Davidson County DEEDQC
Recvd: 10/19/05 09:20 6 pgs
Fees:32.00 Taxes:0.00
20051019-0125847

THIS INSTRUMENT PREPARED BY:
BASS BERRY & SIMS PLC
315 Deaderick Street, Suite 2700
Nashville, TN 37238

EXECUTOR'S QUITCLAIM DEED

Address New Owner(s) As Follows:	Send Tax Bills To:	Map Parcel Numbers:
Mary G. McGrath as Trustee of The Marital Trust created under the Will of Mary N. Ganier 44 Oak Ridge Road West Lebanon, NH 03784	Same	Map 102 Parcel 18 Map 102 Parcels 22.01, 58, 60 and 64

WHEREAS, Mary N. Ganier died testate on May 18, 2003, leaving a Last Will and Testament dated April 19, 2002, which has been probated and is properly recorded in Will Vol. No. 5276\1125511 Probate Court Clerk's Office for Davidson County, Tennessee; and

WHEREAS, Mary G. McGrath is the duly qualified and acting Executor of the Estate of Mary N. Ganier; and

WHEREAS, Mary N. Ganier owned 100% of the real property described below at the time of her death (the "Property"); and

WHEREAS, Mary G. McGrath as Trustee of the Mary N. Ganier Marital Trust is a beneficiary of the estate of Mary N. Ganier and is entitled to the sole ownership of the Property pursuant to paragraph 6(c) in the Will; and

WHEREAS, pursuant to Section 67-4-409(3)(F) of the Tennessee Code Annotated, there is no recordation tax levied on the transfer of any real estate by a deed executed by an executor to implement a testamentary device.

NOW, THEREFORE, pursuant to the authority granted to her as Executor under the Last Will and Testament of Mary N. Ganier, deceased, Mary G. McGrath, as Executor of the Will, and not further or otherwise, ("Grantor") does hereby bargain and sell, and by these presents transfers and conveys unto Mary G. McGrath as Trustee of the Mary N. Ganier Marital Trust, under will of Mary N. Ganier, her respective successors and assigns ("Grantee"), with full power to transfer, convey, mortgage and encumber without the joinder or consent of any beneficiary, all of Mary N. Ganier's interest in and to the certain tracts or parcels of land located in the Davidson County, Tennessee, described on Exhibit A attached hereto and incorporated herein.

Said properties are conveyed subject to such limitations, restrictions, and encumbrances as may affect the premises.

IN WITNESS WHEREOF, the undersigned has executed this instrument on this 29TH day of September, 2005.

Mary D. McGrath, Executor
Mary G. McGrath, as Executor of the Estate of
Mary N. Ganier, and not further or otherwise

STATE OF NH)
COUNTY OF GRAFTON)

Personally appeared before me, the undersigned, a Notary Public in and for the State and County aforesaid, Mary G. McGrath, 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 as the Executor of the Estate of Mary N. Ganier for the purposes therein contained.

WITNESS my hand, at office, this 29TH day of September. 2005.

GAIL P. TROTTIER NOTARY PUBLIC

Notary Public
GAIL TROTTIER, Notary Public
My Commission Expires February 25, 2010

My Commission Expires:_____

STATE OF NH)
COUNTY OF GRAFTON)

The actual consideration for this transfer is $-0-.

Mary D. McGrath
Affiant

Subscribed and sworn to before me this 29TH day of September, 2005.

Notary Public
GAIL TROTTIER, Notary Public
My Commission Expires February 25, 2010

My Commission Expires:_____

GAIL P. TROTTIER NOTARY PUBLIC

EXHIBIT A

Tract 1:

Land in Davidson County, Tennessee being parts of Mount Hickory Subdivision as of record in Book 332, page 68, Register's Office for said County, described according to a survey made by Roger N. Taylor, surveyor, January 20, 1983, as follows:

