Box 44CL

Davidson County DEEDWARR
Recvd: 10/12/04 11:12 7pgs
Fees:38.00 Taxes:564.25

20041012-0122803

**THIS INSTRUMENT PREPARED BY:**
**Wesley D. Turner**
**GULLETT, SANFORD, ROBINSON & MARTIN, PLLC**
315 DEADERICK STREET, SUITE 1100
P. O. BOX 198888
NASHVILLE, TENNESSEE 37219-8888
(615) 244-4994

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration or value, whichever is greater, for this transfer is $152,500.00.

Affiant

Subscribed and sworn to before me, this 8th day of October, 2004.

Notary Public

My Commission Expires: NOTARY PUBLIC AT LARGE

WESLEY D. TURNER
DAVIDSON COUNTY, TENN.

My Commission Expires JAN. 27, 2007

| Address New Owner As Follows: | Send Tax Bills To: | Map-Parcel Number: |
|---|---|---|
| Vernon Avenue Partners, LLC | Same as New Owner | 91-05-189 |
| c/o Craighead Development, LLC | | 91-05-147 |
| 700 Craighead Street, Suite 305 | | 91-05-148 |
| Nashville, TN 37204 | | |

**WARRANTY DEED**

**FOR AND IN CONSIDERATION** of the sum of Ten and no/100 Dollars ($10.00), cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, **HENRY SENDER, LEE KRAFT, EXECUTOR AND TRUSTEE UNDER THE WILL OF JOE KRAFT, DECEASED, AND LAUREN SENDER, NOW COOPER**, hereinafter called the Grantors, have bargained and sold, and by these presents does transfer and convey unto **VERNON AVENUE PARTNERS, LLC,** a Tennessee limited liability company, hereinafter called the Grantees, its successors and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described on the attached Exhibit A incorporated herein by reference.

Subject property is not the usual place of residence of any of the Grantors.

A new legal description was not prepared for this transaction. The legal description is the same as the previous instrument of record.

This conveyance is made subject to:

1. Lack of direct access to Briley Parkway.

This is unimproved property known as Vernon Avenue, Nashville, TN 37214.

**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, its successors and assigns, forever; and we covenant with the said Grantee that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered, unless otherwise herein set out; and further covenant and bind ourselves, our heirs and assigns, to warrant and forever defend the title to the said land to the said Grantee, its successors and assigns, against the lawful claims of all person whomsoever.

**WITNESS** my hand this 8th day of October, 2004.

Henry Sender

By: _____
Harris A. Gilbert, Attorney-in-fact

_____
Lee Kraft, Executor

_____
Lee Kraft, Trustee

_____
Lauren Sender Cooper

STATE OF TENNESSEE )
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **HARRIS A. GILBERT,** with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the **Attorney-in-fact,** of the maker or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

WITNESS my hand, at office, this 8 day of October, 2004.

_____
Notary Public

My Commission Expires: _____

WESLEY D. TURNER
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.
My Commission Expires JAN. 27, 2007

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **LEE KRAFT, EXECUTOR**, the within named bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

**WITNESS** my hand, at office, this ____ day of October, 2004.

_____
Notary Public

My Commission Expires: _____

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **LEE KRAFT, TRUSTEE**, the within named bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

**WITNESS** my hand, at office, this ____ day of October, 2004.

_____
Notary Public

My Commission Expires: _____

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **LAUREN SENDER COOPER**, the within named bargainor, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

**WITNESS** my hand, at office, this 7th day of October, 2004.

Allyson Kilby
Notary Public

My Commission Expires: _____

ALLYSON KILBY
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY

My Commission Expires JULY 19, 2008

A new legal description was not prepared for this transaction. The legal description is the same as the previous instrument of record.

This conveyance is made subject to:

1. Lack of direct access to Briley Parkway.

This is unimproved property known as Vernon Avenue, Nashville, TN 37214.

