Davidson County DEEDWARR
Recvd: 03/01/02 15:38 3pgs
Fees:17.00 Taxes:0.00
20020301-0026315

THIS INSTRUMENT PREPARED BY:
BAKER, DONELSON, BEARMAN,
& CALDWELL (KTO)
Suite 1000, 211 Commerce Street
Nashville, Tennessee 37201

FROM: **Matthew Christopher Hayes, Executor of the Estate of Mary Helen Hayes Deceased**

("GRANTOR")

TO: **Matthew Christopher Hayes and Patrick Nicholas Hayes**

("GRANTEES")

ADDRESS NEW OWNER:
M. Christopher Hayes
10307 Morado Cove, #201
Austin, Texas 78759

Patrick N. Hayes
260 Old Fort Road
Fairview, NC 28730

SEND TAX BILLS TO:
M. Christopher Hayes
10307 Morado Cove #201
Austin, Texas 78759

MAP & PARCEL NO:

Map 104-6
Parcel 21

EXECUTOR DEED

Mary Helen Hayes died on April 3, 2001, leaving a Last Will and Testament dated September 26, 1997. The Will was admitted to probate on April 19, 2001 in the Probate Court of Davidson County, Tennessee under Docket Number 01P-619. The Will named Matthew Christopher Hayes as Executor. The Executor is duly qualified. All debts of the decedent have been paid or adequate arrangements made therefor. The Executor by signing this Deed transfers his interest in the property to the beneficiaries.

Therefore, in accordance with the provisions of the Will of Mary Helen Hayes, Matthew Christopher Hayes, Executor, does hereby transfer and assign to Matthew Christopher Hayes and Patrick Nicholas Hayes, in equal shares, all his right, title and interest in and to the tract or parcel of land described on **Exhibit "A"** hereto.

This is improved property known as 409 32nd Avenue South, Nashville, Tennessee 37212

TO HAVE AND TO HOLD the aforesaid real estate, together with all the appurtenances and hereditaments thereunto appertaining unto the said GRANTEES, their heirs, successors, and assigns in fee simple forever, and said property is conveyed subject to such easements, rights of way, limitations, restrictions and encumbrances as may affect the properties.

The said GRANTOR does hereby covenant with the said GRANTEES that the title and quiet possession thereto he will warrant and defend against the lawful claims of all persons claiming by, through or under him, but not further or otherwise.

WITNESS my hand this 1 day of Feb, 2002.

ESTATE OF MARY HELEN HAYES

By: Matthew Christopher Hayes
Matthew Christopher Hayes, Executor

STATE OF Texas)
COUNTY OF Travis)

Personally appeared before me, Patty Ramirez, a Notary Public in and for said County and State, the said Matthew Christopher Hayes, Executor of the Estate of Mary Helen Hayes, the within named bargainor, with whom I am personally acquainted, or who proved to me on the basis of satisfactory evidence, and who, upon oath, acknowledged that he executed the within instrument in his capacity as Executor for the purposes therein contained, being authorized so to do.

Witness my hand and seal, at office in Austin Tx, _____, this 1 day of Feb, 2002.

PATTY RAMIREZ
NOTARY PUBLIC STATE OF TEXAS
COMMISSION EXPIRES:
JULY 10, 2005

Patty Ramirez
NOTARY PUBLIC

My Commission Expires: 7/10/05

STATE OF TEXAS
COUNTY OF TRAVIS)

The actual consideration or value, whichever is greater, for this transfer is $ NONE.

Matthew Christopher Hayes
AFFIANT

Subscribed and sworn to before me this 1 day of Feb., 2002.

Patty Ramirez
NOTARY PUBLIC

My Commission Expires: 7/10/2005

PATTY RAMIREZ
NOTARY PUBLIC STATE OF TEXAS
COMMISSION EXPIRES:
JULY 10, 2005

EXHIBIT 'A"

Property Description

Tract 1

Being parts of Lots 76 and 77 on a Map showing R. W. Grizzard's Subdivision of part of the Bosley Tract, not of record, as shown on a survey prepared by John Kohl, dated June 28, 1977, more particularly described as follows:

Beginning at a point in the southwesterly margin of 32nd Avenue, South, said point being 59.2 feet from the southerly margin of Marlborough Avenue; thence in a southwesterly direction 98.6 feet to an alley; thence in a southeasterly direction with said alley 37.2 feet to a point; thence in a northeasterly direction 151 feet to the southwesterly margin of 32nd Avenue, South; thence in a northwesterly direction with the margin of said 32nd Avenue, South 49.6 feet to the point of beginning.

Being the same property conveyed to Mary H. Hayes (being one and the same person as Mary Helen Hayes) by deed from Joseph M. Plunkett of record in Book 5750, page 773, Register's Office for Davidson County, Tennessee.

Tract 2

Being part of Lot No. 76 on the Map of R. W. Grizzard's Subdivision of part of the Bosley Tract, not of record, described according to a copy of a survey made by Geo. W. Watkins, Surveyor, March 14, 1960, as follows:

Beginning in the common line between property conveyed to Evans B. Hunt and wife by deed of record in Book 2339, page 322, Register's Office for said County, and property conveyed to Douglas B. Chandler and wife by deed of record in Book 2449, page 31, said Register's Office, at a point 33.2 feet N 45° 15' E of the rear corner common to both said properties, and running thence N 45° 15' E 65.4 feet, along said common line, to a point marked "center of driveway" on said survey; thence S 57° W 63.4 feet to an iron pin; thence S 31° E 16.8 feet to the point of beginning, forming a triangle.

Being the same property conveyed to Mary H. Hayes (being one and the same person as Mary Helen Hayes) by deed from Douglas B. Chandler and wife, Eula Chandler, of record in Book 7999, page 987, said Register's Office.

The above description is identical to that contained in the prior deeds of record on the property.