This Instrument Was Prepared By:
Larry G. Trail, Attorney
107 North Maple Street
Murfreesboro, TN 37130

PICK-UP

Address New Owner as Follows:
George McIntyre, Jr.
303 Carney Street
Nashville, TN 37210

Davidson County ESMT
Recvd: 01/03/05 13:13 3 pgs
Fees:17.00 Taxes:0.00

20050103-0000566

Send Tax Bills to:
Same

Part of Map/Parcel 105-08-0 269.00

ESTABLISHMENT OF BOUNDARY LINE

WHEREAS, Doug Brewington ("First Party") owns a certain tract of land in Davidson County, Tennessee, which was conveyed to him by deed from Allen Morgan, of record as Instrument Number 20011205-0133606, Register's Office for Davidson County, Tennessee, and which was therein described as follows ("Initially Described Land"):

> Land in Davidson County, Tennessee, being Lot No. 3 an the Map of Melville Williams' Subdivision, as of record in Book 161, page 30, Register's Office for Davidson County, Tennessee.
>
> Said Lot No. 3 fronts 52 feet on the Southeasterly side of Carney or Cass Street and runs back between parallel lines 100 feet to a dead line.
>
> This is improved property known as 305 Carney Street, Nashville, Tennessee.
>
> Being the same property conveyed to Doug Brewington by Warranty Deed from Allen Morgan and being of record as Instrument Number 20011205-0133606, Register's Office for Davidson County, Tennessee.

WHEREAS, George McIntyre, Jr. ("Second Party") is the owner of a certain tract of land in Davidson County, Tennessee, immediately adjacent to the Initially Described Land which was conveyed to him by deed from Allen Morgan, of record as Instrument Number 20011205-0133608, Register's Office for Davidson County, Tennessee, and which was therein described as follows:

> Parcel A: Land in Davidson County, Tennessee, being Lot No. 2 and part of Lot No. 1 on the map of Melville Williams' Subdivision, as of record in Book 161, page 30, Register's Office for said County, described as follows:
>
> BEGINNING at a point in the Southerly margin of Carney Street, 40.5 feet Westerly from the intersection of the Southerly margin of said Carney Street and the Westerly margin of Ensley Boulevard; thence with the Southerly margin of said Carney Street, Westwardly 76 feet to a point, the Northeast corner of Lot No. 3 on said plan; thence with the line between said Lots No. 2 and 3, Southwardly 100 feet to a point in the Northern boundary line of Lot No. 4 on said plan; thence with the Northern boundary line of said Lot No. 4 Eastwardly 52 feet to the Southeast corner of Lot 2; thence Northwardly 104 feet, more or less, to the beginning.
>
> This is improved property known as 303 Carney Street, Nashville, Tennessee.
>
> Parcel B: Land in Davidson County, Tennessee, being Lot No. 4 on the Map of Melville Williams' Subdivision, as of record in Book 161, page 30, Register's Office for said County.
>
> Said Lot No. 4 fronts 40 feet on the Westerly margin of Ensley Boulevard and runs back approximately 120 feet between parallel line to the rear of said lot.
>
> INCLUDED IN THE FOREGOING DESCRIPTION, BUT EXCLUDED FROM CONVEYANCE HEREIN, is a strip of land on the East side of said lot conveyed to Nashville Railway and Light Company, by deed from E.S. Shannon, et al. of record in Book 314, page 330, Register's Office for said County.

This is improved property known as Ensley Blvd., Nashville, Tennessee.

Being the same property conveyed to George McIntyre, Jr. by Warranty Deed from Allen Morgan and being of record as Instrument Number 20011205-0133608, Register's Office for Davidson County, Tennessee.

WHEREAS, some question has arisen concerning the actual boundary line between and the correct legal description of the Initially Described Land owned by the First Party and the above-described land owned by the Second Party;

WHEREAS, the Parties had the property surveyed by John Kohl and Company, P.C., a Tennessee licensed surveyor, on June 28, 2004, to determine the correct boundary line and legal descriptions;

WHEREAS, a new Plat of Morgan Subdivision showing Lots 2 and 3 and Part of Lots 1 and 4 on the Plan of Melville Williams Subdivision of record in Plat Book 161, page 30 has been recorded as Instrument Number 20040707-0080651 of the Register's Office of Davidson County, Tennessee; and

WHEREAS, it is the desire of the Parties to fix and establish a definite boundary line between their lands as well as an accurate legal description in settlement of all issues concerning their property lines.