**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, its successors and assigns, forever; and we covenant with the said Grantee that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered, unless otherwise herein set out; and further covenant and bind ourselves, our heirs and assigns, to warrant and forever defend the title to the said land to the said Grantee, its successors and assigns, against the lawful claims of all person whomsoever.

**WITNESS** my hand this 8th day of October, 2004.

_____
Henry Sender

By: _____
Harris A. Gilbert, Attorney-in-fact

_____
Lee Kraft, Executor

_____
Lee Kraft, Trustee

_____
Lauren Sender Cooper

STATE OF TENNESSEE )
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **HARRIS A. GILBERT,** with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the **Attorney-in-fact,** of the maker or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

WITNESS my hand, at office, this ____ day of October, 2004.

_____
Notary Public

My Commission Expires: _____

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **LEE KRAFT, EXECUTOR**, the within named bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

**WITNESS** my hand, at office, this 7th day of October, 2004.

Regina R. Crabb
Notary Public

REGINA R CRABB NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TN

My Commission Expires: 5-30-07

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **LEE KRAFT, TRUSTEE**, the within named bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

**WITNESS** my hand, at office, this 7th day of October, 2004.

Regina R. Crabb
Notary Public

REGINA R CRABB NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TN

My Commission Expires: 5-30-07

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **LAUREN SENDER COOPER**, the within named bargainor, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

**WITNESS** my hand, at office, this ____ day of October, 2004.

Notary Public

My Commission Expires: _____

**EXHIBIT A**

**Legal Description**

Tract I:

A tract of land in the 23rd Councilmanic District of Metropolitan Government of Nashville and Davidson County, Tennessee, more fully described as follows:

Beginning at a right-of-way monument located at the southwest corner of the intersection of James Avenue and Briley Parkway, and proceeding as follows: South 70° 23' West, a distance of 125.18 feet along the South right of way of James Avenue, thence South 24° 09' West, a distance of 34.50 feet along the east right of way of Vernon Avenue; thence South 22° 24' East, a distance of 778.55 feet along the east right of way of Vernon Avenue; thence southeasterly a distance of 131.70 feet along a segment of a curve in the east right of way of Vernon Avenue described by the following: D= 10" 291 14" (Preparer's Note: This call should read 10° 29' 14"), R= 725.0 feet, and whose chord distance of 132.51 feet and chord bearing is South 16° 48' East; and thence South 39° 51' East, a distance of 64.0 feet across the abandoned right of way of Vernon Avenue; thence North 9° 17' East, a distance of 100.0 feet along the western property line of Arthur Sender, et ux; thence South 80° 25' East, a distance of 94.84 feet along the northern property line of Arthur Sender, et ux; thence North 23° 24' West, a distance of 129.48 feet along the western right of way of Briley Parkway; thence North 16° 30' West, a distance of 100.52 feet along the western right of way of Briley Parkway; thence North 22° 13' West, a distance of 724.60 feet along the western right of way of Briley Parkway to the point of beginning, and containing 3.19 acres, more or less, as per survey by Freeman & Morris, Inc., dated January 31, 1974.

Being the same property conveyed to Henry Sender by deed from National Building Corporation, of record as Instrument No. 20020816-0099552, Register's Office for Davidson County, Tennessee.

Tract II:

Land in Davidson County, Tennessee, being the northerly 1/2 of Lot No. 19 on the Map showing the Re-subdivision of Westover, a plan of which is of record in Book 421, page 25, Register's Office for said County.

Said part of Lot No. 19 fronts 50 feet on the easterly side of Vernon Avenue, and runs back between parallel lines 175 feet to a dead line.

