Davidson County DEEDQC
Recvd: 05/01/06 08:59 5 pgs
Fees:27.00 Taxes:0.00
20060501-0049277

THIS INSTRUMENT PREPARED BY:
BASS, BERRY & SIMS PLC (DWS)
315 Deaderick Street, Suite 2700
Nashville, Tennessee 37238

EXECUTORS' QUITCLAIM DEED

Address New Owner (s) As Follows:	Send Tax Bills To:	Map Parcel Numbers
Kathryn Bumgardner Cheek and Mellon Trust of Delaware, N.A., Co-Trustees of the Revocable Trust of John H. Cheek, Jr. dated October 23, 1989 c/o Mellon Bank of Delaware, N.A. 1735 Market Street, Suite 193-0329 Philadelphia, PA 19103 Attn: David S. Rowe	same	Part of 145-08-24

WHEREAS, John H. Cheek, Jr. died testate on February 19, 2002 leaving a Last Will and Testament dated October 28, 1989 (the "Will") which has been probated and properly recorded as Instrument Number 3503/645426 in the Probate Court for Davidson County, Tennessee; and

WHEREAS, John H. Cheek, Jr. owned a one-half interest the real property described herein at the time of his death; and

WHEREAS, Kathryn B. Cheek and Mellon Bank, NA are the duly qualified and acting Executors of the Estate of John H. Cheek, Jr.; and

WHEREAS, the Will of the said John H. Cheek, Jr. directs that the residue of his estate, of which the property described herein is a part, be distributed to the Trustee of the John H. Cheek, Jr. Revocable Trust dated October 23, 1989.

NOW THEREFORE, FOR AND IN CONSIDERATION of ONE DOLLAR ($1.00), cash in hand paid, the receipt of which is hereby acknowledged, KATHRYN BUMGARDNER CHEEK AND MELLON BANK, N.A., CO-EXECUTORS OF THE ESTATE OF JOHN H. CHEEK, JR. by these presents do hereby quitclaim and convey unto KATHRYN BUMGARDNER CHEEK AND MELLON TRUST OF DELAWARE, N.A., CO-TRUSTEES OF THE REVOCABLE TRUST OF JOHN H. CHEEK, JR. DATED OCTOBER 23, 1989, its successors and assigns, with full power to sell, mortgage, encumber and convey without the joinder of any beneficiary, all of their right, title and interest as said Co-Executors in and to the property described on Exhibit A attached hereto.

Being part of the same property conveyed to John H. Cheek, Jr. and wife, Kathryn Bumgardner Cheek, as tenants in common, pursuant to that certain deed of record in book 11410, page 343, Register of Deeds of Davidson County, Tennessee, the said John H. Cheek, Jr. having since died and his interest in the property having passed to the above named Co-Trustees under the residuary clause of the Will, as further evidenced by this deed.

IN WITNESS WHEREOF, Grantors have caused this instrument to be executed as of the 8th day of March, 2006.

GRANTORS:

Kathryn Bumgardner Cheek
KATHRYN BUMGARDNER CHEEK,
CO-EXECUTOR

MELLON BANK, N.A.,
CO-EXECUTOR

By: Scott S. Small
Name: SCOTT S. SMALL
Title: FIRST VICE PRESIDENT

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public, Kathryn Bumgardner Cheek, with whom I am personally acquainted, who acknowledged that she executed the within instrument for the purposes therein contained and that she is a Co-Executor of the Estate of John H. Cheek, Jr. and is authorized by the Estate to execute the within instrument on behalf of said Estate.

WITNESS my hand, at office, this 9 day of March, 2006.

Jennifer Wetter
Notary Public

My Commission Expires: 8/1/2009

STATE OF Pennsylvania)

JENNIFER WETTER
Notary Public - State of Florida
My Commission Expires Aug 1, 2009
Commission # DD 456617

COUNTY OF Philadelphia)

Personally appeared before me, the undersigned, a Notary Public, Scott S. Small with whom I am personally acquainted, who acknowledged that he executed the within instrument for the purposes therein contained and that he is the First Vice President of Mellon Bank, N.A., a Co-Executor of the Estate of John H. Cheek, Jr. and is authorized by said Bank to execute the within instrument on behalf of said Bank.

WITNESS my hand, at office, this 12th day of April, 2006.