NOW, THEREFORE, for and in consideration of the premises and the sum of Ten and No/100 ($ 10.00) Dollars cash in hand paid, each to the other, the receipt of which is hereby acknowledged, and the mutual benefits to each, the First Party and the Second Party hereby agree that the boundary line between their respective lands shall be as described on the new Plat of Morgan Subdivision showing Lots 2 and 3 and Part of Lots 1 and 4 on the Plan of Melville Williams Subdivision of record in Plat Book 161, page 30 which has been recorded as Instrument Number 20040707-0080651 of the Register's Office of Davidson County, Tennessee.

AND, FURTHER, in order to establish and fix the boundary line between these lands of the Parties, the First Party hereby conveys, remises, releases and forever quitclaims unto the Second Party all of his right, title and interest, in and to that portion of the Initially Described Property conveyed to him by deed from Allen Morgan, of record as Instrument Number 20011205-0133606, Register's Office for Davidson County, Tennessee, which is reflected on the new Plat of Morgan Subdivision showing Lots 2 and 3 and Part of Lots 1 and 4 on the Plan of Melville Williams Subdivision of record in Plat Book 161, page 30 which has been recorded as Instrument Number 20040707-0080651 of the Register's Office of Davidson County, Tennessee. This land is conveyed subject to such limitations, restrictions and encumbrances as may affect the premises.

AND, FURTHER, the First Party sets forth the following description of his land now containing the new boundary line described hereinabove:

Being all of Lot No. 3 of the Morgan Subdivision showing Lots 2 and 3 and Part of Lots 1 and 4 on the Plan of Melville Williams Subdivision of record in Plat Book 161, page 30 and being Instrument Number 20040707-0080651 of the Register's Office of Davidson County, Tennessee.

The Parties are simultaneously executing in conjunction herewith an instrument identical hereto in which the Second Party conveys to the First Party that portion of the Second Party's land that is reflected on the new Plat of Morgan Subdivision showing Lots 2 and 3 and Part of Lots 1 and 4 on the Plan of Melville Williams Subdivision of record in Plat Book 161, page 30 which has been recorded as Instrument Number 20040707-0080651 of the Register's Office of Davidson County, Tennessee.

DATED the 13th day of 13th Dec, 20 04.

FIRST PARTY:

DOUG BREWINGTON

SECOND PARTY

GEORGE McINTYRE, JR.

STATE OF TENNESSEE)
Davidson ss.
COUNTY OF ~~RUTHERFORD~~)

On this 13th day of December, 2004 before me personally appeared DOUG BREWINGTON to me known or who proved to me on the basis of satisfactory evidence to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

DIANNE D. SHRODER NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TN

WITNESS MY HAND AND OFFICIAL SEAL at Murfreesboro, Tennessee.

NOTARY PUBLIC

My Commission Expires: 7.29.06

STATE OF TENNESSEE)
Williamson ss.
COUNTY OF ~~RUTHERFORD~~)

VINCENT ZUCCARO Notary Public At Large WILLIAMSON COUNTY, TENN. My Commission Expires February 10, 2007

On this 7th day of December 2004 before me personally appeared GEORGE McINTYRE, JR. to me known or who proved to me on the basis of satisfactory evidence to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

WITNESS MY HAND AND OFFICIAL SEAL at Murfreesboro, Tennessee.

Subscribed and sworn to before me this 7th day of December 2004. VINCENT ZUCCARO, Notary Public My Comm. Expires February 10, 2007

NOTARY PUBLIC

My Commission Expires: Vincent Zuccaro

AFFIDAVIT OF VALUE

I hereby swear or affirm that the actual consideration for this transfer is None.

AFFIANT

Subscribed and sworn to before me, this 13th day of December, 2004.

NOTARY PUBLIC

My Commission Expires: 7.29.06

DIANNE D. SHRODER NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TN