Beginning at a concrete monument in the northerly right-of-way of Cabot Drive, said point being the southwesterly corner of Riverbend Apartments as described in deed book 4451, page 466; thence with Cabot Drive, South 49° 54' 46" west 164.5 feet to an iron pin, the beginning of a curve to the left, thence around said curve having a radius of 5919.58 feet and a central angle of 10° 27' 51", 586.32 feet to a concrete monument; thence leaving the right-of-way of Cabot Drive, north 44° 00' 06" west 230 feet to an iron pin; thence north 17° 09' 05" west, passing a witness pin at 861 feet, a total distance of 928.2 feet to the low water line of the Cumberland River, being elevation 367.3 feet; thence with said low water line, north 52° 21' 39" east 465 feet to a point; thence leaving said Cumberland River, south 18° 01' 11" east, passing a witness pin at 67.19 feet, a total distance of 564 feet to an iron pin, the beginning of a curve to the right; thence around said curve having a radius of 500 feet and a central angle of 45° 00', 393.1 feet to an iron pin; thence south 40° 25' 14" east 148 feet to the pint of beginning, containing 13.95 acres, more or less.

Grantors reserve, over the portion of the 13.95 acre tract adjacent to the Cumberland River, a 20 foot sanitary sewer easement, the center-line more closely described as follows:

Beginning at a point on the easterly boundary of this tract, a line described as south 18° 01' 11" east 564 feet, said point being 370 feet north of the southern terminus of this line; thence, leaving said line south 66° 33' west 193 feet to a point; thence south 51° 33' west 157 feet to a point; thence south 31° 30' west 154 feet to a point on the western boundary of this tract.

The source of this description is the prior deed.

Being the same property conveyed to Mary Campbell Napier Ganier of record in Deed Book 6051, page 880, Register's Office for Davidson County, Tennessee.

Tract 2:

Said parcel or tract of land situated in the county of Davidson and State of Tennessee, and bounded and described as follows:

Lot No. 12 is described as follows:

Beginning in the center of Cleas Ferry Road at the intersection of a 32 foot street being the northeast corner of Block No. 11 and running thence north 74-1/2° west 66-1/2 poles along center of said Cleas Ferry Road to the southwest corner of Lot No. 15; thence south 37° west 60.96 poles to the northeast corner of Tract No. 14; thence south 52° east 61.97 poles to the center of said 33 foot street; thence north 37° east along the center of said street 85.35 poles to the center of Cleas Ferry Road, the beginning point and containing 28.29 acres by survey of W.H. Lyle; Lots Nos. 13 and 14 are described as follows:

Beginning at the southeast corner of Lot No. 11 at the intersection of the center of the roads or avenues; thence with the center of one of said roads with the southeasterly line of said Lot No. 13 north 37° east 56.63 holes to the southeast corner of the Lot No. 12 thence with the southwest line of Lot 12 north 52° west 61.87 poles more or less to the southwest line of Lot No. 16; thence with said line south 37° west 60.63 poles to the center of one of said roads; thence with the center of said road south 50° east 61.86 poles to the beginning containing each 10.94 acres.

Being the same property conveyed to Mary C. Napier Ganier of record in Deed Book 736, page 550 and Deed Book 6051, page 880, Register's Office for Davidson County, Tennessee.

Tract 3:

Certain tracts or parcels of land in the 8th Civil District of Davidson County, Tennessee, described as follows:

Being Lots Nos. 12, 13, 14 and 15 in the Subdivision of Mt. Hickory, a Plan of which is recorded in Book 332, page 68, of the Register's Office for Davidson County, Tennessee.

Said Lots Nos. 12, 13, 14 and 15 are described together as follows: Beginning in the center of Clees Ferry Road at the intersection of a 35 foot street, being the northeast corner of Block 11 and the southeast corner of Block 12, and running thence N. 74½° W 66½ poles to the southeast corner of Lot 15; thence continuing with the center of said road N. 74½° W 52 poles to a point; thence South 80° W. 16 poles to the low water mark on the Cumberland River; thence S. 52° 58.57 poles to the West line of Lot 12; thence S. 37° W 29.03 poles, the northwest corner of Lot 12 and the northeast corner of Lot 14; thence continuing S. 37° W. 56.63 poles to the center of a 35 foot road, extending along Lot 17 in said plan; thence S. 52° E. 61.86 poles to the southeast corner of Lot 13; being at the intersection of two avenues; thence N. 37½° E. with the center of said second

avenue along the south boundary line of Lots 13 and 12, 142.02 poles more or less, to the center of Clees Ferry Road, the point of beginning, and containing in all 57.31 acres, being the same more or less.

