Davidson County DEEDWARR
Recvd: 04/14/03 16:10 8pgs
Fees:43.00 Taxes:1850.00
20030414-0049618

This Instrument Prepared By:
Harris A. Gilbert
WYATT, TARRANT & COMBS
2525 West End Avenue, Suite 1500
Nashville, Tennessee 37203-1423
615.244.0020

# SPECIAL WARRANTY DEED

| Address New Owner(s) | Send Tax Bills To: | Map & Parcel |
|---|---|---|
| Gary R. Bowie and Mohsen Sarfehjoo<br>209 Third Avenue, North<br>Nashville, Tennessee 37201 | Same | Map 93-2-3<br>Parcel 166 |

FOR AND IN CONSIDERATION of the sum of Ten ($10.00) Dollars, and other good and valuable consideration, receipt of which is hereby acknowledged, we, Richard James Stelzer, as to a one-fourth undivided interest; Karen Stelzer Fiske, as Trustee of the Elizabeth Stelzer 1987 Trust, as to a one-fourth undivided interest; Marie Hertzman and Joan W. Blum, as to a one-eighth undivided interest; Eleanor B. Weiner and Sarah A. Ruby, as to a one-eighth undivided interest; Letty-Lou Gilbert, Arnold D. Haber and Lynn Haber Pardue, as to a one-eighth undivided interest; and James H. Brown and Debra Steinberg, as to a one-eighth undivided interest ("Grantors"), have bargained and sold and do hereby transfer and convey unto Gary R. Bowie and Mohsen Sarfehjoo ("Grantees"), Grantees' heirs and assigns, a certain tract of land located in Davidson County, Tennessee and described as follows (the "Property"):

*See Exhibit A, attached and incorporated by reference.*

This is improved property, also known as 209 Third Avenue North, Nashville, Tennessee 37201.

TO HAVE AND TO HOLD the Property, together with all the appurtenances and hereditaments thereunto belonging or in anywise appertaining to the said Grantees, Grantees' heirs and assigns, forever.

AND Grantors do hereby covenant with Grantees that Grantors are lawfully seized and possessed of the Property in fee simple; that they have good right to

sell and convey the same; and that the same is encumbered, except for encumbrances attached hereto as Exhibit "B". Grantees agree to assume said matters as listed on said Exhibit B.

AND Grantors do further covenant and bind their heirs and assigns, to warrant and forever defend the title to the Property against the lawful claims of all persons claiming by, through or under Grantors, but no further or otherwise.

IN WITNESS WHEREOF, the Grantors have caused this instrument to be executed on this 11th day of April 2003.

GRANTORS:

Richard James Stelzer, by his Attorney in Fact, AIF
Richard James Stelzer, BY HIS ATTORNEY IN FACT, HARRIS A. GILBERT

Karen Stelzer Fiske Shechtman, by her Attorney in Fact, AIF
Karen Stelzer Fiske, as Trustee of the Elizabeth Stelzer 1987 Trust, BY HER ATTORNEY IN FACT, HARRIS A. GILBERT

Marie Hertzman, by her Attorney in Fact, AIF
Marie Hertzman, BY HER ATTORNEY IN FACT, HARRIS A. GILBERT

Joan W. Blum Shapiro, by her Attorney in Fact, AIF
Joan W. Blum, BY HER ATTORNEY IN FACT, HARRIS A. GILBERT

Eleanor B. Weiner, by her Attorney in Fact, AIF
Eleanor B. Weiner, BY HER ATTORNEY IN FACT, HARRIS A. GILBERT

Sarah A. Ruby, by her Attorney in Fact, AIF
Sarah A. Ruby, BY HER ATTORNEY IN FACT, HARRIS A. GILBERT

Letty Lou Gilbert, by her Attorney in Fact, AIF
Letty-Lou Gilbert, BY HER ATTORNEY IN FACT, HARRIS A. GILBERT

Arnold D. Haber by his Attorney in Fact, AIF
Arnold D. Haber, BY HIS ATTORNEY IN FACT, HARRIS A. GILBERT

Lynn Haber Pardue, BY HER
ATTORNEY IN FACT, HARRIS A. GILBERT

James H. Brown, BY HIS ATTORNEY IN
FACT, HARRIS A. GILBERT

Debra Steinberg, BY HER
ATTORNEY IN FACT, HARRIS A. GILBERT

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The greater of the consideration for this transfer or the value of the property is $500,000.00.

