**Return to: Box 10-B Cohen & Cohen

THIS INSTRUMENT PREPARED BY: **Mudter Morgan & Patterson** **Attorneys-at-Law** **2000 Richard Jones Road** **Suite 110** **Nashville, Tennessee 37215** **Record & Return To:** **First Title & Escrow Co., Inc.** **FTEC File No. 23646-11-2004**	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $755,000.00 Deborah J. Cohen Affiant Subscribed and sworn to before me this 28th day of January, 2005. Lee A. Cohen Notary Public My Commission Expires: 9-22-2007 LEE A. COHEN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN

WARRANTY DEED

Address New Owner:	**Send Tax Bills To:**	**Tax Information:**
Christopher Edward Quail, Sr. 5045 Franklin Pike Nashville, TN 37220	~~New Owner~~ SouthStar Funding 400 Northridge Rd., Ste.1000 Atlanta, GA 30350	Map No.146.10-0- Parcel No. 047.00

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, **Nancy C. Estes**, unmarried ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Christopher Edward Quail, Sr.**, unmarried("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 5045 Franklin Pike, Nashville, TN 37220

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 31st day of December, 2004.

Nancy C. Estes
Nancy C. Estes

Davidson County DEEDWARR
Recvd: 01/31/05 12:11 3 pgs
Fees:18.00 Taxes:2793.50
20050131-0011067

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, **Nancy C. Estes**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 28th day of January, 2005.

Donald E. Kniffen
Notary Public

My Commission Expires: 11/25/2006

DONALD E. KNIFFEN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

EXHIBIT "A"

Tract 1

Land in Davidson County, State of Tennessee, described as follows:
"A tract of land in the 7th, formerly the 11th, Civil District of said County, described according to a survey made by Watkins and Murray, Surveyors, July 9, 1948, as follows:
Beginning in the westerly margin of Franklin Pike 384 feet north of the intersection of Otter Creek Road, said point being the northeast corner of the property conveyed to Frances Harrell Meadors by deed from C. F. Thompson and wife, of record in book 465, page 395, said Register's Office; thence with Meador's north line north 88° west 2,223.7 feet to an iron pin in 18 inch twin poplar; thence north 11° east 505 feet to an iron pin; thence south 89° east 2132.7 feet to an iron pin in the westerly margin of Franklin Pike; thence with the westerly margin of said Pike, south 1° 45' east 308.5 feet to the beginning, containing 21.84 acres, more or less. Title to said property is vested in Nashville Trust Company, Trustee, with full power to sell and convey under the will of W. D. Hardeman, deceased, of record in Will Book 57, page 339, County Court for said County."

Being the same property conveyed to J. Houston King and wife, Lula M. King, by warranty deed from Nashville Trust Company, Trustee under the will of W. D. Hardeman, deceased, which appears of record in Deed Book 1632, Page 365, Register's Office for Davidson County, Tennessee.

Tract 2

"Land in the City of Oak Hill, Davidson County, Tennessee, described according to a survey made April 4, 1955, by Hickerson-Miller, Engineers-Surveyors, as follows:
Beginning at an iron pin and stake in the northerly line, being a fence line, of the property conveyed to Lucille McCrea Evans by deed of record in Book 1169, page 47, Register's Office for said County, said iron pin and stake being 750.6 feet north 88 degrees west of the westerly right-of-way line of the Franklin Pike; thence south 2 degrees 19 minutes east 364.5 feet to a nail in bottle cap in the southerly line of the said property conveyed to Lucille McCrea Evans; thence north 89 degrees 55 minutes west 1084 feet to an iron pin at fence corner; thence south 87 degrees 35 minutes west 180 feet to a fence post; thence south 82 degrees 40 minutes west 285 feet to a corner post, the southwesterly corner of the said Evans property; thence, along the westerly line of the said Evans property, north 2 degrees 35 minutes east 460 feet to a corner post, the northwesterly corner of the said Evans property; thence, along the northerly line of the said Evans property, south 88 degrees east 1512 feet to the beginning, containing the rear 13.8 acres, more or less, of the said Evans property."

(Included in the legal descriptions of the two tracts of land aforesaid but expressly excluded from conveyance of any title thereto, is that portion of the aforesaid tracts heretofore sold and title conveyed to James J. Tucker by J. Houston King and wife, Lula M. King as evidenced by warranty deed of record in Deed Book 3067, Page 221, R.O.D.C., Tennessee, and which said deed of conveyance conveyed title to the following tract or parcel of land:

"Land in Davidson County, State of Tennessee, described as follows, to wit: Land in the 7th Civil District of Davidson County, Tennessee, described according to a plat showing boundary survey, made by Hickerson-Miller, Engineers-Surveyors on April 18, 1960, as follows:
Beginning at a point in the westerly margin of Franklin Pike, said point being the northeast corner of the land herein described and the southeast corner of Fieldcrest Estates Subdivision, as of record in Book 2331, Page 124, Register's Office for said County; thence South 1 degree 45 minutes east 72.1 feet to a point which is the beginning of a curve with a radius of 25 feet; thence around said curve 35.3 feet to a point; thence North 82 degrees 54 minutes West 389.2 feet to a point which is the beginning of a curve with a radius of 124.3 feet; thence around said curve 157.8 feet to a point; thence South 24 degrees 20 minutes West 110.4 feet to a point which is the beginning of a curve with a radius of 173.6 feet; thence around said curve 205.6 feet to a point; thence South 2 degrees 19 minutes East 364.5 feet to a point; thence North 89 degrees 55 minutes West 1084 feet to a point; thence South 87 degrees 35 minutes West 180 feet; thence South 82 degrees 40 minutes West 285 feet to the common south corner of the property herein described and the Potter property; thence North 2 degrees 35 minutes East 460 feet; thence North 10 degrees 30 minutes East 505.5 feet to a point, the common north corner of the land herein described and the Potter property; thence South 82 degrees 20 minutes East 625.8 feet to a point; thence South 82 degrees 54 minutes East 1550.5 feet to a point in the west margin of Franklin Pike, the point of beginning.
Being part of the same property conveyed to J. Houston King and wife, Lula M. King, by deed from Donnalyn K. Evans, of record in Book 2901, Page 359, and by deed from Nashville Trust Company, Trustee, under the Will of W. D. Hardeman, deceased, of record in Book 1632, Page 365, Register's Office for Davidson County, Tennessee.")

The anticipated result of this conveyance contemplates approximately 3.68 acres, more or less, fronting approximately 258 feet on the westerly margin of Franklin Pike, but subject to such state of facts as an accurate survey would reveal.

Being the same property conveyed to Donald J. Estes and wife, Nancy C. Estes by deed dated August 1, 1996 from Donna King Cummings and husband, Raymond Cummings of record in Book 10144, page 566, Register's Office for Davidson County, Tennessee. Donald J. Estes now deceased.

This conveyance is made subject to:

1. 2005 County Taxes which are a lien but not yet due and payable have been 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 7790, page 365, Register's Office for Davidson County, Tennessee.
3. Easement for Right of way granted to Nashville Int. Railway of record in Book 365, page 247, Register's Office for Davidson County, Tennessee.
4. Easement of record in Book 909, page 337, Register's Office for Davidson County, Tennessee.