Being the same property conveyed to James W. Napier by Deed of record in Deed Book 904, page 614, Register' s Office for Davidson County, Tennessee and to Mary Campbell Napier Ganier and Albert F. Ganier, Jr., Successor Trustee through Order of the Court of record in Book 3070, page 506, said Register's Office. See also Will Vol. No. 5276\1125511 Probate Court Clerk's Office for Davidson County, Tennessee

Tract 4:

A certain tract of parcel of land in the 7th Civil District of Davidson County, Tennessee, described as follows:

The said tract of land being on the Charlotte Turnpike, about seven miles from Nashville and more specifically bounded as follows: Beginning in the middle of the Charlotte Turnpike, at the Southeast corner of Lot No. 18 in the Subdivision of Mount Hickory, running thence with the middle of said Turnpike North 57 degrees East 40 poles, and North 62½ degrees, East 12 poles to a point opposite the middle of a 33 foot road, being a corner of Lot No. 6 of said subdivision; thence with the middle of said road North 52 degrees, West 107.46 poles to an old stake in the middle of said road, corner to Lot No. 14 in said subdivision; thence North 37 degrees East with the northerly line of said Lot No. 14, and continuing with the northerly line of Lot No. 12, 85.66 poles to a post, corner of Lot No. 15 in said subdivision; thence North 52 degrees West with the line of said Lot No. 15 to the Cumberland River, thence, with the meandering of said river in a southwesterly direction 137 poles, more or less, to the corner of Lot No. 18 in said subdivision, and thence South 52 degrees East 147.6 poles to the place of beginning, containing 74.79 acres, more or less. Said premises being also known and described as Lots Nos. 16 and 17 in the Subdivision of Mt. Hickory.

Being the same property conveyed to J. W. Napier by Deed of record in Book 855, page 196, Register's Office for Davidson County, Tennessee and to Mary Campbell Napier Ganier and Albert F. Ganier, Jr., Successor Trustee through Order of the Court of record in Book 3070, page 506, said Register's Office. See also Will Vol. No. 5276\1125511 Probate Court Clerk's Office for Davidson County, Tennessee

Tract 5:

Being Lots 18 and 19 in the subdivision of Mt. Hickory, a subdivision located on Charlotte Pike about two miles west of the corporate limits of the City of Nashville, and recorded in Book 332, page 68, Register's Office of Davidson County, Tennessee, described as follows:

Beginning in the middle of Charlotte Pike at the southwest corner of said Lot 19, being the southwest corner of the whole subdivision, running thence with the middle of said

turnpike N 63° E 140.4 poles to a point; thence N 46° E 24 poles; thence N 45° E 12 poles; thence N 50° E 12 poles to the corner of Lots 17 and 18; thence N 52° W 147.6 poles to low water mark of Cumberland River; thence down said river with its meanders in a southwesterly direction 130 poles to the northwest corner of Lot 19; thence with the west line of said Lot 19, S 18° E 20.12 poles, S 21° E 12.6 poles, S 18° E 24 poles, S 26° E 14 poles; S 48½° E 14 (10) poles; S 35½° E 8 poles and 3.48½° E 24 poles to the point of beginning and containing 132.26 acres being the same more or less.

Being the same property conveyed to James W. Napier by Deed of record in Deed Book 904, page 614, Register' s Office for Davidson County, Tennessee and to Mary Campbell Napier Ganier and Albert F. Ganier, Jr., Successor Trustee through Order of the Court of record in Book 3070, page 506, said Register's Office. See also Will Vol. No. 5276\1125511 Probate Court Clerk's Office for Davidson County, Tennessee