41
H3A

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)
The actual consideration for this transfer
or value of property (whichever is greater)
is $470,000.00. This is equal to or greater than the
property would bring at a fair and voluntary sale.

Eddie W. McCullar
Affiant

Sworn to and subscribed before me
this 31st day of October, 2002.
Notary Public
My Commission Expires: 9-30-2006

ADDRESS NEW OWNER:
435 Donelson Pike
Nashville TN 37214

THIS INSTRUMENT PREPARED BY:
HOLLINS & ASSOCIATES, PLLC
401 Church Street, Suite 2720
Nashville, Tennessee 37219

Davidson County DEEDWARR
Recvd: 11/01/02 14:45 4pgs
Fees:23.00 Taxes:1739.00
20021101-0134287

SEND TAX BILL TO:
SAME

Map: 96-13, Parcel: 162

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid by the hereinafter named GRANTEES, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Michael Coulter Smith, Trustee of Land Trust 435, hereinafter the GRANTOR, has bargained and sold, and by these presents do transfer and convey unto Eddie W. McCullar and Laura T. McCullar, his wife, hereinafter the GRANTEE(S), their successors, heirs, representatives and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, more particularly described as follows:

SEE ATTACHED EXHIBIT A, WHICH IS INCORPORATED HEREIN BY THIS REFERENCE.

This is improved property known as 435 Donelson Pike, Nashville, Tennessee.

This conveyance is made subject to such limitations, restrictions and encumbrances of record as may affect the premises, including but not limited to the following: See attached Exhibit "B"

TO HAVE AND TO HOLD the said tract or parcel of land with the appurtenances, estate, title and interest thereto belonging to said Grantee, his/her heirs, successors, representatives and assigns, forever; Grantor does further covenant with said Grantee that Grantor has a good right to convey the land, and the same is unencumbered except as otherwise herein set out; and it does further covenant and bind itself, its successors and representatives, to warrant and forever defend the title to the said land to the said Grantee, his/her heirs, successors, representatives and assigns, against the lawful claims of persons claiming by and through Grantor, but no other.

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.

WITNESS my hand this 25 day of October, 2002.

GRANTOR:

Michael Coulter Smith, Trustee of
Land Trust 435

STATE OF ~~TENNESSEE~~ Illinois)
COUNTY OF ~~DAVIDSON~~ Cook)

Personally appeared before me, the undersigned, a Notary Public of said County and State, Michael Coulter Smith, Trustee of Land Trust 435, 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, at office, this 25th day of October, 2002.

Notary Public

My Commission Expires: 10/6/03

"OFFICIAL SEAL"
JUDY L. TAZZIO
Notary Public, State of Illinois
My Commission Expires 10/6/03

EXHIBIT A
Real Property Description

EXHIBIT "A"

A tract of land, being shown as Parcel 162 on Davidson County Tax Map 96-13 and being shown as Parcel 162 and Parcel 182 on the Deed from Loretta Lynn's Western Stores, Inc., a Tennessee Corporation to Michael Coulter Smith, Trustee of Land Trust 435 as recorded in Deed Book 9863 Page 389 and 390, situated in the First Civil District of Davidson County, Tennessee and described according to an unrecorded survey by John D. McCormick, Tennessee RLS Number 674, dated, August 20, 2002 and revised October 5, 2002, as follows:

Beginning at an existing concrete monument in the Easterly margin of Donelson Pike, said point being the Northwest corner of the "Donelson Square Subdivision" as recorded in Plat Book 4955, Page 80 and being the Southwesterly corner of the property herein described: Thence along the Easterly margin of Donelson Pike along a slight curve to the right with a radius of 1392.40 feet a distance of 105.38 feet to an existing iron rod; thence South 83 deg 13 min 05 sec East a distance of 200.00 feet to an existing iron rod; thence South 8 deg 01 min 21 sec West a distance of 30.00 feet to a new iron rod; thence South 5 deg 46 min 56 sec West a distance of 64.52 feet to an existing iron road; thence North 86 deg 19 min 46 sec West a distance of 200.31 feet to the point of beginning and containing 20,024 square feet more or less.

Being the same property conveyed to Michael Coulter Smith, Trustee of Land Trust 435 by Deed from Loretta Lynn's Western Stores, Inc. recorded in Book 9863, Page 389, Register's Office of Davidson County, Tennessee.

EXHIBIT "B"

1. City and/or County Taxes for the year 2003 and subsequent years: A lien, not yet due or payable. Map 96-13 Parcel 162

   If improvements are completed after January 1st of any year, the law requires supplemental assessment for the year in which improvements are completed as defined by statute. We assume no liability for taxes assessed by correction pursuant to the provisions of Tennessee Code Annotated, Section 67-5-603, et seq.

2. Matters shown on the Plan of record in Book 4350, Page 135, and of record in Book 4955, Page 80, Register's Office of Davidson County, Tennessee.

3. Rights of others in and to the land embraced within the appurtenant easement as shown on Plan of record in Book 4350, Page 135 and of record in Book 4955, Page 80, Register's Office of Davidson County, Tennessee.

4. No insurance is afforded as to the acreage or square footage contained in the insured property.

5. All matters shown on the survey of John D. McCormick - RLS No. 674, dated October 26, 1995 revised November 13, 1995, and the surveyor's report done in conjunction therewith.