Box 31-13
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
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Davidson County DEEDWARR
Recvd: 06/28/05 13:58 4 pgs
Fees:22.00 Taxes:0.00
20050628-0074330

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. **148-00-0**, Parcel No. **141.00.**

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 **25**, 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, (Hereinafter referred as the "Real Property".) and being more particularly described on **EXHIBIT A** attached hereto and made a part hereof.

This is **improved** Real Property located at and known as **2121 Antioch Pike, 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, 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.

Notary Public

My commission expires April 25, 2008

MY COMMISSION EXPIRES APRIL 25, 2008

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer, is $209,000.

Affiant

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

Notary Public

My commission expires 1/28/06

EXHIBIT A

2121 Antioch Pike, Antioch,
Davidson County, Tennessee
Map No. 148-00-0
Parcel No. 141.00.
Field Book No. 2DU 14307

Land in **Davidson** County, Tennessee, and described as follows:

An undivided one-half interest in and to the following described real estate, situated and being in Antioch, County of Davidson, State of Tennessee;

Being **Lot No. 2** on the Subdivision of Part of the Charlton property, not of record, described partly according to a survey made by Z. J. Wilkinson, Surveyor, April 8, 1936, as follows:

Beginning in the center of Antioch Pike, formerly Mill Creek Valley Pike, at the northwest corner of the property conveyed to Nellie Charlton Nicholson, by deed from D. G. W. Charlton, as of record in Book 999, page 221, Register's Office; being the corner of Lots Nos. 1 and 2 on said unrecorded plan; thence with said Nicholson northwesterly line and with the line between said Lots Nos. 1 and 2 southwesterly 326.2 feet to a stake and post, and continuing with said line, southwesterly 83 feet in all 409.2 feet to an iron pin; thence N. 32 degrees 10 minutes W., 85 feet to an iron pin; thence northeastwardly 72.2 feet to the southeast corner of the property conveyed to Walter G. Brittain by deed from Martha Tyler Charlton Baker, et al of record in Book 3955, page 911, and by deed of correction of record in Book 4123, page 332, said Register's Office; thence with said Brittain's southeasterly line, northeastwardly 326.4 feet to the center of Antioch Pike; thence with the center of same southeastwardly 90.5 feet to the 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 **25**, 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).