Davidson County DEEDWARR
Recvd: 06/10/05 11:24 4 pgs
Fees:23.00 Taxes:1480.00
20050610-0066702

PICK-UP

Prepared By:
NEAL & HARWELL, PLC
2000 One Nashville Place
150 Fourth Avenue, North
Nashville, Tennessee 37219
(615) 244-1713

WARRANTY DEED

ADDRESS NEW OWNERS:	SEND TAX BILLS TO:	MAP-PARCEL:
Aubrey B. Harwell, Jr., Trustee 150 Fourth Avenue, North Suite 2000 Nashville, TN 37219	SAME	Map 144-16 Parcel 19

FOR AND IN CONSIDERATION of the sum of TEN DOLLARS ($10.00), cash in hand paid by the hereinafter named GRANTEE, and other good and valuable consideration, the receipt of which is hereby acknowledged, Albert L. Menefee, Jr. and Margaret Menefee Gillum, hereinafter called the GRANTORS, have bargained and sold, and by these presents do transfer and convey unto Aubrey B. Harwell, Jr., Trustee, the GRANTEE herein, his heirs, successors and assigns, a certain tract of land in Davidson, Tennessee, described as follows, to wit:

SEE EXHIBIT "A" ATTACHED HERETO.

This is unimproved property known as 1728 Otter Creek Road, Nashville, TN 37215.

TO HAVE and to HOLD the said tract of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, his heirs, successors and assigns forever.

GRANTORS covenant with the said GRANTEE that they are lawfully seized and possessed of said land in fee simple, that they have good right to convey it and the same is unencumbered except for the following:

1. Real property taxes for 2005, which have been prorated.

2. All matters on the Plan of the Partition of the Estate of W.W. Mooney, deceased, of record in Minute Book 4, page 191, County Court for Davidson County, Tennessee.

3. An agreement for dedication of sewer easement, of record in Book 7857, page 659, said Register's Office.

GRANTORS further covenant and bind themselves, their heirs, successors and representatives to warrant and forever defend the title to the said land to the GRANTEE, his heirs, successors and assigns, against the lawful claims of all persons whomsoever.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness our hands this 10 day of June, 2005.

ALBERT L. MENEFEE, JR.

MARGARET MENEFEE GILLUM

ACKNOWLEDGMENTS

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, a Notary Public in and for said County and State, Albert L. Menefee, Jr., the within named bargainor, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and seal, at office in Nashville, Tennessee, this the 10 day of June, 2005.

JOHN M. GILLUM
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.

Notary Public

My Commission Expires:

My Commission Expires JAN. 27, 2007

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, a Notary Public in and for said County and State, Margaret Menefee Gillum, the within named bargainor, 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 and seal, at office in Nashville, Tennessee, this the 10th day of June, 2005.

JOHN M. GILLUM NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Notary Public

My Commission Expires:

My Commission Expires JAN. 27, 2007

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value whichever is greater, for this transfer is $400,000.00.

Affiant

Sworn to and subscribed before me this 10th day of June, 2005.

STEPHEN C. SEXTON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Notary Public

My Commission Expires:

9/22/07

EXHIBIT A

LAND IN THE 34TH COUNCILMANIC DISTRICT OF DAVIDSON COUNTY, TENNESSEE, AND BEING PART OF LOT NO. 3 ON THE PLAN OF THE PARTITION OF THE ESTATE OF W.W. MOONEY, DECEASED, AS OF RECORD IN MINUTE BOOK 4, PAGE 191, COUNTY COURT FOR SAID COUNTY. BEING LOT NO. 2, ON THE UNRECORDED MAP OF THE ZELLNER TRACT, AND LOCATED ON THE NORTHERLY MARGIN OF OTTER CREEK ROAD. BOUNDED ON THE WEST BY EDITH BOWEN BERMAN, EVERETTE T. MCMURTRY, JR. AND SAM E. SHELBY, ON THE EAST BY SAMUEL J. LAVOI, MARCIA C'de CABA, SHANNON L. MELDON-CORNEY AND ADELE FRANZBLAU, AND DESCRIBED ACCORDING TO A BOUNDARY SURVEY DATED 5-25-05 BY CAMPBELL, MCRAE AND ASSOCIATES SURVEYING, INC. (JOHN HOOD TN. R.L.S. NO. 1838) AS FOLLOWS:

