THIS INSTRUMENT PREPARED BY: ***Douglas A. Brace, Reg. #3485*** ***ORTALE, KELLEY, HERBERT & CRAWFORD*** *200 Fourth Avenue North, Third Floor* *P.O. Box 198985* *Nashville, TN 37219-8985* *(615) 256-9999*	*STATE OF TENNESSEE]* *COUNTY OF DAVIDSON]* *The actual consideration or value, whichever is greater, for this transfer is $283,500.00 .* *Affiant* *Notary Public* *My commission expires:* 2/14/05

TINA DYER NOTARY PUBLIC AT LARGE WILSON COUNTY, TENN.

Name and Address of New Owners:

Lebanon Road Shell, LLC
1501 Lebanon Pike
Nashville, TN 37210

Davidson County DEEDWARR
Recvd: 01/06/05 09:36 3 pgs
Fees:18.00 Taxes:1048.95

20050106-0002099

Send Tax Bills To: **New Owners**

Street Address of Subject Property:	**Map and Parcel Nos.:**
1501 Lebanon Pike Nashville, TN 37210	94-081.00

SPECIAL WARRANTY DEED

For and in consideration of the sum of TWO HUNDRED EIGHTY THREE THOUSAND FIVE HUNDRED AND NO/100 ($283,500.00) DOLLARS, the receipt and adequacy of which are hereby acknowledged, **Kimbro Family Properties,** a Tennessee general partnership, hereinafter called the Grantor, has bargained and sold and by these presents does transfer and convey unto **Lebanon Road Shell, LLC,** hereinafter called the Grantee, its successors and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows:

SEE EXHIBIT "A" ATTACHED.

The conveyance of the above-described parcel of land is subject to the following:

To have and to hold the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging, to the Grantee, his heirs, successors and assigns, forever.

And the Grantor covenants with the Grantee, that it is lawfully seized and possessed of said land in fee simple, possessing a good right to convey it, and that the said land is unencumbered.

The Grantor further covenants and binds itself, its successors and representatives to warrant and defend the title to the said land to the Grantee, his successors and assigns, against the lawful claims of all persons claiming by or through Grantor.

IN WITNESS WHEREOF, the Grantor has caused its name to be signed hereto by its duly authorized officer on this the 30th day of December, 2004.

KIMBRO FAMILY PARTNERSHIP, a Tennessee general partnership

BY: Harlon J. Kimbro GP
Harlon J. Kimbro, Jr., General Partner

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned Notary Public in and for the County and State aforesaid, **Harlon J. Kimbro, Jr.,** with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that he/she executed the within instrument for the purposes therein contained, and who further acknowledged that he is the general partner of **Kimbro Family Partnership,** a Tennessee general partnership, the within named 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 and official seal of office in Nashville, Tennessee, this 30th day of December 2004.

Bridget B. Ross
NOTARY PUBLIC

BRIDGET B. ROSS NOTARY PUBLIC AT LARGE DAVIDSON COUNTY TENNESSEE

My commission expires:
9-24-2005

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EXHIBIT "A"

Being part of Lot No. 3 on the Plan of the Subdivision of the W.G.M. Campbell Lands, of record in Book 9, page 337, and also of record in Book 843, page 30, said Register's Office, and described according to a copy of a survey made by W. Collier Parish, Associates, Civil Engineers, dated February 26, 1959, as follows:

Beginning at an iron pin at the southeast intersection of the Lebanon Road and Pence Lane, formerly Mantras Avenue; thence along the east margin of Pence Lane, South 2 deg. East 150 feet to the south margin of Lebanon Road; thence along the margin of said Road, South 77 deg. 48 min. West 150 feet to the beginning.

INCLUDED in the above description but EXPRESSLY EXCLUDED therefrom is the following tract of land:

A strip or parcel of land in the 15th Councilmanic District of the Metropolitan Government of Nashville and Davidson County, Tennessee, being part of Lot No. 3 on the Plan of W.G.M. Campbell Lands, of record in Book 843, page 30, Register's Office for said County, and described by a survey made by the Public Words Department of said Government, known as Project No. 63-R-2, Pence Lane, as follows:

Beginning at an iron pin at the present southeast intersection of Lebanon Road and Pence Land, formerly Mantras Avenue; thence along the present east margin of Pence Lane, South 2 deg. 12 min. West 150 feet to an iron pin; thence North 78 deg. 00 min. East 19.08 feet to a point on the new relocated east margin of Pence Lane; thence North 2 deg. 12 min. East 130.54 feet along the new relocated east margin of Pence Lane, the same being parallel to and 30 feet from the new relocated center line of Pence Lane to the beginning of a curve; thence easterly 33.07 feet around said curve to a point on the present southerly margin of Lebanon Road; thence South 78 deg. 00 min. West 38.54 feet along the present southerly margin of Lebanon Road to the point of beginning and containing 2,848 square feet. Being the same property vested in The Metropolitan Government of Nashville and Davidson County, Tennessee, in the cause of the Metropolitan Government of Nashville and Davidson County, Tennessee, Rule No. A-10426 of record in Minute Book 90A, page 255 of said Court, and certified copy of which was recorded January 23, 1970, in Book 4393, page 80, in the Register's Office for Davidson County, Tennessee."

Being part of the same property conveyed to Kimbro Family Properties, a Tennessee general partnership, from Harlon J. Kimbro, Jr., Trustee of the Helen S. Kimbro Marital Trust under the Will of Harlon J. Kimbro, Sr., deceased and Harlon J. Kimbro, Jr., William C. Kimbro, David Scott Kimbro and Anne Elizabeth Frost, beneficiaries of the Helen S. Kimbro Marital Trust under the Will of Harlon J. Kimbro, Sr., deceased, of record in Instrument No. 20031111-0165059, Register's Office for Davidson County, Tennessee.