23" E – 54.07' to a point;
Thence S 84°47'18" E – 24.47' to a point;
Thence S 59°20'03" E – 34.31' to a point;
Thence S 45°58'48" E – 44.52' to a point;
Thence S 27°56'26" E – 53.18' to the end of said easement.

EXHIBIT C


OLD HICKORY BOULEVARD (60')
HYDES FERRY PIKE
STATE ROUTE 12
TRACT 1
5.68 ACRES±
TRACT 2
5.05 ACRES±
TRACT 3
5.01 ACRES±
TRACT 4
5.01 ACRES±
TRACT 5
19.18 ACRES±
TRACT 6
5.96 AC.±
TRACT 8
5.39 AC.±
TRACT 9
5.09 AC.±
TRACT 10
5.13 AC.±
TRACT 7
31.61 ACRES±
TRACT 11
24.14 ACRES±
TOTAL AREA - 117.37 ACRES±
BOUNDARY SURVEY
FOR
JIM STEVENS REALTY & AUCTION ASSOCIATES