BEGINNING AT A IRON ROD (NEW) ON THE NORTHERLY MARGIN OF OTTER CREEK ROAD, AND BEING THE COMMON CORNER OF LOTS 1 AND 2 ON SAID ZELLNER TRACT, THE SOUTHEAST CORNER OF EDITH BOWEN BERMAN (BOOK 9056, PAGE 837 R.O.D.C., TN.) AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT; THENCE WITH BERMAN N 17°36'54" W. 1265.25' TO AN IRON ROD (NEW) IN THE EASTERLY LINE OF EVERETTE T. MCMURTRY, JR. (BOOK 11100, PAGE 162 R.O.D.C., TN., LOT 61, OTTER CREEK HILLS (BOOK 3106, PAGES 110 AND 111 R.O.D.C., TN.) THENCE WITH MCMURTRY AND SAM E. SHELBY (BOOK 9603, PAGE 798 R.O.D.C., TN., RESERVED PARCEL, OTTER CREEK HILLS (BOOK 3106, PAGES 110 AND 111 R.O.D.C., TN.) N 33°48'30" E 348.00' TO A 36" ELM TREE IN THE SOUTHERLY MARGIN OF ASHLAND DRIVE, SAID TREE BEING THE NORTHEAST CORNER OF SHELBY, THE NORTHWEST CORNER OF SAMUEL J. LAVOI (INSTRUMENT #20030612-0081232 R.O.D.C., TN.) LOT 58, OTTER CREEK HILLS (BOOK 3106, PAGE 54 R.O.D.C., TN.) AND THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT; THENCE WITH LAVOI AND MARCIA L. C'de BACA (INSTRUMENT #20010703-0070966 R.O.D.C., TN.) LOT 303, OTTER CREEK HILLS (BOOK 3106, PAGE 76 R.O.D.C., TN.) S 12°24'17" E 538.65' TO AN IRON ROD (NEW); THENCE WITH C'de BACA, SHANNON L. MELDON-CORNEY (INSTRUMENT #20040826-0103563 R.O.D.C., TN.) LOT 302, OTTER CREEK HILLS (BOOK 3106, PAGE 76 R.O.D.C., TN.) AND ADELE FRANZBLAU (INSTRUMENT #20010222-0016722 R.O.D.C., TN.) LOT 301, OTTER CREEK HILLS (BOOK 3106, PAGE 76 R.O.D.C., TN.) S 14°06'00" E 963.90' TO AN IRON ROD (NEW) IN THE NORTHERLY MARGIN OF OTTER CREEK ROAD, IRON ROD BEING THE SOUTHWEST CORNER OF FRANZBLAU AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT; THENCE WITH THE NORTH MARGIN OF OTTER CREEK ROAD AND A CURVE TO THE RIGHT, HAVING A RADIUS OF 1125.00', A ARC LENGTH OF 165.00', A CHORD BEARING OF S 78°02'49" W AND A CHORD DISTANCE OF 164.85' TO THE POINT OF BEGINNING AND CONTAINING 6.62 ACRES MORE OR LESS.

BEING the same property conveyed to Mary Fulghum Menefee, by Deed of record in Book 1126, page 315, Register's Office for Davidson County, Tennessee. The said Mary Fulghum Menefee having since died. Pursuant to the Last Will and Testament filed at Probate No. 59887, subject property was devised to Albert L. Menefee, Sr. The said Albert L. Menefee, Sr. having since died. Pursuant to Last Will and Testament of Albert L. Menefee, Sr. filed at Probate No. 71969, Probate Office of Davidson County, Tennessee, subect property is vested in Albert L. Menefee, Jr. and Margaret Carroll Gillum, as devisees under said will.

Margaret Carroll Gillum being the same person as Margaret Menefee Gillum.