This Instrument Was Prepared By:
Jack F. King, Jr., Esq.
Miller & Martin LLP
1200 One Nashville Place
150 4th Avenue North
Nashville, TN 37219

Davidson County DEEDWARR
Recvd: 04/03/02 12:15 6pgs
Fees:32.00 Taxes:0.00
20020403-0040474

Address New Owner(s):	**Send Tax Bills to:**	**Map and Parcel No.:**
Metropolitan Government of Nashville and Davidson County 701 S. 6th Street Nashville, TN 37206	Exempt	Map: 135 Parcel: 412

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, AVERITT PROPERTIES, INC., (the "Grantor"), has this day bargained and sold, and does hereby transfer and convey to METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, (the "Grantee"), its successors and assigns, all of its right, title and interest in those tracts or parcels of land located in Davidson County, Tennessee as further described on Exhibit A attached hereto and made a part hereof and as shown on Exhibit C attached hereto.

This is improved property located on Smith Springs Road, Nashville, Tennessee

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest thereto belonging, to the said Grantee and its successors and assigns, forever. Grantor covenants with said Grantee that Grantor is lawfully seized and possessed of said land in fee simple and has a good right to convey it, and that the same is unencumbered, except as set out on Exhibit B hereto. Grantor further covenants and binds itself, its successors, and assigns to warrant and forever defend the title to said real estate against the lawful claims of all persons claiming by, through or under it but no further or otherwise.

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

IN WITNESS WHEREOF, Grantor has executed this instrument, by its duly authorized officer, on this 28th day of February, 2002.

AVERITT PROPERTIES, INC.

By: George F. Johnson

Title: Executive VP/CFO

Approved By:
RS-2000-240
099-1764

::ODMA\PCDOCS\TSD\278309\1

STATE OF TENNESSEE)
)
COUNTY OF Putnam)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared George H. Johnson with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be Exec. VP/CFO, of Averitt Properties, Inc., the within named bargainor, a corporation, and that he as such Exec. VP/CFO, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Exec. VP/CFO.

Witness my hand and seal, at office in Cookeville, Tennessee, this 28th day of February, 2002.

Notary Public

My Commission Expires:

2/20/04

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is EXEMPT.

Affiant

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

Notary Public

My Commission Expires:

3/26/05

NOTARY PUBLIC AT LARGE OF TENNESSEE

::ODMA\PCDOCS\TSD\278309\1

EXHIBIT A

PROPERTY DESCRIPTION

Land in Davidson County, Tennessee, and described according to a survey made by James G. Snyder, RLS #1667, dated August 28, 2000, as follows:

Commencing at an existing iron rod located approximately 875 feet in an easterly direction from the intersection of Reynolds Road and Smith Springs Road at the southeast corner of the property of James T. Maddin et al, recorded in Deed Book 7595, page 177, in the Register's Office for Davidson County, Tennessee, as shown on property Map 135-00-0 162.00, and the southwest corner of the Houston T. Ezell et al, property recorded in Deed Book 6195, page 304, Deed Book 6380, page 887, Deed Book 6380, page 890, and Deed Book 7017, page 70, in the Register's Office for Davidson County, Tennessee, as shown on property Map 135-00-0 163. Said iron rod is also the southwest corner of an ingress/egress - overhead electric easement;

Thence; south 82° 51' 20" East, a distance of 29.98 feet to a new iron rod in the northerly margin of Smith Springs Road. Smith Springs Road having a minimal of a 50 foot right-of-way and varies on the southerly right-of-way. Said iron rod is the Point of Beginning for the herein described portion of land.

Thence; North 09° 03' 23" East, a distance of 172.00 feet to a new iron rod in the easterly margin of the Ingress/Egress easement;

Thence, continuing with the easterly margin of the Ingress/Egress easement North 06° 28' 00" East, a distance of 168.76 feet to a new iron rod in the southerly margin of a Bellsouth Mobility, Inc. NAS UNA Cell Site;

Thence, South 82° 56' 24" East, a distance of 60.00 feet to a new iron rod at the southeast corner of the Cell Site;

Thence, with the easterly margin of the Cell Site North 07° 05' 36" East, a distance of 70.00 feet to a new iron rod at the northeasterly corner of the Cell Site.