Maureen O'Brien
Notary Public

My Commission Expires: _____

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Maureen O'Brien, Notary Public
City of Philadelphia, Philadelphia County
My Commission Expires Mar. 29, 2008
Member, Pennsylvania Association of Notaries

STATE OF Pennsylvania)
)
COUNTY OF Philadelphia)

The actual consideration or value (whichever is greater) for this transfer is $ - 0 - .

MELLON TRUST OF DELAWARE, N.A.
By: Scott S. Small
Affiant

SCOTT S. SMALL
FIRST VICE PRESIDENT

Subscribed and sworn to before me, this 12th day of April, 2006.

Maureen O'Brien
Notary Public

My Commission Expires: _____

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Maureen O'Brien, Notary Public
City of Philadelphia, Philadelphia County
My Commission Expires Mar. 29, 2008
Member, Pennsylvania Association of Notaries

EXHIBIT A
[Property Description]

PROPERTY LOCATED IN THE 33RD COUNCILMANIC DISTRICT WITHIN THE CITY OF OAK HILL, DAVIDSON COUNTY, TENNESSEE, BEING A PORTION OF TRACT ONE OF LEALAND MANOR SIXTH ADDITION, ALSO BEING PART OF PARCEL 24 ON DAVIDSON COUNTY PROPERTY MAP 145-08 AND BEING MORE PARTICULARLY DESCRIBED ACCORDING TO A BOUNDARY SURVEY PREPARED BY WAMBLE & ASSOCIATES, PLLC DATED FEBRUARY 19, 2002 AS FOLLOWS:

BEGINNING AT AN IRON ROD (OLD) AT THE TERMINUS OF CLONMEL ROAD (50' RIGHT-OF-WAY) AT THE NORTHWEST CORNER OF THE PROPERTY CONVEYED TO THE STATE OF TENNESSEE AS OF RECORD IN DEED BOOK 9562, PAGE 642, R.O.D.C. TN; ALSO BEING THE NORTHEAST CORNER OF THE PROPERTY CONVEYED TO THE FRIENDS OF RADNOR LAKE AS OF RECORD IN INSTRUMENT NO. 200201010000613, R.O.D.C. TN; THENCE, FOLLOWING THE NORTHERLY BOUNDARY OF SAID FRIENDS OF RADNOR LAKE PROPERTY NORTH 83 DEGREES 21 MINUTES 48 SECONDS WEST 360.24 FEET TO AN IRON ROD (OLD); THENCE, SOUTH 89 DEGREES 42 MINUTES 32 SECONDS WEST 176.10 FEET TO AN IRON ROD (OLD); THENCE, SOUTH 68 DEGREES 38 MINUTES 48 SECONDS WEST 148.02 FEET TO AN IRON ROD (OLD); THENCE SOUTH 65 DEGREES 16 MINUTES 26 SECONDS WEST 117.51 FEET TO AN IRON ROD (OLD); THENCE, SOUTH 36 DEGREES 04 MINUTES 09 SECONDS WEST 448.59 FEET TO AN IRON ROD (OLD); THENCE, SOUTH 62 DEGREES 03 MINUTES 05 SECONDS WEST 97.60 FEET TO AN IRON ROD (OLD); THENCE, NORTH 83 DEGREES 24 MINUTES 45 SECONDS WEST 51.12 FEET TO AN IRON ROD (OLD); THENCE, NORTH 40 DEGREES 40 MINUTES 29 SECONDS WEST 63.13 FEET TO AN IRON ROD (OLD); THENCE, NORTH 13 DEGREES 14 MINUTES 05 SECONDS WEST 130.86 FEET TO AN IRON ROD (OLD); THENCE, NORTH 16 DEGREES 57 MINUTES 54 SECONDS EAST 184.92 FEET TO AN IRON ROD (OLD); THENCE, LEAVING SAID FRIENDS OF RADNOR LAKE PROPERTY WITH A NEW LINE NORTH 26 DEGREES 31 MINUTES 11 SECONDS EAST 264.24 FEET TO AN IRON ROD (NEW); THENCE, NORTH 13 DEGREES 54 MINUTES 07 SECONDS EAST 58.30 FEET TO AN IRON ROD (NEW); THENCE, NORTH 15 DEGREES 46 MINUTES 20 SECONDS WEST 99.03 FEET TO AN IRON ROD (NEW); THENCE, NORTH 24 DEGREES 46 MINUTES 22 SECONDS WEST 159.75 FEET TO AN IRON ROD (NEW); THENCE, NORTH 08 DEGREES 45 MINUTES 48 SECONDS WEST 121.51 FEET TO AN IRON ROD (NEW); THENCE, NORTH 31 DEGREES 56 MINUTES 09 SECONDS EAST 218.69 FEET TO AN IRON ROD (NEW); THENCE, NORTH 62 DEGREES 46 MINUTES 18 SECONDS EAST 274.84 FEET TO AN IRON ROD (NEW) ON THE SOUTHERLY BOUNDARY OF THE KURT V. BERGER, ET UX PROPERTY AS OF RECORD IN DEED BOOK 9797, PAGE 794, R.O.D.C. TN; THENCE, FOLLOWING THE SOUTHERLY BOUNDARY OF SAID BERGER PROPERTY SOUTH 60 DEGREES 45 MINUTES 06 SECONDS EAST 45.29 FEET TO A CONCRETE MONUMENT (OLD); THENCE, SOUTH 50 DEGREES 41 MINUTES 17 SECONDS EAST 179.69 FEET TO A CONCRETE MONUMENT (OLD); THENCE, WITH THE REMAINDER OF THE SOUTHERLY BOUNDARY OF SAID BERGER PROPERTY AND CONTINUING WITH THE SOUTHERLY BOUNDARY OF KENNETH B. LEVITAN, ET UX PROPERTY AS OF RECORD IN DEED BOOK 10324, PAGE 188, R.O.D.C. TN, SOUTH 51 DEGREES 38 MINUTES 54 SECONDS EAST 214.67 FEET TO AN IRON ROD (NEW); THENCE, CONTINUING WITH THE SOUTHERLY BOUNDARY OF SAID LEVITAN PROPERTY SOUTH 61 DEGREES 33 MINUTES 15 SECONDS EAST 201.73 FEET TO A CONCRETE MONUMENT (OLD); THENCE, SOUTH 68 DEGREES 06 MINUTES 55 SECONDS EAST 343.40 FEET TO A CONCRETE MONUMENT (OLD), BEING THE SOUTHWEST CORNER OF THE R.E. McADAMS, ET UX PROPERTY AS OF RECORD IN DEED BOOK 2492, PAGE 615, R.O.D.C., TN; THENCE, FOLLOWING THE SOUTHERLY BOUNDARY OF SAID McADAMS PROPERTY SOUTH 67 DEGREES 54 MINUTES 38 SECONDS EAST 249.76