AFFIANT

Subscribed and sworn to before me, this 11th day of April 2003.

NOTARY PUBLIC

My Commission Expires:

1-26-05

IVA J. PARKER
NOTARY PUBLIC AT LARGE
CHEATHAM COUNTY, TENN.

STATE OF TENNESSEE )
)
COUNTY OF DAVIDSON )

Before me, the undersigned authority, a Notary Public in and for the aforesaid state and county, personally appeared the within named HARRIS A. GILBERT AS ATTORNEY IN FACT ON BEHALF OF RICHARD JAMES STELZER, KAREN STELZER FISKE, AS TRUSTEE OF THE ELIZABETH STELZER 1987 TRUST, MARIE HERTZMAN, JOAN W. BLUM, ELEANOR B. WEINER, SARAH A. RUBY, LETTY-LOU GILBERT, ARNOLD D. HABER, LYNN HABER PARDUE, JAMES H. BROWN AND DEBRA STEINBERG, to me known to be the person described therein (or who proved to me to be the same on a satisfactory basis) and who acknowledged that the foregoing instrument was executed by him as the act and deed of RICHARD JAMES STELZER, KAREN STELZER FISKE, AS TRUSTEE OF THE ELIZABETH STELZER 1987 TRUST, MARIE HERTZMAN, JOAN W. BLUM, ELEANOR B. WEINER, SARAH A. RUBY, LETTY-LOU GILBERT, ARNOLD D. HABER, LYNN HABER PARDUE, JAMES H. BROWN AND DEBRA STEINBERG for the purposes therein contained by signing his name.

WITNESS my hand and seal in the aforesaid State and County this 11th day of April 2003.

NOTARY PUBLIC

My Commission Expires:

1-26-05

IVA J. PARKER
NOTARY PUBLIC AT LARGE
CHEATHAM COUNTY, TENN.

45243617.1

# EXHIBIT A

209 Third Avenue North
Nashville, TN

PROPERTY DESCRIPTION

Being a tract of land in the central portion of Davidson County, lying in the 19th Councilmanic District of Nashville, Tennessee. Bounded on the northeast by Right-of-Way (ROW) of 3rd Ave. North (ROW varies), on the southeast by B.H.L., LLC as recorded in Deed Instrument #20021105-0135528 Registers Office Davidson County (RODC), on the southwest by ROW of Printers Alley (ROW varies), on the northwest by 211 Buildings, Inc. as recorded in Deed Book 7063, Page 961 RODC. Tract being described as follows:

POINT OF COMMENCEMENT being the centerline intersection of 3rd Ave. North & Church Street; thence leaving said centerline intersection North 38°35'29" West 154.30 feet to a set point being the TRUE POINT OF BEGINNING also being the southeast corner of the tract being described, said point lying on the southwesterly ROW margin of 3rd Ave. North; thence leaving said ROW margin South 60°18'25" West 175.46 feet to a set point on the northeasterly ROW margin of Printers Alley; thence with said ROW North 29°41'35" West 30.17 feet to a set point; thence leaving said ROW of Printers Alley North 60°18'25" East 175.46 feet to a set point on the southwesterly ROW margin of 3rd Ave. North; thence with said ROW margin South 29°41'35" East 30.17 feet to the true point of beginning.

Containing 5,293 square feet or 0.12 acres.

This description resulted from a survey dated April 8, 2003, prepared by Robert M. Searson (Tennessee Registered Surveyor's No. 1666) of Littlejohn Engineering Associates, Inc.

(Derivation attached)

Being the same property conveyed to Ottilie Stelzer and Sarah Brown by deed from Louis Blum and wife, Hattie Blum of record in Book 772, page 126, Register's Office for Davidson County, Tennessee.

Ottilie Stelzer having conveyed her one-half undivided interest in the subject property to Elmore Stelzer and Adolph Stelzer by deed of record in Book 1198, page 190, and in Book 2295, page 461, said Register's Office.

Elmore Stelzer having since conveyed his one-fourth undivided interest in the subject property to Richard James Stelzer by deed of record in Book 4534, page 799, said Register's Office.

