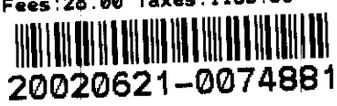
THIS INSTRUMENT PREPARED BY:
SHAWN A. TIDWELL, ESQ.
STOKES BARTHOLOMEW EVANS & PETREE, P.A.
81 MONROE AVENUE, SUITE 200
MEMPHIS, TN 38103

Return To: MUSIC CITY TITLE & ESCROW
311 WHITE BRIDGE ROAD
NASHVILLE, TN 37209

Davidson County DEEDWARR
Recvd: 06/21/02 08:16 5pgs
Fees:28.00 Taxes:1165.50



20020621-0074881

SPECIAL WARRANTY DEED

THIS INDENTURE made and entered into as of this 23rd day of May 2002, by and between **KATHARINE LEE WACKENHUTH, MARY JANE EVERS and NANCY LUCINDA WHITE,** tenants in common, party of the first part, and **RICHARD D. PILIPONIS, JAMES S. HIGGINS and M. DONALD HIMMELBERG,** as tenants in common, party of the second part,

WITNESSETH: That for and in consideration of Ten Dollars ($10.00) cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, the said party of the first part has bargained and sold and does hereby bargain, sell, convey and confirm unto the said party of the second part the following described real estate situated and being in Davidson County, Tennessee:

Property located at 116 Third Avenue South, Nashville, Tennessee, also known as the Old B. K. Hibbett Salvage Company warehouse, more particularly described on **Exhibit "A",** attached hereto and incorporated herein by reference as if copied verbatim.

Being the same property as that conveyed to B. K. Hibbett, Jr. by deed from Sarah Lefkovits, a widow, of record in Book 1148, Page 181, Register's Office for Davidson County, Tennessee. Also being the same property conveyed by Will of B. K. Hibbett, Jr. to his wife, Mary Hibbett, of record in Will book 83, Page 49. Also being the same property conveyed by Will of Mary Hibbett to her three daughters, Katharine Lee Wackenhuth, Mary Jane Evers and Nancy Lucinda White of record in Will Book 149, Page 434. Also being 1/3 undivided interest conveyed to Dr. David William White and Elizabeth Flynn White by quitclaim deed from Nancy Lucinda (Hibbett) White of record in Book 10848, Page 606, said Register's Office. Also being 1/3 undivided interest conveyed to Nancy Lucinda (Hibbett) White by quitclaim deed from Dr. David William White and Elizabeth Flynn White of record in Book 11031, Page 166, said Register's Office.

TO HAVE AND TO HOLD the aforesaid real estate, together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second part, its heirs, successors and assigns in fee simple forever.

And the said party of the first part does hereby covenant with the said party of the second part that the title and quiet possession thereto it warrants only against the lawful claims of all persons claiming by, through or under it, but not further or otherwise.

This conveyance and the property is subject to easement for support of party walls on the north and south sides of the premises in question as set out in Book 317, Page 172; Book 379, Page 363; and Book 1018, Page 17, in the Register's Office of Davidson County, real property taxes for 2002 and subsequent years, which party of the second part assumes and agrees to pay, and any and all building lines, restrictions and easements of record in the aforesaid Register's Office.

The word "party" as used herein shall mean "parties" if more than one person or entity be referred to, and pronouns shall be construed according to their proper gender and number according to the context hereof.

WITNESS the signature of the said party of the first part the day and year first above written.

Katharine Lee Wackenhuth

Katharine Lee Wackenhuth

Mary Jane Evers by Charles K. Evers attorney in Fact

Mary Jane Evers

Nancy Lucinda White

Nancy Lucinda White

ACKNOWLEDGEMENTS

STATE OF TENNESSEE
COUNTY OF Davidson

On this 23rd day of May, 2002, personally appeared **Katharine Lee Wackenhuth**, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

WITNESS my hand and seal, at office, this 23rd day of May, 2002.

Shawn A. Tidwell

Notary Public

My Commission expires:

SHAWN A. TIDWELL NOTARY PUBLIC AT LARGE SHELBY COUNTY, TENN. MY COMM. EXP. 2-01-2005

STATE OF _____
COUNTY OF _____

On this _____ day of May, 2002, personally appeared **Mary Jane Evers**, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

WITNESS my hand and seal, at office, this _____ day of May, 2002.

_____
Notary Public

My Commission expires:_____

STATE OF OKLAHOMA
COUNTY OF TULSA

On this 22ND day of May, 2002, personally appeared **Nancy Lucinda White**, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

WITNESS my hand and seal, at office, this 22ND day of May, 2002.

Pat S. Whittington
Notary Public

My Commission expires: 6/12/2005

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 $315,000.00, 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 23rd day of May, 2002.

Shawn A. Tidwell
Notary Public

My Commission expires: _____

State Tax	$1,165.50
Register's Fee	1.00
Recording Fee	22.00
Total	$1,188.50

Tax ID No. 93-06-4, parcel 56.00

Property Address: 116 Third Avenue South
Nashville, TN 37201-2002

New Property Owner and Send Tax Bills to:
Richard D. Piliponis, James S. Higgins
and M. Donald Himmelberg
311 White Bridge Road
Nashville, TN 37209

EXHIBIT A
Legal Description

Part of Lots Nos. 1 and 2 on the first plan of Davidson Academy Lots, not of record, described as follows:

Beginning at a point on the easterly side of Third Avenue South, formerly College Street, at the southwest corner of the property conveyed to Beesley Furniture Company by deed from Bridget Eloise Byrd Zumer and husband, of record in Book 1018, page 17, Register's Office for said county; thence with said avenue southwardly 40 feet 9 inches, more or less, to the northwest corner of the property conveyed to Englert Engineering Company by deed from the American Trust Company of record in Book 598, Page 57, said Register's Office; thence with the northerly line of the Englert Engineering Company's property eastwardly 108 feet, more or less, to a point half way to Second Avenue South, being the northeast corner of said Englert Engineering Company's property; thence northwardly 41 feet, more or less, to the southerly line of Beesley Furniture Company's property; thence with said line westwardly 108 feet, more or less, to the beginning.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

On this 23rd day of May, 2002, before me personally appeared Charles K. Evers, to me known (or proved to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument in behalf of Mary Jane Evers that such person executed the same as the free act and deed of Mary Jane Evers.

Witness my hand and seal, at office, this 23rd day of May, 2002.

Shawn A. Tidwell
Notary Public

My Commission Expires:

