1

Box 36

RECORD & RETURN TO:
FILE BOX 36 if Davidson County

SPECIAL WARRANTY DEED

Davidson County DEEDWARR
Recvd: 12/30/03 13:14 3pgs
Fees:18.00 Taxes:3404.37

20031230-0183852

STATE OF Utah, COUNTY OF Salt Lake

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS $920,100.00

X _____
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME THIS 22nd DAY OF DECEMBER, 2003.

NOTARY PUBLIC SEAL

My commission expires:: April 13, 2007

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
April 13, 2007
SUSAN LYNNE MORTON
3828 South Main Street
Salt Lake City, Utah 84115

THIS INSTRUMENT WAS PREPARED BY:
«Douglas A. BraceAttorney»
ORTALE, KELLEY, HERBERT & CRAWFORD
200 Fourth Avenue North
Nashville, TN 37219-0375
File No.#17675

NAME/ADDRESS OF NEW OWNER:	SEND TAX BILLS TO:	MAP – PARCEL #
John J. Hawkins 4501 Swing Lane Charlotte, NC 28226	SAME	134-030.00

FOR AND IN CONSIDERATION of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named Grantees, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, **SKAGGS COMPANIES, INC.,** a Utah corporation, hereinafter called **"GRANTOR,"** has bargained and sold, and by these presents does transfer and convey unto **JOHN J. HAWKINS,** hereinafter called **"GRANTEE,"** a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

Land in the First Civil District of Metropolitan Nashville, Davidson county, Tennessee, being Lot No. 2 on the Plan of G. W. Proctor's Subdivision, not of record, being more particularly described as follows:

Beginning at an existing P.K. nail in Ezell Road, said P.K. nail being the northwest property corner of the M.L. Barrett, et ux, property of record in Book 4124, page 757, Register's Office for Davidson County, Tennessee, and the northeast corner of the herein described tract and proceeding as follows:

1. Leaving Ezell Road with the west property line of M.L. Barrett, et ux, and Lots 17 and 18 as shown on the plat of Bowood Heights Subdivision of record in Plat Book 2331, page 47, R.O.D.C., Tennessee, South 14 deg. 05 min. 59 sec. West, 25.00 feet to a witness iron pin set, and continuing 455.39 feet for a total distance of 480.39 feet to an existing iron pin; thence,

2. Continuing with the west property line of Lots 18, 19 and 20, South 21 deg. 20 min. 34 sec. West, 273.20 feet to an existing iron pin in the north property line of Lot 21; thence,

3. With the north property line of Lot 21, in part, North 62 deg. 47 min. 44 sec. West, 143.84 feet to an existing iron pin in the east property line of Airport West Properties of record in Book 6204, page 109, R.O.D.C., Tennessee; thence,

4. With the east property line of Airport West Properties, in part, North 02 deg. 45 min. 44 sec. East, 351.15 feet to an existing iron pin, said pin being the south property corner of the Raymond L. Caldwell property of record in Book 5427, page 191, R.O.D.C., Tennessee; thence

5. Leaving the east property line of Airport West Properties with the east property line of Raymond L. Caldwell, North 28 deg. 27 min. 59 sec. East, 347.35 feet to a witness iron pin set, and continuing 25.00 feet for a total distance of 372.35 feet to an existing P.K. nail in Ezell Road; thence,

6. With Ezell Road, South 81 deg. 06 min. 57 sec. East, 151.81 feet to the point of beginning.

Being the same property conveyed to Skaggs Companies, Inc., a Utah corporation, by Special Warranty Deed from NEC, Inc., of record in Book 10963, page 562, in the Register's Office for Davidson County, Tennessee.

The conveyance of the above-described parcel of land is subject to the following:

1. Metropolitan Nashville/Davidson County taxes for 2004 and subsequent years, a lien, but not yet due and payable.
2. Subject to any and all zoning regulations, building restrictions, setback lines, if any, and easements and rights of way for public utilities applicable to this property.
3. Easements to Metropolitan Government of Nashville and Davidson County for water mains and appurtenances of record in Book 5782, page 806, in the Register's Office for Davidson County, Tennessee.
4. Easements for sanitary sewer and/or storm drainage set forth in instruments of record in Book 4260, page 677, and Book 4986, page 137, in said Register's Office.
5. Easement for flow of creek through a portion of the premises.
6. Rights of others across the right-of-way of Old Ezell Road located within the bounds of said property.

This property is also known as improved property located at 620 Old Ezell Road, Nashville, TN.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, his heirs, successors and assigns, forever, and GRANTOR does 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 the same is unencumbered, unless otherwise herein set out; and GRANTOR does further covenant and bind itself, its successors, assigns and representatives, to warrant and forever defend the title to the said land to the said GRANTEE, his heirs, successors and assigns, against the lawful claims of all persons claiming by or through Grantor. Wherever 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 our hands this 22 day of December , 2003.

SKAGGS COMPANIES, INC.,
a Utah corporation,

BY: _____

Its: President

STATE OF Utah, **COUNTY OF** Salt Lake

Before me, ~~Don L. Staggs Jr.~~ Susan Lynne Morton, a Notary Public in and for the County and State aforesaid, personally appeared Don L. Staggs, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged him/herself to be the President. of the within named bargainor, a corporation, and that he/she as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation as such Staggs Companies, Inc.

Witness my hand and official seal this 22nd day of December, 2003.

My commission expires:
April 13, 2007

Notary Public

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
April 13, 2007
SUSAN LYNNE MORTON
3828 South Main Street
Salt Lake City, Utah 84115

SEAL