FEET TO A CONCRETE MONUMENT (OLD) ON THE NORTHERLY RIGHT-OF-WAY OF CLONMEL ROAD (50' R.O.W.); THENCE, FOLLOWING THE NORTHERLY RIGHT-OF-WAY OF CLONMEL ROAD WITH A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 06 DEGREES 50 MINUTES 46 SECONDS, A RADIUS OF 375.00 FEET, AN ARC LENGTH OF 44.81 FEET AND A CHORD BEARING AND LENGTH OF SOUTH 43 DEGREES 06 MINUTES 27 SECONDS WEST 44.78 FEET TO A CONCRETE MONUMENT (OLD); THENCE, SOUTH 45 DEGREES 58 MINUTES 17 SECONDS WEST 208.04 FEET TO AN IRON ROD (NEW); THENCE, WITH A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 06 DEGREES 47 MINUTES 13 SECONDS, A RADIUS OF 575.00 FEET, AN ARC LENGTH OF 68.11 FEET AND A CHORD BEARING AND LENGTH OF SOUTH 42 DEGREES 34 MINUTES 40 SECONDS WEST 68.07 FEET TO AN IRON ROD (NEW); THENCE, SOUTH 39 DEGREES 02 MINUTES 02 SECONDS WEST 36.47 FEET TO AN IRON ROD (NEW); THENCE, WITH A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 04 DEGREES 00 MINUTES 32 SECONDS, A RADIUS OF 175.00 FEET, AN ARC LENGTH OF 12.24 FEET AND A CHORD BEARING AND LENGTH OF SOUTH 40 DEGREES 59 MINUTES 56 SECONDS WEST 12.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 879,510 SQUARE FEET OR 20.19 ACRES.

BEING PART OF THE SAME PROPERTY CONVEYED TO JOHN H. CHEEK JR. AS OF RECORD IN DEED BOOK 11410, PAGE 343, R.O.D.C., TENNESSEE.