Davidson County DEEDWARR
Recvd: 04/20/06 09:27 3 pgs
Fees:18.00 Taxes:56.24

20060420-0045198

THIS INSTRUMENT PREPARED BY:

Homer R. Ayers, Attorney at Law
303 Frances Street (Zip 37072)
P. O. Box 904
Goodlettsville, TN 37070-0904

Warranty Deed

ADDRESS NEW OWNERS:	PERSON OR ENTITY RESPONSIBLE FOR PAYMENT OF REAL PROPERTY TAXES:	MAP-PARCEL NOS.
Smith Family Partnership 2820 Hydes Ferry Rd Nashville, TN 37218	Same as New Owner	Map 71-3 Parcel 159

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, WHITT'S AUTO SALES, INC., a Tennessee Corporation, hereinafter referred to as the "GRANTOR", has bargained and sold and by these presents does transfer and convey unto SMITH FAMILY PARTNERSHIP, a Tennessee General Partnership composed of Robert A. Smith, William P. Smith and Joseph P. Garner, General Partners, hereinafter referred to as the "GRANTEE", its successors or assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to-wit:

The following property line description of part of the Baxter and Clyde Smith, et al property is a combination of four (4) original lots from the J. B. Haynie's Oriental Subdivision as of record in Plat Book 161, pages 26 and 27, Register's Office for Davidson County, Tennessee, recently designated as Parcel 159 of Davidson County Property Map 71-03, and is further described as Lot No. 2 according to a survey by Alpha 2000 Group, LLC, Gary R. Cummings, Tennessee RLS #36, dated August 1, 2000 and revised September 8, 2000 as follows:

BEGINNING at an old iron rod in the westerly margin of a 50' unimproved street named Sultana Avenue, said point also being at the northeasterly terminus of a 10' unimproved alley; thence running with the northerly margin of the 10' unimproved alley, North 86 deg. 03' 46" West 400.00 feet to a new iron rod, said point being the southeast corner of the newly created Lot 1; thence leaving the northerly margin of said alley and running with the easterly boundary of Lot 1, North 03 deg. 56' 14" West, 239.44 feet to a new iron rod in the southerly boundary of Parcel 094 of Metro Property Map 71-03; thence running with the southerly boundary of Parcels 094, 093, 092; 091, 090, and 089, respectively, to a new iron rod in the easterly margin of said unimproved Sultana Avenue; thence running with said easterly margin in a southwesterly direction and with a curve having a central angle of 09 deg. 18' 23", a radius of 400.00 feet, an arc length of 64.97 feet, and a chord bearing and distance of South 19 deg. 51' 51" West, 64.90 feet to the point of beginning, and containing 62,445 square feet, more or less, or 1.433 acres, more or less.

BEING the same property conveyed to Whitt's Auto Sales, Inc. by deed from Clyde H. Smith, unmarried, and Baxter M. Smith, unmarried, of record in Instrument No. 20001026-0105998, Register's Office for Davidson County, Tennessee.

The legal description, as hereinabove set forth, is the same as that contained in the previous Deed of Record.

This is unimproved property located on Dickerson Pike and fronting Sultana Avenue, Nashville, Tennessee.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, its successors or assigns, forever.

And, the GRANTOR, does covenant with the said GRANTEE, that the GRANTOR is lawfully seized and possessed of said land in fee simple, has a good right to convey it and warrants that the same is unencumbered, except as follows:

1. Real Property Taxes for the year 2006, which are a lien, but not yet due and payable, which have been prorated between the parties and will be paid, in full, by the GRANTEES, when due.

2. Subject to any and all matters as they may appear on the Plan of record in book 161, pages 26 and 27, said Register's Office.

3. Subject to easement for sanitary sewers and/or storm drainage of record in Book 4400, page 900, said Register's Office.

4. Subject to 100' TVA Overhead Power Transmission Line Easement of record in Book 787, page 53, said Register's Office.

5. Subject to any and all matters as they may appear on the unrecorded survey dated 8/1/00 revised 9/8/00 by Alpha Group 2000, LLC, Gary R. Cummings, RLS #36, including but not limited to the property being within the Special Flood Hazard Zone AE, as shown on the said survey.

And, the GRANTOR does further covenant and bind itself, its successors or assigns to warrant and forever defend the title to the said land to the said GRANTEE, its successors or assigns, against the lawful claims of all persons whomsoever.

WITNESS our hands on the day and date last acknowledged below.

"GRANTOR"

Whitt's Auto Sales, Inc.

BY: _____
RUBY J. WHITT, President

"GRANTEE"

Smith Family Partnership

BY: _____
ROBERT A. SMITH, General Partner

BY: _____
WILLIAM P. SMITH, General Partner

BY: _____
JOSEPH P. GARNER, General Partner

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared ROBERT A. SMITH, WILLIAM P. SMITH and JOSEPH P. GARNER, with whom I am personally acquainted, and who, upon oath, acknowledged themselves to be all of the General Partners of SMITH FAMILY PARTNERSHIP, the within named bargainor, a Tennessee general partnership, and that they as such general partners, being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the partnership by themselves as general partners.

WITNESS my hand and seal this the 19th day of April, 2006.

NOTARY PUBLIC

SUSAN C. DAVIDSON NOTARY PUBLIC STATE OF TENNESSEE COMM. EXP. DECEMBER 2, 2009

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared RUBY J. WHITT, with whom I am personally acquainted and who acknowledged herself to be the President of WHITT'S AUTO SALES, INC., the bargainor, a corporation, and as such President, being authorized so to do, executed the within instrument for the purposes therein contained by signing the name of the corporation by herself as President.

WITNESS my hand, at office, this the 19th day of April, 2006.

NOTARY PUBLIC

PATSY C. DAVISON NOTARY PUBLIC MY COMM. EXP. DECEMBER 2, 2009 STATE OF TENNESSEE

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $15,200.00.

Affiant

Sworn to and subscribed before me, this the 19th day of April, 2006.

NOTARY PUBLIC

PATSY C. DAVISON NOTARY PUBLIC MY COMM. EXP. DECEMBER 2, 2009 STATE OF TENNESSEE