This document prepared by (and after recording return to):

Name: Kevin D. Norwood
Firm/Company: Cumberland Law Group, LLPC
Address: Suite 10
1222 16th Ave. South
City, State, Zip: Nashville, TN 37212
Phone: 615-783-1520

Davidson County DEEDWARR
Recvd: 10/15/04 13:35 3pgs
Fees:18.00 Taxes:1430.05

20041015-0124376

--------Above This Line Reserved For Official Use Only----------

Map\ Parcel 104-06-0 086.00

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT:

FOR VALUABLE CONSIDERATION OF TEN DOLLARS ($10.00), and other good and valuable consideration, cash in hand paid, the receipt and sufficiency of which are hereby acknowledged, the TERESA DUKE SIMMONS, TRUSTEE OF THE AUSTIN W. DUKE IRREVOCABLE TRUST, hereinafter referred to as "Grantor", has this day bargained and sold, and by these presents does hereby transfer and convey unto THE WESTCHESTER COMPANY, LLC, hereinafter referred to together as "Grantee", the following lands and property, together with all improvements located thereon, lying in the County of Davidson, State of Tennessee, to-wit:

SEE ATTACHED EXHIBIT "A"

SUBJECT to all easements, rights-of-way, protective covenants, restrictions and mineral reservations of record, if any.

TO HAVE AND TO HOLD same unto Grantee, and unto Grantee's successors and assigns forever, with all appurtenances thereunto belonging.

GRANTOR does for Grantor and Grantor's successors and assigns forever hereby covenant with GRANTEE that Grantor is lawfully seized in fee simple of said premises; that the premises are free from all encumbrances, unless otherwise noted above; that Grantor has a good right to sell and convey the same as aforesaid; and to forever warrant and defend the title to the said lands against all claims whatever.

The source of title in Grantor is by deed recorded in the office of the Register of Deeds of Davidson County, Tennessee as Instrument No. 20040922-0114185.

The property is improved, having the street address of 208 Fairfax Avenue, Nashville, Davidson County, Tennessee 37203.

Taxes for tax year 2004 shall be prorated between Grantor and Grantee as of the date selected by Grantor and Grantee.

****

State of Tennessee)
County of Davidson)

The actual consideration or true value, whichever is greater, for this transfer is $386,500.00

(signature) _____

(print affiant name) _____

Subscribed and sworn to before me, this the 14 day of October, 2004.

_____, notary public (print name) _____

my commission expires: 1-3-07

TERESA CUNDIFF NOTARY PUBLIC AT LARGE DAVIDSON COUNTY

****

The property herein conveyed is not a part of the homestead of Grantor.

WITNESS Grantor's hand this the 13th day of October , 2004.

GRANTOR:

Teresa Duke Simmons, TEE

TERESA DUKE SIMMONS, TRUSTEE OF
THE AUSTIN W. DUKE IRREVOCABLE TRUST

STATE OF TENNESSEE
COUNTY OF DAVIDSON

On this 13th day of October, 2004, before me personally appeared the above named grantor, Teresa Duke Simmons, Trustee of the Austin W. Duke Irrevocable Trust, to me known to be the person described in and who executed the foregoing instrument, and who acknowledged that each such person executed the same as such person's free act and deed, being authorized thereunto.

Notary Public
Printed Name: Marissa Lundy

MARISSA LUNDY NOTARY PUBLIC AT LARGE DAVIDSON

Commission Expires:
Jan 31 2008

Grantee(s) Name, Address, phone:
The Westchester Company, LLC
2000 Richard Jones Road Ste 240
Nashville, TN 37215

SEND TAX STATEMENTS TO GRANTEES

EXHIBIT A

208 FAIRFAX AVENUE, NASHVILLE, DAVIDSON COUNTY, TN

Land in Davidson County, Tennessee being Lot No. 68 on the Plan of Bransford Realty Co.'s West End Heights Subdivision, or record in Book 332, pages 124 and 125, Register's Office for said County.

Said Lot No. 68 fronts 60 feet on the easterly margin of Fairfax Avenue and extends back with the southerly margin of a 15 foot alley 175 feet on the northerly line and 186 feet on the southerly line to a 13 foot alley in the rear, measuring 60 feet thereon.

Being the same property conveyed to Austin W. Duke, by deed of record in Book 5911, page 192, said Register's Office.

Being part of the property conveyed to Teresa Duke Simmons, Trustee of the Austin W. Duke Irrevocable Trust Dated March 10, 2004, by deed of record as Instrument No. 20040922-0114185.