Davidson County DEEDWARR
Recvd: 04/16/02 08:45 5pgs
Fees:28.00 Taxes:1850.00
20020416-0046673

This Instrument Prepared By:
John N. Popham, Esq.
Harwell Howard Hyne Gabbert & Manner, P.C.
315 Deaderick Street, Suite 1800
Nashville, Tennessee 37238-1800

Record & Return To:
Watauga Title Company
155 Franklin Road, Suite 120
Brentwood, TN 37027

Address New Owner:	Send Tax Bills To:	Map-Parcel Numbers
J. D. Eatherly 1700 Hayes Street, S-104 Nashville, TN 37203	Same	Map 92-12-0, Parcels 325, 338, 515, 516, 518 & 519

WARRANTY DEED

FOR AND IN CONSIDERATION of Ten and No/100 ($10.00) Dollars, cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, **A & M PROPERTIES**, a Tennessee general partnership, the Grantor herein, has bargained and sold and by these presents does transfer and convey unto **J. D. EATHERLY**, the Grantee herein, his heirs and assigns, a certain tract or parcel of land located in Davidson County, Tennessee, and being more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

TOGETHER WITH all buildings, structures and improvements located on or attached to said property.

TO HAVE AND TO HOLD the said tract or parcel of land together with all and singular the easements, appurtenances, heriditaments, estate, title and interest thereto belonging or in anywise appertaining to the said Grantee, his heirs and assigns, in fee simple, forever.

GRANTOR does hereby covenant with the said Grantee that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and that the same is unencumbered except for the following matters to which this conveyance is made subject:

(a) taxes for the year 2001 and subsequent years; (b) matters shown on the plan of record in Book 161, page 119, Register's Office for Davidson County, Tennessee; (c) matters not of record which would be disclosed by an accurate surey or inspection of the property; (d) rights of tenants in possession under unrecorded leases; and (e) that certain indebtedness of Grantor to AmSouth Bank evidenced and secured by the deed of trust of record in Book 9867, page 861, Register's Office for Davidson County, Tennessee, which indebtedness Grantee by his acceptance of this deed has assumed and does hereby agree to pay.

GRANTOR does further covenant and bind itself, its successors and legal representatives, to warrant and forever defend the title to the said land to the said Grantee, his heirs and assigns, against the lawful claims of all persons whomsoever, except as to those matters to which this conveyance is made subject.

Whenever 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, the Grantor has caused this instrument to be executed this 18th day of December, 2001.

GRANTOR:

A & M PROPERTIES

By: _____
John P. Mayo
Its: Authorized General Partner

STATE OF HAWAII)
COUNTY OF Honolulu)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared John P. Mayo, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged himself to be the Authorized General Partner of A & M Properties, a Tennessee general partnership, the within named bargainor, and that he as such Authorized General Partner, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the partnership by himself as Authorized General Partner.

Witness my hand and seal, at office in Honolulu, Hawaii, this the 10 day of December, 2001.

Notary Public, State of Hawaii

My Commission Expires: 4/1/02

STATE OF TENNESSEE)
COUNTY OF Davidson)

The actual consideration or value for this transfer, whichever is greater, is $500,000.00.

Grantee or Grantee's Agent

Sworn to and subscribed before me, this 10th day of December, 2001.

Notary Public

My Commission Expires: 9-24-2005

EXHIBIT A

Land in Davidson County, Tennessee, described as follows:

TRACT NO. I:

Being Lot No. 54 on the Plan of Gov. McMillins Subdivision of the Old State Prison Lands, as of record in Book 161, page 119, Register's Office for Davidson County, Tennessee.

Said Lot No. 54 fronts 50 feet on the westerly side of McMillin Avenue and extends back between parallel lines 101.8 feet to an alley.

TRACT NO. I being the same property conveyed to Mayo Tire Company, a Tennessee corporation, by deed from James N. Stansell, Russell A. Stansell and Marvin W. Stansell d/b/a JRM Company, of record in Book 6177, page 694, Register's Office for Davidson County, Tennessee.

