This Instrument Was Prepared By:
W. William Davis, Attorney, PC
219 Ward Circle, Suite 3
Brentwood, TN 37027

Davidson County DEEDWARR
Recvd: 10/04/01 09:01 4pgs
Fees:23.00 Taxes:1942.50
20011004-0107703

# WARRANTY DEED

FOR AND IN CONSIDERATION OF THE SUM OF TEN ($10.00) DOLLARS, cash in hand paid, by the hereinafter named Grantees, the receipt of which is hereby acknowledged, I, Patricia Utley Wilson, Trustee of the Patricia Utley Wilson Family Trust, ("Grantor") have bargained and sold, and do hereby bargain, sell and convey unto Swayze Properties, LLC, a Tennessee Limited Liability Company composed of Charles R. Swayze and James R. Swayze, ("Grantees") the following described real estate located in Davidson County, Tennessee, more particularly described as follows:

Tract 1, Parcel 1: A tract of land in the Nineteenth Councilmanic District of Metropolitan Nashville and Davidson County, Tennessee and being the southerly part of Block "O" on the Plan of Hagan and Merritt Subdivision of Block I, J, K, L, M, N, and O of Merritt Lands, as of record in Book N, page 239, County Court Clerk's Office for Davidson County, Tennessee, and in Book 57, page 76, Register's Office for Davidson County, Tennessee and being more particularly described according to a survey prepared by Ragan-Smith Associates, Inc., Job Number 2000-093, Work Order 6504, dated August 7, 2001 and proceeding as follows: BEGINNING at an iron rod (old) on the northerly right-of-way of Merritt Avenue, a 50-foot right-of-way, and the westerly line of a 20-foot alley, said iron rod being 170.0 feet, more or less, from the westerly right-of-way line of Hagan Street, a 50-foot right-of-way; thence,

1. With the northerly right-of-way line of Merritt Avenue, North 86 degrees 25 minutes 25 seconds West, 229.87 feet to an iron rod (new) on the easterly right-of-way line of the CSX Railroad right-of-way; thence,
2. With the CSX Railroad right-of-way North 19 degrees 52 minutes 58 seconds East, 132.27 feet to an iron rod (new); thence,
3. North 28 degrees 19 minutes 39 seconds East 233.46 feet to an iron rod (old) at the southwest property corner of B & A Truck Repair, Inc., of record in Book 5938, page 792, Register's Office for Davidson County, Tennessee; thence,
4. With the south property line of said B & A Truck Repair, Inc., South 86 degrees 24 minutes 03 seconds East 94.99 feet to an iron rod (old) on the westerly line of the aforementioned 20-foot alley; thence,
5. With the westerly line of said alley, South 03 degrees 34 minutes 39 seconds West, 338.93 feet to the Point of Beginning and containing 57,324 square feet or 1.316 acres, more or less, as calculated by the above courses and distances.

Being the same property conveyed to Patricia Utley, Trustee of the Patricia Utley Family Trust, as shown as Tract 1, Parcel 1, of record in Book 5816, page 493, Register's Office for Davidson County, Tennessee.

Tract 1, Parcel 2: A tract of land in the Nineteenth Councilmanic District of Metropolitan Nashville and Davidson County, Tennessee, being a part of Lot 10 on the Plan of the subdivision of the Mary O. Hamilton Estate of record in Minute Book 1, page 97, County Court Clerk's Office of Davidson County, Tennessee and being more particularly described according to a survey prepared by Ragan-Smith Associates, Inc., Job Number 2000-093, Work Order 6504, dated August 7, 2001 and proceeding as follows: BEGINNING at an iron rod (new) on the southerly right-of-way line of Merritt Avenue, a 50-foot right-of-way, at the northwest property corner of Charles D. Vaughan and wife, Nancy S. Vaughan of record in Book 11061, page 135, Register's Office for Davidson County, Tennessee; said iron rod being situated 38.50 feet, more or less, from the westerly right-of-way of Hagan Street, a 50-foot right-of-way; thence,

1. With the west property line of said Vaughan, South 03 degrees 31 minutes 21 seconds West 172.44 feet to an iron rod (old) in the northerly line of a 15-foot alley; thence,
2. With the northerly line of said alley, in part, and the northerly property line of Kerr Brothers & Associates, Incorporated, of record in Book 11083, page 477, Register's

