#1011

Prepared By: Amicus Commercial Title
Jane Garrett, Attorney
209 10th Avenue South Suite 337
Nashville, Tennessee 37203

Davidson County DEEDQC
Recvd: 12/08/05 15:08 4 pgs
Fees:22.00 Taxes:0.00
20051208-0147882

QuitClaim Deed and Release

THIS INDENTURE, made the 13th day of October, 2005, BETWEEN Ismael Gomez, a single person , whose address is Jardarroyo Calle B-82 ~~Arroyo~~ PR party of the first part, and Mary Valda Martz, a married woman , whose address is 409 Water Creek Court, Old Hickory TN 37138 party of the second part,

WHEREAS, the party of the first part is the holder of the following Installment Deed,

Installment Deed dated the 13th Day of May, 2003, made by Valda Martz to Ismael Gomez in the aggregate principal sum of $182,000.00 secured by an Installment Deed on the land recorded May 15, 2003 under Instrument Number 20030515-0066678 in the office of the Register's Office of Davidson County, Tennessee covering certain lands and tenements, of which the lands hereinafter described are part, and

WHEREAS, the party of the first part, at the request of the party of the second part, has agreed to give up and surrender the lands hereinafter described unto the party of the second part,

NOW THIS INDENTURE WITNESSETH, that the party of the first part, in pursuance of said agreement and in consideration of One ($1.00) Dollar lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does grant, release, and quitclaim unto the party of the second part, all that part of said mortgaged lands described on Exhibit A, attached hereto and made a part hereof.

TOGETHER with all right, title, and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof and in and to any fixtures and articles of personal property which are now contained in said premises and which may be covered by said Installment Deed.

TOGETHER with the hereditaments and appurtenances thereunto belonging, and all right, title, and interest of the party of the first part, in and to the same, to the intent that the lands hereby released may be discharged from said Installment Deed,

~~TO HAVE AND TO HOLD the lands and premises hereby released and quitclaimed to the party of the second part, and to the heirs, successors, and assigns of the party of the second part forever, free, clear, and discharged of and from all claim made by, under and by virtue of said mortgage aforesaid.~~

IN WITNESS WHEREOF, the party of the first part has executed this release the day and year first above written.

BY: _____
Ismael Gomez

STATE OF TENNESSEE

COUNTY OF Davidson

Personally appeared before me, the undersigned, a Notary Public in and for said County and State,

Elsmael Gomez

the parties(s), with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that he/she/they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville Tennessee this 13th day of October, 2005.

Commission expires:
3-21-09

LAURA B RININGER
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

Laura B Rininger
Notary Public

OWNER

Mail Tax Bills to:
Suzanne Greer
8945 Sawyer Road
Nashville, TN 37221

PIN # 033.0-0-0151.0000

State of Tennessee

County of Davidson

The Actual consideration or value, whichever is greater, for this transfer is $0.00

Laura B Rininger
Affiant

Subscribed and sworn before me, this 14th day of November 2005.

THERESA C. RICHARDSON
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TN
My Comm. Exp. May 30, 2007

Theresa C Richardson
Notary Public

My Commission Expires: 5-30-07

EXHIBIT A

Land in Davidson County, Tennessee, located to the West of and contiguous to Tract 5 of Rivergate Acres, Limited, Section 2 according to the plat of record in Book 6250, Page 206, Register's Office for Davidson County, Tennessee, and being described according to a survey by Bruce Rainey, Surveyor, No. 823, dated March 22, 1982 and revised October 19, 1984, being known as Map 33, Parcel 151 on the Davidson County Tax Map and fully described as follows, to-wit:

