40-A

Davidson County DEEDWARR
Recvd: 06/23/04 15:40 3pgs
Fees:18.00 Taxes:323.75
20040623-0074679

This Instrument Prepared By:
Gibson, Gregory & Gwyn, PLLC
201 Fourth Avenue, N. Suite 1900
Nashville Tennessee 37219

ADDRESS NEW OWNER:

Colonial Realty Company
2720 Eugenia Avenue
Nashville, TN 37204

SEND TAX BILL:

New Owner

MAP AND PARCEL:
MAP 93-10
PARCELS 415 AND 416

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten ($10.00) Dollars, cash in hand paid by the Grantees named herein, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, **James D. Stevens** ("Grantor"), has bargained and sold, and by these presents does transfer and convey unto **Colonial Realty Company, a Tennessee corporation** ("Grantee"), its successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee (the "Property"), described as follows:

ALL THAT TRACT OR PARCEL OF LAND DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

This conveyance is made subject to the real estate taxes for the current year, which have been prorated and assumed by Grantee, Construction Easements in favor of the Metropolitan Government of Nashville and Davidson County, Tennessee, as set forth in Consent Judgment and Final Decree of record in Instrument No. 20030117-0007765, Register's Office for Davidson County, Tennessee; and all matters shown on the Survey made by Cherry Land Surveying dated June 10, 2004.

This is improved property known as 333-335 2nd Avenue, South, Nashville, TN 37201.

TO HAVE AND TO HOLD the Property, with the appurtenances, estate, title and interest thereto belonging to Grantee, its successors and assigns, forever; and Grantor, does covenant with Grantee that they are lawfully seized and possessed of the Property 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 himself, his heirs, assigns and representatives, to warrant and forever defend the title to the Property to Grantee, its successors and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness my hand this 23 day of June, 2004.

James D. Stevens

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, of the state and county aforesaid, personally appeared James D. Stevens, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that they executed the foregoing instrument for the purposes contained therein.

Witness my hand and official seal this 23 day of June, 2004.

Notary Public

My Commission Expires: 7/21/07

ANDREW B. GIBSON, JR. Notary Public At Large DAVIDSON COUNTY, TENN.
My Commission Expires July 21, 2007

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual value or consideration, whichever is greater, for this transfer is $87,500.00.

AFFIANT

Subscribed and sworn to before me
this 23 day of June, 2004.

NOTARY PUBLIC

My Commission Expires: 7/21/07

ANDREW B. GIBSON, JR. Notary Public At Large DAVIDSON COUNTY, TENN.
My Commission Expires July 21, 2007

EXHIBIT A

BEING A TRACT OF LAND LYING IN DAVIDSON COUNTY, TENNESSEE, ALSO BEING PART OF LOTS 3 AND 4 ON THE UNRECORDED PLAN OF TINDALL'S SUBDIVISION OF PART OF LOT 8 ON THE FIRST PLAN OF DAVIDSON COUNTY ACADEMY LOTS, AS SHOWN ON THE SURVEY MADE BY CHERRY LAND SURVEYING DATED JUNE 10, 2004, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT AN IRON ROD SET ON THE NORTHERLY RIGHT-OF-WAY LINE OF GATEWAY BOULEVARD, WIDTH VARIES, AT A CORNER COMMON WITH COLONIAL REALTY CO., AS OF RECORD IN DEED BOOK 5206, PAGE 203, AT THE REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE; THENCE LEAVING THE NORTHERLY RIGHT-OF-WAY LINE OF GATEWAY BOULEVARD WITH THE EASTERLY PROPERTY LINE OF COLONIAL REALTY CO., NORTH 26 DEG 51 MIN 10 SEC WEST, 52.98 FEET TO AN EXISTING PK NAIL AT A CORNER COMMON WITH COLONIAL REALTY CO., AS OF RECORD IN DEED BOOK 9562, PAGE 726, AT THE REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE; THENCE WITH THE SOUTHERLY PROPERTY LINE OF COLONIAL REALTY CO., NORTH 63 DEG 23 MIN 25 SEC EAST, 105.00 FEET TO AN IRON ROD SET ON THE WESTERLY RIGHT-OF-WAY LINE OF 2ND AVENUE SOUTH, 49.44 FEET IN WIDTH; THENCE WITH THE WESTERLY RIGHT-OF-WAY LINE OF 2ND AVENUE SOUTH, SOUTH 27 DEG 06 MIN 37 SEC EAST, 28.06 FEET TO AN IRON ROD SET AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF SAID GATEWAY BOULEVARD; THENCE LEAVING THE WESTERLY RIGHT-OF-WAY LINE OF 2ND AVENUE SOUTH WITH THE NORTHERLY RIGHT-OF-WAY LINE OF GATEWAY BOULEVARD ALONG A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 39.15 FEET, THE RADIUS OF WHICH IS 25.00 FEET, THE CENTRAL ANGLE OF WHICH IS 89 DEG 44 MIN 06 SEC, THE CHORD OF WHICH IS SOUTH 18 DEG 17 MIN 37 SEC WEST, 35.27 FEET TO AN IRON ROD SET; THENCE SOUTH 63 DEG 25 MIN 57 SEC WEST, 80.12 FEET TO THE POINT OF BEGINNING, CONTAINING 5,436 SQUARE FEET (0.125 ACRES MORE OR LESS).

BEING PART OF THE SAME PROPERTY CONVEYED TO JAMES D. STEVENS BY DEED FROM JOHN BOTTOM, JR., TRUSTEE WITH FULL POWER TO SELL OR CONVEY BY DEED OR MORTGAGE WITHOUT THE JOINDER OF ANY BENEFICIARY FOR WHOM HE MAY BE ACTING, AS OF RECORD IN INSTRUMENT NO. 20020814-0098676, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.