Office for Davidson County, Tennessee, North 86 degrees 25 minutes 42 seconds West, 413.66 feet to an iron rod (new) on the easterly right-of-way line of the CSX Railroad right-of-way; thence,

3. In a northeasterly direction with the right-of-way line of said CSX Railroad and a curve to the right having a radius of 1992.20 feet, a central angle of 05 degrees 04 minutes 39 seconds, for an arc length of 176.55 feet to an iron rod (new) on the southerly right-of-way line of the aforementioned Merritt Avenue; said curve has a chord bearing and distance of North 15 degrees 50 minutes 45 seconds East 176.49 feet; thence,
4. With the southerly right-of-way line of Merritt Avenue, South 86 degrees 25 minutes 33 seconds East, 375.99 feet to the Point of Beginning and containing 68,317 square feet or 1.568 acres, more or less, as calculated by the above courses and distances.

Being the same property conveyed to Patricia Utley, Trustee of the Patricia Utley Family Trust, as shown as Tract 1, Parcel 2, of record in Book 5816, page 493, Register's Office for Davidson County, Tennessee.

This property is known as 520 Hagan Street and 640 Merritt Ave., Nashville, TN

This conveyance is subject to existing building restrictions and/or zoning ordinances and easements of record including the terms of the "Joint Property Access & Egress Agreement" dated April 28, 1995, between B & A Truck Repair, Incorporated and Patricia Utley.

TO HAVE AND TO HOLD The aforesaid tract or parcel of land with the appurtenances, estate title and interest thereto belonging to the Grantees their heirs and assigns in fee simple forever.

Grantor does hereby covenant with the Grantees that the Grantor is lawfully possessed of said land in fee simple, the Grantor has a good right to sell and convey same; that the same is unencumbered except as noted herein and that the title and quiet possession thereto Grantor will warrant and forever defend against the lawful claims of all persons.

WITNESS the signatures of the Grantor this 28 day of September, 2001

Patricia Utley Wilson, Trustee
of the Patricia Utley Wilson
Family Trust

STATE OF ARIZONA

COUNTY OF Maricopa

I, the undersigned, a Notary Public in and for said county and state, do hereby certify that Patricia Utley Wilson, Trustee of the Patricia Utley Wilson Family Trust, personally appeared before me and is known or proved to me to be the person who being informed of the contents of the foregoing instrument has executed same and acknowledged said instrument to be her free and voluntary act and deed and that she executed said instrument for the purposes and uses therein set forth.

Witness my hand and official seal this 28th day of September, 2001.

Peggy J. Schlueter
Notary Public

My Commission Expires: 7/23/2002

STATE OF TENNESSEE

COUNTY OF DAVIDSON

VALUATION AFFIDAVIT

I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater is $_____, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

_____
Affiant

Subscribed and sworn to before me this ___ day of _____, 2001

_____
Notary Public

Commission Expiration:

RETURN TO:

W. William Davis, Attorney, PC
219 Ward Circle, #3
Brentwood, TN 37027

SEND TAX BILLS TO:

PROPERTY ADDRESS:

520 Hagan Street & 640 Merritt Ave.
Nashville, TN

MAP & PARCEL:
105-6/250 & 257

**STATE OF TENNESSEE**

**COUNTY OF DAVIDSON**

**VALUATION AFFIDAVIT**

**I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater is** $ 525,000 —, **which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.**

James R. Swayze Jr., member

**Affiant**

**Subscribed and sworn to before me this** 28 **day of** September, 2001

Martha Ann Beasley

**Notary Public**

**Commission Expiration:**

MARTHA ANN BEASLEY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires MAR. 29, 2

**RETURN TO:**

**W. William Davis, Attorney, PC**
**219 Ward Circle, #3**
**Brentwood, TN 37027**

**SEND TAX BILLS TO:**

Swayze Properties
518 Hagan Street
Nashville, TN

**PROPERTY ADDRESS:**

**520 Hagan Street & 640 Merritt Ave.**
**Nashville, TN**

**MAP & PARCEL:**
**105-6/250 & 257**