TRACT NO. II:

Being Lot No. 55 on the Map of McMillins Subdivision of the Old State Prison Lands of record in Book 161, page 119, Register's Office for said County.

Said Lot No. 55 fronts fifty (50) feet on the westerly side of 16th Avenue North, formerly McMillins Street and runs back between parallel lines 101.8 feet to an alley.

TRACT NO. II being the same property conveyed to Mayo Tire Co., Inc., a Tennessee corporation, by quitclaim deed from James A. Webb, III, Trustee, of record in Book 6178, page 68, as corrected in Book 6208, page 82, said Register's Office.

TRACT NO. III:

Being Lot No. 56, in McMillins Subdivision of the Old State Penitentiary Land, fronting fifty (50) feet on the west side of McMillin Avenue and extends back between parallel lines westerly to an alley in the rear, for reference to plan of said lot see Book 161, page 119, Register's Office for said County.

TRACT NO. III being the same property conveyed to Mayo Tire Company, Inc., by installment deed from Louis J. Bervoets, Jr. and wife, Marie D. Bervoets, of record in Book 5720, page 293, Register's Office for Davidson County, Tennessee.

TRACT NO. IV:

Being Lot No. 57 on the Plan of McMillin's Subdivision of the Old State Prison Lands, as of record in Book 161, page 119, Register's Office for Davidson County, Tennessee.

Said Lot No. 57 fronts 55 feet on the westerly side of McMillin Avenue and runs back between parallel lines 101.8 feet to an alley.

TRACT NO. IV being the same property conveyed to Mayo Tire Company, a Tennessee corporation, by deed from James N. Stansell, Russell A. Stansell and Marvin W. Stansell, of record in Book 5536, page 721, Register's Office for Davidson County, Tennessee.

TRACT NO. V:

Being Lot Nos. 63 and 64 on the Plan of McMillins' Subdivision of the Old State Prison Lands, of record in Book 161, page 119, Register's Office for said County, as follows:

Said Lot Nos. 63 and 64 front together 103.7 feet on the northerly side of Church Street, as widened, and run back 118.8 feet on the westerly line with the easterly margin of an alley, and 137.5 feet on the easterly line with the westerly margin of McMillin Avenue to the southerly line of Lot No. 57, measuring 101.8 feet thereon.

TRACT NO. V being the same property conveyed to Mayo Tire Company, by installment deed from Vaden N. Ford and wife, Mary C. Ford, of record in Book 5130, page 760, said Register's Office.

Mayo Tire Company, Mayo Tire Co., Inc. and Mayo Tire Company, Inc. are one and the same corporation.

Land in Davidson County, Tennessee, described as follows:

TRACT NO. VI:

Being Lot No. 37 on the Map of McMillin's Subdivision, of record in Book 161, page 119, Register's Office for said County, to which plan reference is here made for a more complete description.

TRACT NO. VII:

Being Lot No. 38 on the Map of Gov. McMillin's Plan of the Old State Prison Lands, of record in Book 161, page 119, of the Register's Office for said County. Said Lot No. 38 fronts 40 feet on the east side of McMillin Avenue and runs back between parallel lines 100 feet to an alley.

TRACT NO. VIII:

Being Lot No. 39 on the Plan of Gov. McMillin's Subdivision of the Old State Prison Lands, as of record in Book 161, page 119, Register's Office for said County. Said Lot No. 39 fronts 40 feet on the easterly side of McMillin Ave. and runs back between parallel lines 100 feet to an alley.

TRACT NOS. VI, VII and VIII being the same property conveyed to Mayo Tire Company, a Tennessee corporation, by deed from Russell A. Stansell, James N. Stansell and Marvin W. Stansell; James N. Stansell, Russell A. Stansell and Marvin W. Stansell, doing business as the J.R. & M. Co.; and James N. Stansell, Russell Stansell and Marvin W. Stansell, a partnership d/b/a J R & M Company, of record in Book 6886, page 694, Register's Office for Davidson County, Tennessee.

All above said Tracts being conveyed to A & M Properties, a Tennessee general partnership by deed from Mayo Tire Company of record in Book 7502, Page 577, said Register's Office for Davidson County, Tennessee.