31 B
BBS
JM

Davidson County DEEDWARR
Recvd: 12/11/03 13:51 4pgs
Fees:23.00 Taxes:7141.00
20031211-0177961

THIS INSTRUMENT PREPARED BY:
BASS, BERRY & SIMS PLC (DMS)
AmSouth Center
315 Deaderick Street, Suite 2700
Nashville, Tennessee 37238-3001

SPECIAL WARRANTY DEED

Address New Owner(s)	Send Tax Bills To:	Map-Parcel Number(s)
MJM McGavock Partnership c/o Colliers Turley Martin Tucker 424 Church Street, Suite 1506 Nashville, TN 37219 Attn: Russell F. Morris, III	Same	95-4-28

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 ($10.00) DOLLARS cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, GEORGE DURNIN, an individual (the "Grantor"), has bargained and sold, and by these presents does hereby transfer and convey, unto MJM MCGAVOCK PARTNERSHIP, a Tennessee general partnership ("Grantee"), its successors and assigns, a certain tract or parcel of land in Davidson County, Tennessee, being more particularly described on Exhibit A attached hereto.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title, and interest thereto belonging to Grantee, its successors and assigns, forever.

Grantor further covenants and binds himself to warrant and forever defend the title to said land to Grantee, its successors and assigns, against the lawful claims of all persons claiming by, through or under Grantor, but not further or otherwise. Without limiting the foregoing, said property is conveyed subject to the matters described on Exhibit B attached hereto.

Grantor hereby represents and warrants that the property described herein has been used for commercial purposes and has not been used as the principal residence of Grantor.

[The remainder of this page has been intentionally left blank.]

IN WITNESS WHEREOF, the undersigned has executed this instrument as of the 5th day of December, 2003.

GEORGE DURNIN

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public, George Durnin, with whom I am personally acquainted, who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 10th day of December, 2003.

Mary Jan Dionne
Notary Public

MARY JAN DIONNE NOTARY PUBLIC AT LARGE DAVIDSON CO., TENNESSEE

My Commission Expires: 3/25/06

STATE OF TENNESSEE)
COUNTY OF Davidson

The actual consideration for this transfer or value of property conveyed (whichever is greater) is $ 1,930,000.00.

Affiant

Sworn to and subscribed before me this 10th day of December, 2003.

Mary Jan Dionne
Notary Public

MARY JAN DIONNE NOTARY PUBLIC AT LARGE DAVIDSON CO., TENNESSEE

My Commission Expires: 3/25/06

EXHIBIT A

PROPERTY DESCRIPTION

Land in Davidson County, Tennessee, being Lot No. 1 of the Revision of A Minor Subdivision of the George Durnin Tract, as shown on Plat recorded at Instrument No. 20021125-0146044, Register's Office for Davidson County, Tennessee, to which reference is hereby made, and being more particularly described as follows:

Being that property, situated within the FIRST CIVIL DISTRICT of Metropolitan Nashville, Davidson County, Tennessee, lying in the southwest quadrant of the intersection of Lebanon Pike, U.S. Highway 70, and McGavock Pike, being a portion of that property which was conveyed to George Durnin by deed of record in Deed Book 9047 Page 926 in the Register's Office of Davidson County, Tennessee, and being more particularly described as follows:

Beginning at a P.K. nail set in the asphalt on the southern right-of-way line of Lebanon Pike, having a varying right-of-way width, also being the northeast corner of a tract of land deeded to Richard D. Taylor, Sr. and P.T. Clucker as recorded in Will Book 142, Page 27; thence with the southern right-of-way line of Lebanon Pike, North 79 degrees 12 minutes 22 seconds East, a distance of 95.78 feet to a P.K. nail set in asphalt; thence North 82 degrees 10 minutes 09 seconds East, a distance of 25.05 feet to a P.K. nail set in asphalt; thence with an offset in said right-of-way, South 11 degrees 12 minutes 10 seconds East, a distance of 7.00 feet to an X mark made in a concrete sidewalk; thence continuing with said right-of-way, North 78 degrees 47 minutes 50 seconds East, a distance of 89.78 feet to an X mark made in a concrete sidewalk; thence with a curve to the right, having a radius of 43.00 feet, and an arc length of 77.22 feet, (a tangent distance of 53.95 feet, and a chord distance of 67.25 feet), to a P.K. nail found; thence with an offset in the right-of-way, South 88 degrees 02 minutes 26 seconds East, a distance of 2.95 feet to a P.K. nail found; thence with the western right-of-way of McGavock Pike, having a varying right-of-way width, South 03 degrees 48 minutes 23 seconds West, a distance of 251.37 feet, said point being North 03 degrees 48 minutes 23 seconds East, a distance of 50.00 feet from a concrete monument found at the northeast corner of a tract of land deeded to HJL, L.P. as recorded in Deed Book 20000801, Page 75996 being the southeast corner of above mentioned tract of which this description is a part; thence along a new division line, South 76 degrees 23 minutes 01 seconds West, a distance of 39.43 feet to a point; thence South 79 degrees 12 minutes 22 seconds West, a distance of 169.31 feet to a point; thence North 40 degrees 56 minutes 00 seconds West, a distance of 21.25 feet to a point; thence North 11 degrees 19 minutes 14 seconds West, a distance of 153.96 feet to a point in the south line of the Richard D. Taylor tract as recorded in Will Book 142, Page 27, said point being North 78 degrees 40 minutes 46 seconds East, a distance of 125.38 feet from a tack found at the southwest corner of said Taylor tract; thence along the south line of Taylor, North 78 degrees 40 minutes 46 seconds East, a distance of 24.62 feet to a P.K. nail set in asphalt at the southeast corner of said Taylor tract; thence along the east line of Taylor, North 09 degrees 11 minutes 28 seconds West, a distance of 133.28 feet to the Point of Beginning and containing 1.69 acres, more or less.

Being part of the same property conveyed to George Durnin, by Deed of Record in Book 9047, page 926, Register's Office for Davidson County, Tennessee.

The source of the foregoing description is the above-described plat and a survey dated July 9, 2002 (last revised on December 3, 2003) prepared by Larry I. Smith (RLS No. 824) of L.I. Smith and Associates, 302 North Caldwell Street, Paris, TN 38249.

EXHIBIT B

EXCEPTIONS TO TITLE

1. Real estate taxes for 2004 and thereafter, a lien which is not yet due and payable.

2. Subject to conveyance to Metropolitan Government of Nashville and Davidson County as of record in Book 8758, page 421, Register's Office for Davidson County, Tennessee and restrictions as contained therein.

3. All matters shown on Plat recorded at Instrument No. 20021125-0146044, Register's Office for Davidson County, Tennessee.