File Box 24B ①

Davidson County DEEDWARR
Recvd: 03/07/05 09:10 6 pgs
Fees:33.00 Taxes:2664.00
20050307-0024597

THIS INSTRUMENT PREPARED BY:
BASS, BERRY & SIMS PLC (JSS)
315 Deaderick Street, Suite 2700
Nashville, Tennessee 37238

SPECIAL WARRANTY DEED
(WITH RESERVATION OF EASEMENT)

Address New Owners:	Send Tax Bills To:	Map/Parcel Number:
James D. and Deborah H. Kennedy 609 German Lane Franklin, Tennessee 37067	Same	Tax Map 106-05, Parcel 146

FOR AND IN CONSIDERATION OF the sum of TEN AND NO/100 DOLLARS ($10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, BELLSOUTH TELECOMMUNICATIONS, INC., a Georgia corporation (the "Grantor") has bargained and sold, and hereby transfers and conveys, to JAMES D. KENNEDY and wife, DEBORAH H. KENNEDY, and their heirs and assigns (collectively, the "Grantee"), certain real property in Davidson County, Tennessee, more particularly described as follows:

BEGINNING at a point on the northerly margin of the L. & N. Railroad right-of-way at the intersection of westerly line of the mother tract as recorded in Deed Book 4680, page 337, thence; N 2 degrees 44' 03" E a distance of 513.39 feet to a point; thence; with the southerly line of Lot eight, S 87 degrees 21' 05" E a distance of 269.81 feet to a point, thence; S 2 degrees 38' 55" W a distance of 457.43 feet to a point, thence; in a westerly direction with a 2068.15 foot radius curve to the right a distance of 238.62 feet to a point, thence; S 2 degrees 44' 20" E a distance of 20.05 feet to a point, thence; S 87 degrees 59' 26" W a distance of 36.39 feet to the point of beginning and containing 129,128 square feet or 2.983 acres, as shown on a survey prepared by Ragan-Smith & Associates, Inc. dated September 26, 1975, and recorded in Book 5060, page 12 of the Register's Office of Davidson County, Tennessee.

BEING THE SAME property conveyed to Grantor by deed from BellSouth Public Communications, Inc., of record as Instrument No. 20020911-0110322, Register's Office for Davidson County, Tennessee.

TO HAVE AND TO HOLD said property, together with the appurtenances, hereditaments, estate, title and interest thereto belonging, to Grantee, forever.

This is improved property known as 815 Fesslers Lane, Nashville, Tennessee 37210.

Said property is conveyed subject to the matters described on Exhibit A attached hereto, including without limitation, the reservation of easement in favor of Grantor set forth therein.

Grantor covenants and binds itself and its successors to warrant specially and defend to Grantee forever the title to said property against the lawful claims of all persons claiming through or under Grantor (excluding claims arising out of the matters set forth on Exhibit A attached hereto), but no further or otherwise.

IN WITNESS WHEREOF, the undersigned Grantor has executed this instrument or has caused same to be executed as of the 2nd day of March, 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.

By: _____
Marty G. Dickens,
State President-Tennessee

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public, Marty G. Dickens, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the State President-Tennessee of BELLSOUTH TELECOMMUNICATIONS, INC., a Georgia corporation, and is authorized by the corporation to execute this instrument on behalf of the corporation.

WITNESS my hand, at office, this 2nd day of March, 2005.

_____
Notary Public

My Commission Expires:

DEBORAH S. THURMAN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

My Commission Expires NOV. 22, 2008

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

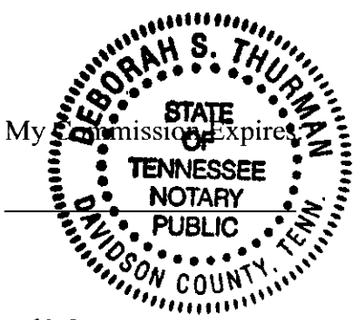
The actual consideration for this transfer or value of property transferred (whichever is greater) is $720,000.00

Affiant

Sworn to and subscribed before me this 2nd day of March, 2005.