Adolph Stelzer having since conveyed his one-fourth undivided interest in the subject property to Jay M. Stelzer, H. Wade Stelzer and Stephen H. Suffin, Trustees, by deed of record in Book 4768, page 493, said Register's Office. The said Jay M. Stelzer and H. Wade Stelzer, as Trustees, having since conveyed their interests in the subject property to Elizabeth W. Stelzer, as Successor Trustee, and Stephen H. Suffin, Trustee, by quitclaim deed of record in Book 5508, page 804, said Register's Office. Elizabeth W. Stelzer and Stephen H. Suffin, as Trustees, conveyed their one-fourth undivided interest in the subject property to Elizabeth W. Stelzer by quitclaim deed of record in Book 6038, page 120, said Register's Office. Elizabeth W. Stelzer, an unmarried woman, conveyed her one-fourth undivided interest in the subject property to Elizabeth W. Stelzer as Trustee of the Elizabeth Stelzer 1987 Trust by quitclaim deed of record in Book 7348, page 276, said Register's Office. Elizabeth W. Stelzer having since died, being succeeded as Trustee by Karen Stelzer Fiske.

Sarah Brown having since died devising her one-half undivided interest in the subject property to her husband, as to a life estate, with the remainder interest to her children Bernard Brown, Adolph Brown, Morris Brown and Jenita Brown Blum, as to a one-eighth undivided interest each, by Last Will and Testament of record in Will Book 57, page 216, Probate Court for Davidson County, Tennessee.

Jenita Brown Blum, also known as Jenita B. Jacobs, having since died, devising her one-eighth undivided interest in the subject property to Marie Hertzman and Lawrence Blum, by Last Will and Testament of record in Will Book 173, page 777, Probate Court for Davidson County, Tennessee.

Lawrence Blum having since died, devising his one-sixteenth undivided interest in the subject property to Joan W. Blum, by Will dated May 11, 1984, as amended, probated in the State of New York, a copy of which is of record as Instrument No. 200005010043181 in the Register's Office for Davidson County, Tennessee.

Bernard Brown having since died, devising his one-eighth undivided interest in the subject property to his wife, Pauline Haber Brown, by Last Will and Testament of record in Will Book 63, page 477, Probate Court for Davidson County, Tennessee. Pauline Haber Brown, also known as Pauline Haber Franklin, having since died, devised her one-eighth undivided interest in the subject property to Letty Lou Gilbert, Arnold D. Haber and Lynn Haber Pardue by Last Will and Testament of record in Will Book 197, page 165, Probate Court of Davidson County, Tennessee (see also Affidavit of Heirship to Real Property of record in Book 10164, page 476, said Register's Office.)

Adolph Brown having since died, devising his one-eighth undivided interest in the subject property to Morris Brown and Helen May Brous Brown, as Co-Executors and Co-Trustees by Last Will and Testament of record in Will Book 73, page 72, Probate Court for Davidson County, Tennessee. Morris Brown and Helen May Brous Brown have both since died, and First American Trust Company, successor to First American National Bank, replaced Morris Brown, deceased, and Helen May Brous Brown, deceased, as executor and trustee under the Will of Adolph Brown, deceased. First American Trust Company, as said successor executor and trustee, conveyed its one-eighth undivided interest in the subject property to Eleanor B. Weiner and Sarah A. Ruby, as equal tenants in common, by quitclaim deed of record in Book 8690, page 380, said Register's Office.

Morris Brown, deceased, devised his individual one-eighth undivided interest in the subject property to his wife, Danelle Weinbaum Brown, by Last Will and Testament of record in Book 6187, page 467, Register's Office for Davidson County, Tennessee. Danelle Weinbaum Brown having since died, devising her one-eighth undivided interest in the subject property to James H. Brown and Debra Steinberg by Last Will and Testament of record in Will Book 224, page 433, Probate Court for Davidson County, Tennessee, as further conveyed to James H. Brown and Debra Steinberg, as tenants in common, by Executor's Quitclaim Deed of record in Book 11400, page 492, said Register's Office.

# EXHIBIT B

1. Taxes for the year 2003: Field Book No. 5W02886, Map 93-2-3, Parcel 166, Davidson County.

2. Authorization for Installing Luminaire or Banner Arm(s) on Side of Property, of record in Book 9627, page 210, said Register's Office.

3. Easements for utility services and party walls for use in common with owners of attached and appurtenant improvements.

4. Subject to wall encroachment over Printers Alley, as described in Survey of Littlejohn Engineering Company.