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| **THIS INSTRUMENT PREPARED BY:**<br>**Mudter Morgan & Patterson**<br>**Attorneys-at-Law**<br>**2000 Richard Jones Road**<br>**Suite 110**<br>**Nashville, Tennessee 37215**<br><br>**Record & Return To:**<br>**First Title & Escrow Co., Inc.**<br>**FTEC File No. 23163-07-2004**<br>File Box 9B | STATE OF TENNESSEE, COUNTY OF DAVIDSON:<br>The actual consideration or value, whichever is greater, for this transfer is: $260,000.00<br>Affiant<br>Subscribed and sworn to before me this 8th day of October, 2004.<br>Notary Public<br>My Commission Expires: NOTARY PUBLIC AT LARGE Christina M. Read My Commission Expires November 25, 2006 STATE OF TENNESSEE |

# WARRANTY DEED

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| **Address New Owner:**<br>Haury & Smith Contractors, Inc<br>3500 Granny White Pike<br>Nashville, TN 37215 | **Send Tax Bills To:**<br>New Owners | **Tax Information:**<br>Map No.118.09-0<br>Parcel No. 061.00 |

**FOR AND IN CONSIDERATION** of the sum of Ten and No/100 Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, **John Thornton Cobb, Trustee, under the Family Trust of the Cobb Family Trust dated 1/16/02, a one half interest and John Thornton Cobb, Trustee, under the Survivor Trust of the Cobb Family living Trust dated 1/16/02, a one half interest** ("Grantor"), have this day bargained and sold, and does hereby transfer and convey to **Haury & Smith Contractors, Inc, a Tennessee Corporation** ("Grantee"), its successors, heirs and assigns, all that tract or parcel of land in Davidson County, Tennessee, more particularly described on Exhibit "A" hereto.

This is improved property located at 3500 Granny White Pike, Nashville, TN 37215

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

And Grantor covenants that it is lawfully seized and possessed of said real estate in fee simple, has a good right to convey it, and that the same is unencumbered, except as set out on Exhibit "A" hereto. Grantor further covenants and binds itself, its successors, heirs and assigns to warrant and forever defend the title to said real estate to Grantee, its successors, heirs and assigns against the lawful claims of all persons, except as set out on Exhibit "A" hereto.

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

**IN WITNESS WHEREOF**, Grantor has executed this instrument on the 8th day of October, 2004.

John Thornton Cobb, Trustee, under the Family Trust of the Cobb Family Trust dated 1/16/02

John Thornton Cobb, Trustee, under the Survivor Trust of the Cobb Family living Trust dated 1/16/02

STATE OF MICHIGAN
COUNTY OF Delaware

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, **John Thornton Cobb, Trustee**, under the Family Trust of the Cobb Family Trust dated 1/16/02, and under the Survivor Trust of the Cobb Family living Trust dated 1/16/02 with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

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

Notary Public

My Commission Expires:

MICHELLE L. CROCKER
Notary Public, Delaware County, MI
Commission Expires: November 29, 2005

Davidson County DEEDWARR
Recvd: 10/14/04 15:50 2pgs
Fees:13.00 Taxes:962.00

20041014-0124081

# EXHIBIT "A"

Land in Davidson County, Tennessee, the west 190 feet of Lot No. 29 on the Map of Leonte Subdivision, not of record and described according to a survey made in December, 1936, and March 1938, by W.B. Southgate, Surveyor.

Said part of Lot No. 29 fronts 190 feet on the southerly side of Woodmont Boulevard, and runs back between lines 205 feet on the westerly line along on the easterly margin of Granny White Pike, and 200.5 feet on the easterly line, to a dead line in the rear, on which it measures 190 feet.

Being the same property conveyed to John Thornton Cobb, Trustee or his successor in the trust, under the Family Trust of the Cobb Family Living Trust, dated January 16, 2002, a 1/2 interest, and to John Thornton Cobb, Trustee or his successor in trust, under the Survivor Trust of The Cobb Family Living Trust, dated January 16, 2002, a 1/2 interest by deed dated June 24, 2003 from John Thornton Cobb, Trustee under the Cobb Family Living Trust, dated January 16, 2002 of record in Instrument No. 20030716-0099605, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

1. 2004 County Taxes which have been paid, prorated and assumed by the Grantee.
2. Easements to the Metropolitan Government of Nashville and Davidson County for sanitary sewers and/or storm drainage, of record in Book 3983, page 90, Register's Office for Davidson County, Tennessee.