Bk 31-B
S+R

This instrument prepared by: JOHN R. REYNOLDS (#2522)
Attorney at Law
Suite 2702, The Office Tower
611 Commerce Street
P. O. Box 190481
Nashville TN 37219-0481
Tel: (615) 256-2694
Fax: (615) 256-2361

Davidson County DEEDWARR
Recvd: 06/28/05 13:58 4 pgs
Fees:22.00 Taxes:0.00
20050628-0074329

NOTE TO REGISTER: Upon recording, please return the recorded instrument to: JOHN R. REYNOLDS, Attorney at Law, Suite 2702, The Office Tower, 611 Commerce Street, P. O. Box 190481, Nashville TN 37219-0481.

Address New Owner(s) as follows: **Michael Leon Martin, 8703 Diane Street, Murfreesboro TN 37129**

Name and Address of the person or entity responsible for payment of real property taxes: SAME

Map No. **175-00-0**, Parcel No. **064.00.**

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Milburn L. Martin died in Davidson County, Tennessee, on 27 20 September 2003; and

WHEREAS, Milburn L. Martin died testate with a Last Will and Testament which was admitted to probate in the Seventh Circuit Court (Probate Division), Davidson County, Tennessee, Case No. **04P-0303**; and

WHEREAS, Milburn L. Martin had previously conveyed the within described real property to **MILBURN L. MARTIN, TRUSTEE, U/A/D MAR. 10, 1999, OF THE MILBURN L. MARTIN REVOCABLE LIVING TRUST AGREEMENT** by Quitclaim Deed from **MILBURN L. MARTIN** recorded in Book **11396**, page **27**, Register's Office for **Davidson** County, Tennessee; and

WHEREAS, by First Amendment to the **MILBURN L. MARTIN REVOCABLE LIVING TRUST** dated 12 September 2003, Milburn L. Martin appointed Ms. Dean Morris Successor Trustee therein and designated that the within described real property be distributed to his son, Michael Leon Martin, upon his death; and

WHEREAS, this conveyance is made and is evidence of the distribution of the within described real property under a Testamentary devise;

NOW, THEREFORE, for and in consideration of the foregoing and other good and valuable considerations, the receipt and adequacy of all of which are hereby acknowledged, and as evidence of the Testamentary devise of the real property hereinafter described to Michael Leon Martin, the undersigned, **MS. DEAN MORRIS, Successor Trustee under the MILBURN L. MARTIN LIVING REVOCABLE TRUST AGREEMENT,** hereinafter referred to as Grantor, exercising the full power and authority vested in her, has bargained and sold, and by these presents does hereby transfer and convey unto **MICHAEL LEON MARTIN,** his heirs and assigns, hereinafter referred to as Grantee, that certain parcel of land in **Davidson** County, Tennessee, being more particularly described on **EXHIBIT A** attached hereto and made a part hereof.

This is **improved ( ) unimproved ( )** Real Property located at and known as **Route 2, Maxwell Road, Antioch, Davidson County, Tennessee 37013.**

TO HAVE AND TO HOLD said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, **MICHAEL LEON MARTIN,** his heirs assigns, forever; and Grantor in her capacity as Trustee but not individually or otherwise does covenant with the said Grantee that she is lawfully seized and possessed of said land in fee simple, that she has full power and lawful authority to convey the Real Property described herein and that the Real Property is free, clear and unencumbered, except as shown herein.

Grantor does further covenant and bind herself and her heirs and representatives and warrants that she will forever defend the title to said Real Property to the said Grantee, his heirs and assigns, against the lawful claims of all persons whomsoever **but this covenant and warranty is limited to the time in which said Real Property was lawfully seized and possessed by Grantor herein and does not extend to any previous time thereto.**

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

WITNESS my hand this _____ day of _____ 2005.