Thence, with the northerly margin of the Cell Site North 82° 56' 24" West, a distance of 90.00 feet to an existing iron rod at the northwesterly corner of the Cell Site and a point in the easterly margin of the Donald Maddin et al property recorded in Deed Book 7595, page 177, in the Register's Office for Davidson County, Tennessee, as shown on property Map 135-00-0 161;

Thence, continuing with the easterly boundary of the Maddin property North 07° 03' 37" East, a distance of 327.89 feet to a set rock at a fence corner, said point being the northeast corner of the Maddin property and the southeast corner of the Charles H. Merriwether and wife, Willie Mai S. Merriwether property as recorded in Deed Book 3226, page 443, in the Register's Office for Davidson County, Tennessee;

EXHIBIT A cont.

Thence, continuing with the Merriwether easterly boundary and a partial wire fence North 07° 19' 27" East, a distance of 185.52 feet to a new iron rod being the northwest corner of the herein described property;

Thence, leaving the Merriwether property with a new division line of the Houston Ezell et al property South 81° 02' 16" East, a distance of 484.68 feet to a new iron rod at the northeast corner of the herein described property;

Thence, South 05° 51' 21" West, a distance of 878.16 feet to a new iron rod in the northerly margin of Smith Springs Road;

Thence, westerly with a curve to the right, through a central angle of 16° 15' 59" having a radius of 1225.81 feet, an arc of 348.01 feet along said curve, having a tangent length of 175.18 feet, and a chord length of 346.84 feet, having a chord direction of North 88° 46' 58" West to a new iron rod in the northerly margin of Smith Springs Road;

Thence, continuing with said margin of road North 80° 38' 59" West, a distance of 133.07 feet closing on the Point of Beginning; said portion of land contains 10.00 acres or 435601.69 square feet, more or less.

Included in the above description will be a Public Drainage and Utility Easement running parallel and the total length of the northerly margin of Smith Springs Road being 20 feet in width.

Also included in the 10 acre lot will be a reserved portion of land for future right-of-way running parallel and the total length of the northerly margin of Smith Springs Road being 17 feet in width.

Being the same property conveyed to Averitt Properties, Inc. by deed of record in Instrument No. 20010404-0032969, Register's Office for Davidson County, Tennessee.

