Davidson County DEEDWARR
Recvd: 01/11/02 13:52 5pgs
Fees:28.00 Taxes:240.50

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Power

SPECIAL WARRANTY DEED

TO:	The Elam Company	C. Mark Carver, Esq. Sherrard & Roe, PLC 424 Church Street, Suite 2000 Nashville, TN 37219
FROM:	Nancy Dugger and Ruth E. Dugger	

Address New Owner(s) as Follows:	Send Tax Bills To:	Map/Parcel Numbers
The Elam Company 4338 Chickering Lane Nashville, TN 37205	Same	Map 82-14 Parcels 80 and 91

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer is $65,000.00.

Gayle Smith
Affiant

Sworn to and subscribed before me, this 14th day of January, 2002.

Notary Public

My Commission Expires: 3/26/2005

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION OF the sum of Ten Dollars, cash in hand paid by the hereinafter named Buyer, and other good and valuable considerations, the receipt of which is hereby acknowledged **Nancy Dugger and Ruth E. Dugger** (hereinafter collectively called the "Seller"), has bargained and sold, and by these presents does transfer and convey unto **The Elam Company** (hereinafter called the "Buyer"), and Buyer's successors and assigns all of Seller's interest in a certain tract of land in Davidson County County, Tennessee, described on Exhibit A attached hereto and incorporated herein by reference, and any improvements thereon.

The above-referenced property is conveyed subject to the matters set forth on Exhibit B attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the said real property, together with all rights and appurtenances thereunto belonging or in any wise appertaining to Buyer, its successors and assigns, forever in fee simple.

Seller further covenants and binds itself, its representatives, successors and assigns to warrant specially and forever defend the title to said real estate to Buyer, and Buyer's successors and assigns,

against the lawful claims of all persons claiming through and under Seller (other than claims arising out of the matters set forth above), but not further or otherwise. 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.

IN WITNESS WHEREOF, Seller has caused this Special Warranty Deed to be executed effective as of the 14th day of January, 2002.

SELLER:

Nancy Dugger

Nancy Dugger

Ruth E. Dugger

Ruth E. Dugger

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Nancy Dugger, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and seal, at Office in Nashville, Tennessee, this 14th day of January, 2002.

Notary Public

My Commission Expires: 3/26/2005

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Ruth E. Dugger, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and seal, at Office in Nashville, Tennessee, this 14th day of January, 2002.

Notary Public

My Commission Expires: 3/26/2005

EXHIBIT A

PROPERTY DESCRIPTION

Tract 1:

Beginning at a point in the west line of Third Avenue North, ten (10) feet measured North 27° 30' West along the west line of said Third Avenue North from a point in the centerline of Grantor's Track #106 of the Nashville Division of the Railroad of the Grantor at Valuation Station 2398+10; thence westwardly along a line ten (10) feet northwardly from and parallel to the centerline of said Track #106, and said Track #106 if extended westwardly, along a curve to the right, with a central angle of 43° 08', a radius of two hundred thirty-eight (238) feet, the chord of said curve bears South 87° 10' West, an arc distance of one hundred seventy-nine and seventeen hundredths (179.17) feet to a point; thence North 62° 30' East, a distance of one hundred fifty-nine (159.00) feet to a point in the west line of said Third Avenue North, thence South 27° 30' East along the west line of said Third Avenue North, a distance of seventy-three (73.00) feet to the point of beginning, containing seven thousand seven hundred sixty-one (7,761) square feet.

Being the same property conveyed to James F. Dugger, Sr. and wife, Ruth E. Dugger by deed of record at Book 9466, page 664, Register's Office for Davidson County, Tennessee. James F. Dugger, Sr. is deceased. Ruth E. Dugger is unmarried.

Tract 2:

Being a parcel of land situated in Nashville, Davidson County, Tennessee, said parcel being a portion of the same property conveyed to the Louisville and Nashville Railroad Company by deeds recorded in Book 70, page 382 and in Book 70, page 608, in the Register's Office for Davidson County, Tennessee. Said parcel being a portion of Lot 32 as shown on Balch and Whiteside's Addition to Nashville, recorded in Minute Book D, page 734, Circuit Court of Davidson County, Tennessee and being more particularly described by metes and bounds as follows:

Beginning at an iron rod situated at the common rear corner of the James Dugger property of record in Deed Book 4281, page 664, R.O.D.C., Tennessee, and the Sue Andrews and Faith Adams Property of record in Deed Book 5626, page 486, R.O.D.C. Tennessee, said point also being located 159.00 feet more or less west of the westerly margin of Third Avenue North;

Thence along a curve to the right having a central angle of 11 deg. 48' 44", a radius of 269.79 feet, a length of 55.62 feet, and a chord which bears S 79 deg. 50' 16" E, for a distance of 55.52 feet to an iron rod;

Thence, along a curve to the left having a central angle of 05 deg. 52' 07", a radius of 1498.34 feet, a length of 153.47 feet, a chord which bears S 74 deg. 21' 35" W, for a distance of 153.40 feet to an iron rod situated in the southerly line of the Angelo Formosa property recorded in Book 4626, page 769, R.O.D.C., Tennessee;

Thence, along said tract and continuing along the southern margin of Criddle Street, N 62 deg. 24' 51" E, a distance of 40.97 feet to an iron rod;

Thence, along Criddle Street, N 27 deg. 35' 09" W, a distance of 83.95 feet to an iron rod;

Thence, leaving Criddle Street, N 62 deg. 25' 07" E, a distance of 6.08 feet to an iron rod situated in the westerly line of the aforementioned Sue Andrews and Faith Adams Property;

Thence, along said line and around a curve having a central angle of 26 deg. 47' 33", a radius 204.56 feet, a length of 95.66 feet, a chord which bears S 58 deg. 05' 07' E, for a distance of 94.79 feet;

Thence, N 62 deg. 37' 05" E, a distance of 11.01 feet to the point of beginning and containing 4,139.66 square feet or 0.095 acres land more or less.

Being the same property conveyed to Nancy Dugger by deed of record at Book 9466, page 646, Register's Office for Davidson County, Tennessee by Dugger Potato Services, Inc. Nancy Dugger is unmarried.

EXHIBIT B

PERMITTED EXCEPTIONS

1. Real property taxes for 2002, a lien not yet due and payable.

2. Restrictive covenants running with the land of Phillips-Jackson Street Redevelopment Plan of record in Book 11625, page 280.