Notary Public

My Commission Expires:



My Commission Expires NOV. 22, 2008

EXHIBIT A

1. Easements, rights-of-way and other matters that would be shown on a current survey of the subject property.

2. Easements, rights-of-way and other matters of public record or which may be observed by an inspection of the subject property.

3. Any assessments for water and sewer facilities and taxes nondelinquent.

4. All zoning restrictions, building restrictions, and other laws, ordinances, and regulations of governmental bodies having jurisdiction over the subject property.

5. A perpetual, exclusive easement upon, over, and under the portion of the property conveyed by Grantor to Grantee pursuant to this Special Warranty Deed that is described below is hereby reserved in favor of Grantor and its successors and assigns to construct, operate, maintain, add, and/or remove such systems of communications, facilities, stand by generators and associated fuel supply systems as a means of providing uninterrupted service during commercial power outages, or related services as Grantor may from time to time require. Grantor reserves the following rights in connection with the easement: the exclusive right to allow any other person, firm, or corporation to attach wires or lay cable or conduit or other appurtenances upon, over, and under said easement for communications or electric power transmission or distribution; ingress to and egress from said easement at all times; the right, but not the obligation, to clear the easement and keep it cleared of all trees, undergrowth, or other obstructions; the right, but not the obligation, to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside the easement which might interfere with or fall upon the lines or systems of communications, power transmission or distribution; the right to relocate said facilities, systems of communications, or related services on said lands to conform to any future highway relocation, widening, or improvements; the right to test and maintain generators and associated equipment; and the right to allow any other person, firm or corporation to provide for fuel/energy distribution to equipment placed on the site. The easement hereby reserved in favor of Grantor is depicted on Schedule 1 attached hereto and is more particularly described as follows:

> A tract of land in the First Civil District, Nashville, Davidson County, Tennessee as described according to a survey by Daniels & Associates, Inc. dated 10/05/04, Project Number 04-101 (Gregory E. Daniels, TN R.L.S. #1489) and being more particularly described as follows:
>
> Beginning at a point on the westerly right-of-way of Fesslers Lane; said point being at the northeasterly corner of Bickes, Inc. of record in Book 8489, page 530 and the southeasterly corner of the property conveyed by Grantor to Grantee pursuant to this Special Warranty Deed; and proceeding,

