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. 24548-07-2005** File Box 9B	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $1,950,000.00. Affiant Subscribed and sworn to before me this 10th day of August, 2005. Notary Public My Commission Expires:

NOTARY PUBLIC AT LARGE
Christina M. Read
My Commission Expires November 25, 2006
STATE OF TENNESSEE

CHRISTINA M. READ NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

WARRANTY DEED

Address New Owner: Mary Ann McCready, Trustee 5910 Hillsboro Pike Nashville, TN 37215	**Send Tax Bills To:** New Owners Suntrust Mortgage 201 4th ave n. 7th fl Nashville, Tn 37219	**Tax Information:** Map No.144 Parcel No. 58.00

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, **Barney Byrd and wife, Elena C. Byrd,** ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to **Mary Ann McCready, Trustee** with full power to sell, mortgage, encumber, lease, convey or otherwise alienate without the joinder of any beneficiary,("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 5910 Hillsboro Pike, Nashville, Tennessee 37215

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 10th day of August, 2005.

Barney Byrd

Elena C. Byrd

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

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

Witness my hand, at office, this 10th day of August, 2005.

Notary Public

My Commission Expires:

Sept. 20, 2008

MIRANDA GRANGER STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

Davidson County DEEDWARR
Recvd: 08/19/05 13:47 2 pgs
Fees:13.00 Taxes:7215.00

20050819-0099146

09-Aug-05 03:34P

EXHIBIT "A"

TRACT I:

Land in the 7th Civil District of Davidson County, Tennessee, being Lot No. 2 as shown on the Resubdivision of Dough Smith Property of record in Book 5200, page 698, Register's Office for Davidson County, Tennessee, and being a part of Lot Number 6 on the Plan of W.W. Mooney Lands, of record in Minute Book 4, page 191, Register's Office for Davidson County, Tennessee, and as described by a survey by Gaffron and Jeffers in November of 1983:

Beginning at a point in the center of a private driveway easement, 20 feet wide, separating this property and the property of David L. Rollins, which point is 494.33 feet along said easement and east of the easterly margin of Hillsboro Pike and proceeding away from said easement along the Lawrence M. Lipman easterly most boundary, North 88 deg. 04 min. 11 sec. East, 169.92 feet; thence North 25 deg. 51 min. 02 sec. East, 430 feet; thence North 27 deg. 24 min. 23 sec. East, 97.27 feet; thence South 71 deg. 22 min. 40 sec. East 87.68 feet; thence along the J.W. Roland property line, South 28 deg. 16 min. 26 sec. West 337.43 feet; thence South 82 deg. 58 min. 14 sec. West 244.83 feet; thence North 87 deg. 00 min. 58 sec. West, 398.74 feet; thence North 77 deg. 23 min. 32 sec. West, 85.64 feet; thence along a 20 foot driveway easement, North 47 deg. 16 min. 04 sec. West, 70 feet to the beginning, containing 5.46 acres.

INCLUDED in the above described property but EXCLUDED THEREFROM is an old family burial ground approximately 26 feet wide and 90 feet long and lying in the northeasterly most corner of the above described property with easement of record in Book 1196, page 650, Register's Office for Davidson County, Tennessee.

TRACT II: *along Hugh Stallworths southerly line South 64 degrees 55 minutes 58 seconds East 497.70 feet

A certain tract or parcel of land being a portion of Map 144, parcel 80 in the Assessor's Office for Davidson County, Tennessee and being part of Lot No. 1 as shown on the Resubdivision of Dough Smith Property of record in Book 5200, page 698, Register's Office for Davidson County, Tennessee, and being a part of Lot No. 6 on the plan of W.W. Mooney Lands of record in Minute Book 4, page 191, Register's Office for Davidson County, Tennessee and being more particularly described as follows, shown on the driveway location survey for Daniel Hightower by A & A Engineers, Inc. dated January 24, 1996:

Beginning at the northwestern most point of the property conveyed to Daniel R. Hightower in Book 8131, page 633, Register's Office for Davidson County, Tennessee and being the southwestern most point of the herein described tract of land and beginning at the center line of an access easement; thence being the common line between the Hightower property and the herein described tract North 88 deg. 04 min. 11 sec. East 169.92 feet to an iron pin; thence along the westerly property line of Hightower for 52.14 feet to a new iron pin set; thence along the southerly most line of the property conveyed to Lawrence M. Lipman of record in Book 6181, page 481, said Register's Office and being the northerly most line of the herein described tract North 81 deg. 10 min. 04 sec. East 216.18 feet to the center of an access easement; thence along the center line of said access easement North 47 deg. 16 min. 04 sec. West 28.67 feet to the point of beginning and containing 0.15 acre, more or less.

Being the same property conveyed to Barney Byrd and wife, Elena C. Byrd by deed dated September 18, 2002 from Franklin National Bank of record in Instrument No. 20020920-0115156, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

1. Taxes which have been prorated by the parties and 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 7153, page 480(Tract I), and in Book 7808, page 433(Tract II);
3. All matters appearing on the Plan of record as Book 5200, page 698;
4. Easement for a driveway of record in Book 1118, page 112;
5. Easement for private water main & appurtenances of record in Book 8067, page 689;
6. Easement for ingress & egress to family burial ground of record in Book 1196, page 659; and
7. Letter from the Metropolitan Government Department of Codes recorded in Book 7006, page 953(Tract I) and Book 7011, page 179(Tract II), Register's Office for Davidson County, Tennessee