313
Doyt
OSC

Address New Owner:	Map-Parcel Numbers:	Send Tax Bills To:
Elizabeth C. Thompson 1704 Green Hills Drive Nashville, TN 37215-3510	Map: 116-03-A Parcel: 45CO	Elizabeth C. Thompson 1704 Green Hills Drive Nashville, TN 37215-3510
This instrument prepared by: Boult, Cummings, Conners & Berry, PLC 1600 Division Street, Suite 700, Nashville, Tennessee 37203		

EXECUTOR'S DEED

MARSHALL EDGAR DERRYBERRY, III (the "Decedent") died on November 7, 2005, leaving a will dated February 28, 2002, which was admitted to probate on December 15, 2005, in the Seventh Circuit Court of Davidson County, TN, docket number 05P1841(the "Will") The Will named the Grantor, Cumberland Trust & Investment Company, as executor of the Decedent's estate, and it is duly qualified and acting as such executor.

This deed is executed and delivered to implement a testamentary devise contained in the Will and in accordance with such devise, the Grantor has bargained and sold and, by these presents, hereby transfers and conveys unto ELIZABETH C. THOMPSON, her heirs and assigns, all right title and interest of the Grantor, in its capacity as such executor, in and to the following described real estate, together with all of the Decedent's personal and household effects, situated therein, including furniture, jewelry, clothing, and other similar effects together will all policies of insurance on the same:

> Land in Davidson County, Tennessee, being those certain premises comprising a portion of Royal Oaks Tower, a project having been established as a Horizontal Property Regime, by Master Deed and Declaration and By-Laws dated the 22nd day of May, 1973, and recorded in the Register's Office for Davidson County, Tennessee, in Book 4710, page 901, said premises being more particularly described as follows:
>
> Unit labeled 42E of said project as shown on the Plan recorded in Book 4460, page 189, Register's Office for Davidson County, Tennessee, and an undivided 2.22476% interest appurtenant to the unit in all common elements of said project as described in said Declaration.
>
> Being the same property conveyed to the Decedent by Deed from Mary E. Doty Shreeve and spouse, George D. Shreeve, by deed of record in Book 10686, page 457, said Register's Office. (the "Property")
>
> This is improved property known as 4505 Harding Road, Unit 42E, Nashville, TN 37205.

Davidson County DEEDWARR
Recvd: 01/10/06 14:31 3 pgs
Fees:17.00 Taxes:0.00
20060110-0003791

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

1. Subject to all matters shown on the Plan of record in Book 4460, page 189, and in Book 4300, page 201, said Register's Office.

2. The Property is a condominium apartment established pursuant to the provisions of the Tennessee Horizontal Property Act as the same is set out in Section 66-27-101, *et seq.*, of Tennessee Code Annotated, and is subject to (i) the provisions and requirements thereof; (ii) the easements, rights, and interests in favor of other unit owners: (iv) all sewer, water, electrical, telephone, and other utility easements now or hereafter established over, through or upon the land embracing the regime and buildings thereon and (v) also including without limitation, all conditions, covenants, restrictions, options, burdens, assessments and other undertakings contained in the Master Deed establishing the Horizontal Property Regime of Royal Oaks Towers Condominium, of record in Book 4710, page 901, and the By-Laws appended thereto, as amended in Book 4798, page 813, said Register's Office.

3. Easement for a drive reserved in a Deed of record in Book 4668, page 986, said Register's Office.

4. Subject to rights of others in and to the common areas/elements.

This deed is delivered to the Grantee subject to the understanding that the estate of the Decedent has not yet received Federal estate tax and/or Tennessee inheritance tax clearances, and that there is a possibility of a lien encumbering the Property until such clearances are received.

TO HAVE AND TO HOLD the Property with the appurtenances, estate, title and interest thereto belonging to the Grantee, her successors and assigns forever.

Grantor covenants with the Grantee that it is lawfully seized and possessed of the Property in fee simple, has a good right to convey the same and that the same is unencumbered except as herein set forth.

The Grantor executes this instrument solely in its fiduciary capacity and not individually and the representations and warranties made herein by it are limited to those representations and warranties it can and should make in its fiduciary capacity and not otherwise.

IN WITNESS WHEREOF, the Grantor, as executor of the estate of the Decedent, has caused this instrument to be executed on this the 5 day of January, 2006.

CUMBERLAND TRUST & INVESTMENT COMPANY:

By: _____
JOSEPH PRESLEY, President and CEO of
CUMBERLAND TRUST & INVESTMENT COMPANY,
Executor of the estate of Marshall Edgar Derryberry, III

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Allison G. Robinson, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Joseph Presley, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the President and CEO of Cumberland Trust & Investment Company, as Executor of the estate of Marshall Edgar Derryberry, III, deceased, the within named bargainor, a corporation, and that he, as such President and CEO, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as such officer.

WITNESS my hand and seal at office in Nashville, Tennessee, this the 6th day of January, 2006.

Allison G. Robinson
Notary Public

ALLISON G. ROBINSON
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TN

My Commission Expires:
7/25/09

Pursuant to T.C.A. §67-4-409(a)(5) the consideration is $0