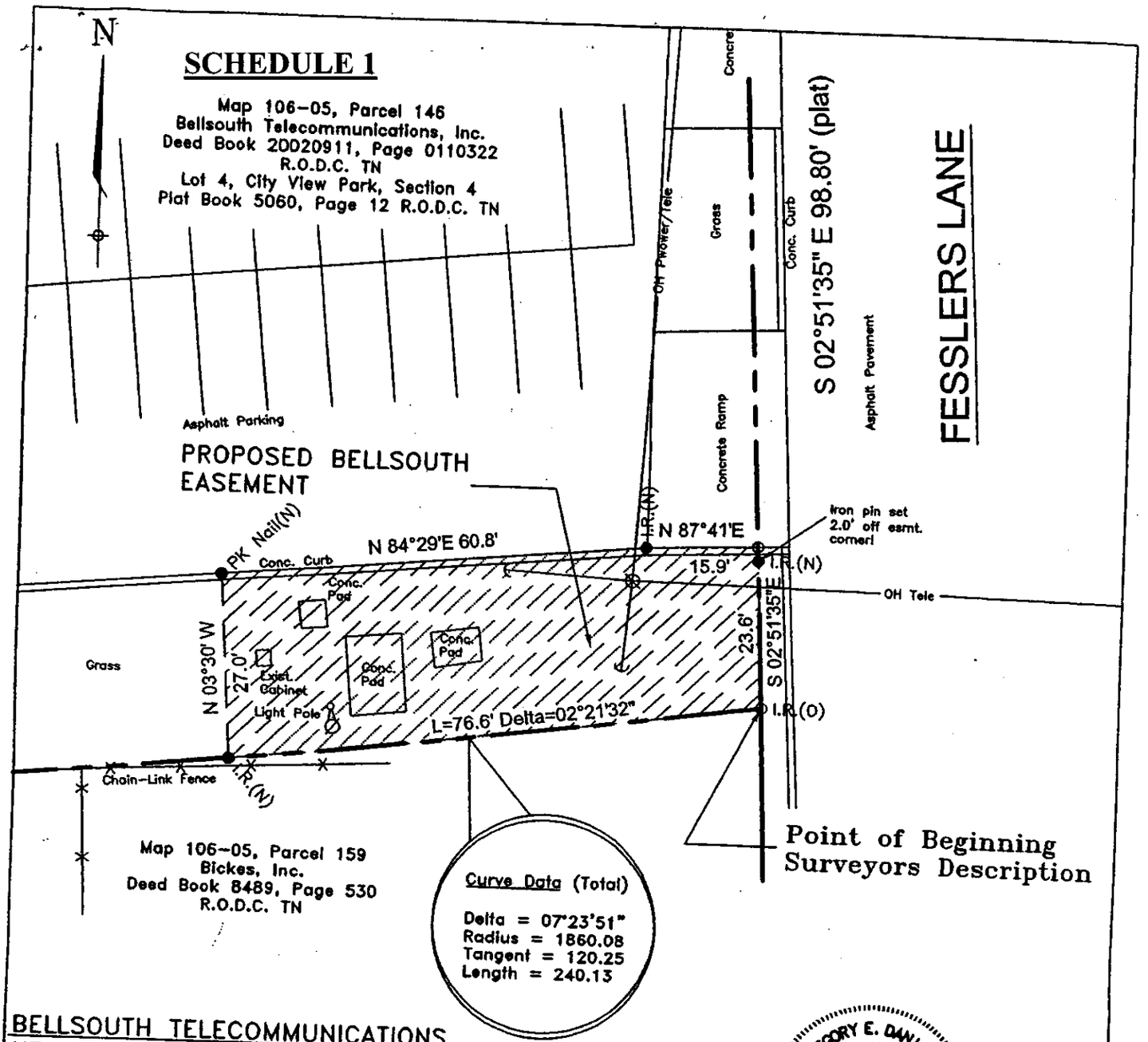
Leaving said westerly right-of-way of Fesslers Lane and with the northerly boundary of Bickes, Inc. a curve to the right 76.6 feet to a point, said curve having a radius of 1860.08 and central angle of 02deg21'32"; thence,

Leaving said northerly boundary of Bickes, Inc. N 03deg30'W 27.0 feet to a point; thence,

N 84deg29' E 60.8 feet to a point; thence,

N 87deg41' E 15.9 feet to a point on the westerly right-of-way of Fesslers Lane; thence,

With said westerly right-of-way of Fesslers Lane S 02deg51'35" E 23.6 feet to the point of beginning.



BELLSOUTH TELECOMMUNICATIONS UTILITY EASEMENT

OWNER *Bellsouth Telecommunications, Inc.*

PROPERTY ADDRESS *815 Fesslers Lane*
Nashville, Tennessee 37210
Davidson County, Tennessee

PROPERTY DESCRIPTION *Lot 4*
City View Park

DEED BOOK *20020911* PAGE *0110322*
PLAT BOOK *5060* PAGE *12*
TAX MAP *106-05* PARCEL *146*
SCALE *1" = 20'* DATE *Oct. 5, 2004*

GREGORY E. DANIELS REGISTERED LAND SURVEYOR TENNESSEE NO. 1489

THIS SURVEY WAS DONE UNDER THE AUTHORITY OF TCA 62-18-156; AND IS NOT A "GENERAL PROPERTY SURVEY" AS DEFINED UNDER RULE 0820-3-07.

SIGNED
BY: GREGORY E. DANIELS Tn. R.L.S. #1489
PROJECT NO. *04-101*

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DANIELS & ASSOCIATES, INC. 4701 TROUSDALE DRIVE, SUITE 121 NASHVILLE, TENNESSEE 37220 (615) 837-3664