Ms. Dean Morris

MS. DEAN MORRIS, Successor Trustee of the MILBURN L. MARTIN LIVING REVOCABLE TRUST AGREEMENT

STATE OF Alabama
COUNTY OF Shelby

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared **MS. DEAN MORRIS, Successor Trustee of the MILBURN L. MARTIN LIVING REVOCABLE TRUST AGREEMENT**, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that she was the duly appointed, qualified and acting Successor Trustee of said Living Trust and authorized to execute the foregoing instrument for the Living Trust and has executed the within instrument for the purposes therein contained.

Witness my hand and official seal at _____, _____, this 13th day of June 2005.

Scott A. Thomasino Notary Public

My commission expires April 25, 2008

[illegible] EXPIRES APRIL 25, 2008

SCOTT A. THOMASINO NOTARY PUBLIC ALABAMA-STATE AT LARGE

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer, is $ 175,000.

Michael L. Martin Affiant

Subscribed and sworn to before me this 27th day of June 2005.

Linda R. Koon Notary Public

My commission expires 1/28/06

LINDA P. K[illegible] NOTARY PUBLIC AT LARGE TN DAVIDSON COUNTY

EXHIBIT A

Route 2, Maxwell Road, Antioch,
Davidson County, Tennessee
Map No. 175-00-0
Parcel No. 064.00.
Field Book No. 02D 31370

A tract or parcel of real estate in **Davidson** County, Tennessee, described as follows:

Beginning at a point in the southerly margin of Maxwell Road, said point also being the corner of subject property and land of Salvatore and Catenna Oliveri as of record in Book 6245, page 749, R.O.D.C., Tennessee; thence with Oliveri's line S. 16° 18' 44" W. 895.27 feet to a point at the common corner of subject property, Oliveri and E. Cordell and Margaret L. Lawrence of record in Book 4483, page 915, R.O.D.C., Tennessee; thence with Lawrence's line and continuing beyond Lawrence and with Mrs. Treasy Vaughn ET VIR 78° 23' 18" W. 871.27 feet to an old iron pipe at the common corner of subject property, Vaughn and Douglas B. Atkins, Sr., as of record in Book 5059, page 490, R.O.D.C., Tennessee; thence with Atkins line N 29° 01' 25" W. 176.50 feet to an old iron rod; thence with the line of Milburn Leon Martin and Margie Gail Martin as of record in Book 5469, page 171, R.O.D.C., Tennessee N. 28° 31' 00" W. 625.73 feet to an old iron rod in the southerly margin of Maxwell Road; thence with said margin S. 89° 13' 11" E. 356.81 feet to a fence corner; thence leaving said roadway margin S. 02° 56' 02" E. 247.95 feet to a fence corner; thence S. 89° 29' 30" E. 281.60 feet to a fence corner; thence N. 02° 41' 09" W. 246.54 feet to a point in the southerly margin of said Maxwell Road; thence along said roadway margin S. 89° 13' 11" E. 849.83 feet to the point of beginning.

Being the same real property conveyed to **MILBURN L. MARTIN, TRUSTEE, U/A/D MAR.10, 1999, OF THE MILBURN L. MARTIN REVOCABLE LIVING TRUST AGREEMENT** by Quitclaim Deed from **MILBURN L. MARTIN**, recorded in Book **11396**, page **27**, Register's Office for **Davidson** County, Tennessee.

By First Amendment to the MILBURN L. MARTIN REVOCABLE LIVING TRUST dated 12 September 2003, Milburn L. Martin appointed Ms. Dean Morris, Successor Trustee therein, and designated that the within described real property would be distributed to his son, Michael Leon Martin, upon his death.

Milburn L. Martin died in Davidson County, Tennessee, on 20 September 2003. His Last Will and Testament was admitted to probate in the Seventh Circuit Court (Probate Division), Davidson County, Tennessee, in the matter of the Estate of Milburn L. Martin, deceased, Case No. **04P-303.**

THIS TRUSTEE'S DEED IS EVIDENCE OF A TESTAMENTARY DEVISE OF THE WITHIN DESCRIBED REAL PROPERTY AND IS EXEMPT FROM ANY RECORDATION TAX PURSUANT TO TENNESSEE CODE ANNOTATED, SECTION 67-4-409(a)(3)(D).