EXHIBIT B

1. Taxes for 2002, a lien which has been assumed by the Grantee.

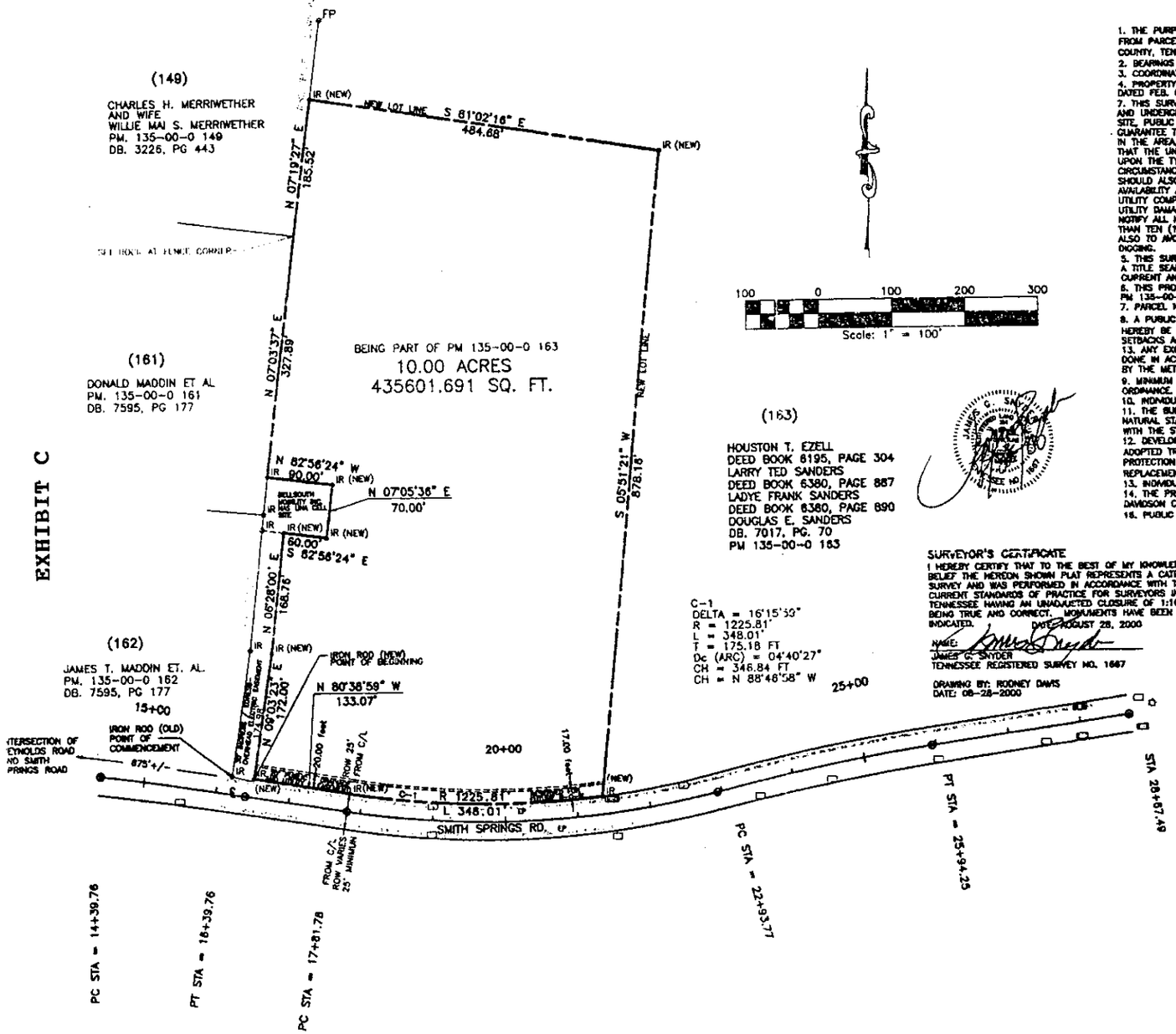
2. Subject to the rights of others in family cemetery located on subject property along with ingress and egress thereto referred to in Book 5176, page 488, Register's Office for Davidson County, Tennessee.

3. Easement to American Telephone and Telegraph of record in Book 1207, page 525, Register's Office for Davidson County, Tennessee.

4. Easement of record in Book 8244, page 850, Register's Office for said County.

5. Reservation of a 20-foot Public Drainage and Utility Easement along Smith Springs Road, and a 17-foot right of way for the widening of Smith Springs Road recorded as Instrument No. 20010404-0032969, Register's Office for said County.