Beginning at a point on the South edge of Dry Creek , being 511.50' more or less, southeasterly from the northwest corner of the property conveyed to Forest Lawn Memorial Gardens by deed of record in Deed Book 5826, page 66, Register's Office for Davidson County, Tennessee; thence, S 69 deg. 68' 45" E 34.58' to a point in the center of said creek; thence with the center of said creek the following calls: S 01 deg. 32' 51" W 93.36' to a point; thence S 33 deg. 42'04 E 108.75' to a point; thence S 52 deg. 45' 04" E 104.35' to a point; thence S 40 deg. 46'47" E 414.70' to a point; thence S 32 deg. 15' 06" E 221.42' to a point; S 04 deg. 36'50" W 51.13' to a point; thence S 25 deg. 06' 12" E 68.76' to a point; S 60 deg. 41' 05"E 214.13' to a point; thence S 54 deg. 03' 08" E 41.38' to a point in the westerly margin of Interstate 65; thence leaving said Dry Creek with said margin of I-65 the following calls: S 41 deg. 59'44" W 77.87' to a point; thence S 48 deg. 20' 13" E 50.00' to a point; thence S 41 deg. 39' 47" W 677.53' to a point in a fence; thence leaving I-65 and with a fence the following calls: N 87 deg. 07'27" W 114.16' to a point; thence N 88 deg. 08' 33" W 307.43' to a point of a fence corner; thence N 04 deg. 05' 03" E 86.75' to a point; thence N 02 deg. 59'52"E 177.49' to a point; thence N 02 deg. 31' 44" E 566.76' to a point; thence N 01 deg. 19' 51" W 318.16' to a point at a fence corner; thence leaving said fence N 05 deg. 59' 10" E 438.33' to the point of the beginning, containing 18.13 acres, more or less.

Easement Parcel 1:

Together with an easement granting rights for ingress and egress to and from the property hereinabove described as shown on the plat of Rivergate Acres Limited Section 2 of record in Book 6250, Page 206, Register's Office in Davidson County, Tennessee and more fully described in Deed Book 11396, Page 347 as follows:
Beginning at a point of the southerly margin of a proposed 60' street as shown on the said Subdivision plan, the said point of beginning is also 316.99' easterly from the northwest corner of the said Lot No. 5 of which this easement is part; thence with the southerly margin of the said 60' road N 74 degrees.43' 33" E 50.66' to a point. Thence leaving the margin of the said Road S 18 degrees 10' 07" E 146.06' to a point; thence S 16 degrees 08' 52" West 362.80' to a point; thence S 02 degrees 29' 46" East 195.00' to a point; Thence S 62 degrees 40' 50" 353.31 to a point in the southerly line of the said Lot No. 5; thence with the said southerly line N. 40 degrees 46'47"W 151.41' to a point thence leaving the southerly line of Lot 5 N 62 degrees 40' 50" E 333.32' to a point; thence N 02 degrees 29' 46" W 171.24' feet to a point; thence N 16 degrees 08' 52" E 355.57' to a point; thence N 18 degrees 10'07" W 133.15' to the point of beginning, containing 1.18 acres, more or less.

Being the same easement conveyed by Neely Mortgage Company to Sam and Valda Martz dated December 7, 1984, and recorded in Book 6448, page 60, said Register's Office.

Easement Parcel 2:

Together with an easement for ingress and egress across a portion of Lot No. 3 Section One on the Plan of Rivergate Acres to constitute a 50' right of way more particularly described as follows:

Land in Davidson County, Tennessee being a portion of Lot No. 3, Section One on the Plan of Rivergate Acres, as of record in Book 6250, page 205, said Register's office, described as follows:

BEGINNING at a point on the south edge of Dry Creek Road, being the eastern corner of said Lot No. 3; thence with the southeastern boundary of said Lot S 32 degrees 43' 44" W a distance of 538.73' to a point, being the

southern corner of said Lot; thence N 1 degree 32' 51" E a distance of 46.88' to a point; thence N 69 degrees 58' 45 W a distance of 34.58' to a point; thence N 32 degrees 43' 44" E a distance of approximately 500 feet to the south edge of Dry Creek Road; thence along the south edge of Dry Creek Road distance of approximately 55' to the point of beginning.

Being the same easement conveyed by instrument of record in Book 11396, Page 355 Register's Office of Davidson County, Tennessee.

And being the same property conveyed to Ismael Gomez from Valda Martz by Quit Claim Deed dated 2003, recorded June 24, 2004 in Davidson County Register's Office, Tennessee, Instrument No. 20046240074829. Prior vesting is an Installment Deed conveying property to Valda Martz from Ismael Gomez dated May 13, 2003 and recorded May 15, 2003 in the Davidson County Register's Office as Instrument No. 20030515006678.

And being the same property conveyed to Grantor by Warranty Deed from Ismael Gomez, which Warranty Deed is being recorded simultaneously herewith.