Included in the above but excluded therefrom is that portion of said land conveyed to Metropolitan Government of Nashville & Davidson County, Tennessee by deed from William B. Campbell and wife, Colleen L. Campbell, of record in Book 4301, page 325, Register's Office for Davidson County, Tennessee, described as follows:

A triangular tract or parcel of land in the 23rd Councilmanic District of the Metropolitan Government of Nashville & Davidson County, Tennessee, being part of the northerly 1/2 of Lot No. 19 on the Map showing the Resubdivision of Westover, a plan of record in Book 421, page 25, Register's Office for said County, described as follows:

Beginning at the northeast corner of said Lot No. 19; thence South 9° 40' West 30 feet along the rear of said Lot to a point on the west margin of Briley Parkway; thence North 22° 12' 51" West 40 feet along the west margin of Briley Parkway; the same being parallel to and 130 feet from the centerline of Briley Parkway to a point on the north line of said Lot No. 19; thence South 80° 25' East 20 feet along said north line to the point of beginning.

Being the same property conveyed to Joe Kraft and Henry Sender by deed from William R. Campbell and wife, Colleen L. Campbell, of record in Book 4301, page 241, Register's Office for Davidson County, Tennessee; the said Joe Kraft having since died and by his Will of record in Will Book 188, page 70, Probate Court Clerk's Office for Davidson County, Tennessee, appointed Lee Kraft as Executor and Trustee.

Tract III:

Land in Davidson County, Tennessee being Lot No. 20 and the northerly half of Lot No. 21 on the Map showing Re-subdivision of Westover Subdivision of Lot No. 37, Cockrill Plan, as of record in Book 421, page 25, Register's Office for said County, and described together as follows:

Beginning on the easterly margin of Vernon Avenue at the corner of Lot Nos. 19 and 20; thence with the line between said two lots eastwardly 175 feet to the westerly line of Lot No. 21 continuing in the same direction 88 feet, more or less, in all 263 feet, more or less, to the southwesterly margin of Duluth Avenue; thence with said Avenue northwestwardly 134.25 feet, more or less, to a turn in said Avenue; thence with the southerly margin of said Avenue, westwardly 175 feet to the easterly margin of Vernon Avenue; thence with said Avenue, southwardly 100 feet to the beginning.

Included in the above but excluded therefrom is that portion of said land conveyed to Metropolitan Government of Nashville & Davidson County, Tennessee by deed from Erna Sender, of record in Book 4304, page 418, Register's Office for Davidson County, Tennessee, described as follows:

A tract or parcel of land in the 23rd Councilmanic District of the Metropolitan Government of Nashville & Davidson County, Tennessee, being part of Lots 20 and 21 on the Map showing re-subdivision of Westover Subdivision of Lot No. 37, Cockrill Plan, as of record in Book 421, page 25, Register's Office for said County, described according to a survey known as State of Tennessee, Project No. SU-6326(7), Briley Parkway, described as follows:

Beginning at the common corner of Lots 19, 20 and 21; thence South 80° 25' East 88 feet, more or less, to the Southwesterly margin of Duluth Avenue; thence with said Avenue Northwestwardly 134.25 feet, more or less, to a turn in said Avenue; thence North 80° 25' West 80 feet with said Avenue to a point on the West margin of Briley Parkway; thence South 22° 12' 51" East 220 feet along the West margin of Briley Parkway, the same being parallel to and 130 feet from the centerline of said Parkway to a point in the Lot line between said Lots 19 and 20, said point being North 80° 25' West 20 feet from the point of beginning and containing 10,000 square feet, more or less.

Being part of the same property conveyed to Arthur Sender and wife, Erna Sender by deed from W. L. Barnes, a widower, of record in Book 2337, page 147, Register's Office for Davidson County, Tennessee; the said Arthur Sender having predeceased the said Erna Sender and the said Erna Sender having since died and by her Will of record in Will Book 117, page 562, Probate Court Clerk's Office for Davidson County, Tennessee, devised the subject property to Randy Sender and Lauren Sender; the said Randy Sender having since died intestate, leaving as hole heir at law his father, Henry Sender, who disclaimed his interest in the property, the interest of Randy Sender in the subject property thereby passing to Lauren Sender now Cooper, sister of Randy Sender, as evidenced by Affidavit of Heirship of record as Instrument No. _____, Register's Office for Davidson County, Tennessee.