EXHIBIT C



C-1
DELTA = 16°15'59"
R = 1225.81'
L = 348.01'
T = 175.18 FT
Dc (ARC) = 04°40'27"
CH = 346.84 FT
CH = N 88°46'58" W

GENERAL NOTES

1. THE PURPOSE OF THIS PLAT IS TO ESTABLISH A TEN ACRE TRACT OF LAND FOR ACQUISITION FROM PARCEL 135-00-0 163 FOR THE METROPOLITAN GOVERNMENT OF NASHVILLE DAVIDSON COUNTY, TENNESSEE.
2. BEARINGS BASED ON EXISTING PLAT BY FRANK V. NEELEY DATED AUGUST 15, 1985.
3. COORDINATES ARE ASSUMED.
4. PROPERTY IS LOCATED WITHIN THE PRELIMINARY FEMA FLOOD HAZARD MAP 47037C0357F, DATED FEB. 6, 1998, AND IS IN ZONE X , OUTSIDE THE 500 YEAR FLOODPLAIN.
5. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS AND/OR MAPS PREPARED BY OTHERS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE OF ALL SUCH UTILITIES IN THE AREA, IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION INDICATED. RELIANCE UPON THE TYPE, SIZE AND LOCATION OF UTILITIES SHOWN SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION RELATIVE THERETO IS MADE. AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY. IN TENNESSEE, IT IS A REQUIREMENT, OF THE " UNDERGROUND UTILITY DAMAGE PREVENTION ACT", THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE (3) NOR MORE THAN TEN (10) WORKING DAYS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY POSSIBLE HAZARD OR CONFLICT. CALL TENNESSEE ONE CALL BEFORE DIGGING.
6. THIS SURVEY WAS PREPARED FROM CURRENT DEED OF RECORD AND DOES NOT REPRESENT A TITLE SEARCH OR A GUARANTEE OF TITLE, AND IS SUBJECT TO ANY STATE OF FACTS A CURRENT AND ACCURATE TITLE SEARCH WILL REVEAL.
7. THIS PROPERTY IS CURRENTLY ZONED:
PM 135-00-0 183 "R-20".
8. PARCEL NUMBER SHOWN THUS (00) PERTAIN TO PROPERTY MAP 135.
9. A PUBLIC UTILITY EASEMENT OF (20') ADJACENT TO ALL STREET RIGHT-OF-WAYS SHALL HEREBY BE MADE A PART OF THIS RECORDING. ON CORNER LOTS WHERE FRONT YARD BUILDING SETBACKS ARE LESS THAN (20'), THE EASEMENTS DEPTH SHALL BE REDUCED ACCORDINGLY.
10. ANY EXCAVATION FILL OR ANY DISTURBANCE OF THE EXISTING GROUND ELEVATION MUST BE DONE IN ACCORDANCE WITH THE STORMWATER DRAINAGE ORDINANCE No. 78-840 AND APPROVED BY THE METROPOLITAN DEPARTMENT OF PUBLIC WORKS.
11. MINIMUM BUILDING SETBACK LINES TO BE DETERMINED BY METROPOLITAN ZONING ORDINANCE.
12. INDIVIDUAL WATER AND AND SANITARY SEWER LINES WILL BE REQUIRED FOR EACH PARCEL.
13. THE BUFFER ALONG WATERWAYS WILL BE AN AREA WHERE THE SURFACE IS LEFT IN A NATURAL STATE, AND IS NOT DISTURBED BY CONSTRUCTION ACTIVITY. THIS IS IN ACCORDANCE WITH THE STORMWATER MANAGEMENT MANUAL VOLUME 1 – REGULATIONS.
14. DEVELOPMENT OF THIS PROPERTY SHALL COMPLY WITH THE REQUIREMENTS OF THE ADOPTED TREE ORDINANCE 094-1104 (METRO CODE CHAPTER 17.24, ARTICLE II, TREE PROTECTION AND REPLACEMENT; AND CHAPTER 17.40, ARTICLE X, TREE PROTECTION AND REPLACEMENT PROCEDURES).
15. INDIVIDUAL WATER AND SANITARY SEWER LINES WILL BE REQUIRED FOR EACH PARCEL.
16. THE PROPERTY SHOWN HEREON LIES WITHIN THE 13TH COUNCILMANIC DISTRICT OF DAVIDSON COUNTY, TENNESSEE.
17. PUBLIC WORKS PROJECT # 00-M-01.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE HEREON SHOWN PLAT REPRESENTS A CATEGORY 1 SURVEY AND WAS PERFORMED IN ACCORDANCE WITH THE CURRENT STANDARDS OF PRACTICE FOR SURVEYORS IN TENNESSEE HAVING AN UNADJUSTED CLOSURE OF 1:10000 BEING TRUE AND CORRECT. MONUMENTS HAVE BEEN PLACE AS INDICATED. DATE: AUGUST 28, 2000

NAME: JAMES C. SNYDER
TENNESSEE REGISTERED SURVEY NO. 1667

DRAWING BY: RODNEY DAVIS
DATE: 08-28-2000

LEGEND

BOUNDARY LINE	
FENCE LINE	
TOPOGRAPHICAL FEATURE	
FENCE POST	o FP
IRON ROD NEW	o IR(NEW)
IRON ROD OLD	o IR
CURB INLET	□

PROJECT # 00-M-01
PARTIAL BOUNDARY SURVEY FOR THE HOUSTON T. EZELL ET. AL. PROPERTY
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY , TENNESSEE
PUBLIC WORKS DEPARTMENT