Davidson County DEEDWARR
Recvd: 11/30/06 14:08 5 pgs
Fees:28.00 Taxes:1091.50
20061130-0147962

THIS INSTRUMENT PREPARED BY:
BASS, BERRY & SIMS PLC
315 Deaderick Street, Suite 2700
Nashville, Tennessee 37238-3001

SPECIAL WARRANTY DEED

Address of New Owner:	Send Tax Bills To:	Map-Parcel Number(s):
Ed's Supply Company, Inc. Attn: Steve Byram 711 Sixth Avenue South Nashville, Tennessee 37203	Same	Map: 93-14 Parcels: 439 and 440

FOR AND IN CONSIDERATION OF THE SUM OF TEN ($10.00) DOLLARS, and other good and valuable consideration, receipt of all of which is hereby acknowledged, MICHAEL W. RUTHERFORD AND WIFE, DEBORAH L. RUTHERFORD (collectively, "Grantor"), has this day bargained and sold, and does hereby transfer and convey, unto ED'S SUPPLY COMPANY, INC. ("Grantee"), certain real property in Davidson County, Tennessee, as more particularly described on Exhibit A attached hereto.

TO HAVE AND TO HOLD the said real property, together with all appurtenances and hereditaments thereunto belonging or in any wise appertaining, to Grantee and its successors and assigns forever, subject, however, to the matters set forth on Exhibit B attached hereto.

GRANTOR covenants and binds itself and its successors to warrant specially and forever defend the title to said real estate to Grantee and its successors and assigns against the lawful claims of all persons claiming through and under Grantor (except with respect to those matters set forth on Exhibit B), but not further or otherwise.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed as of the 30th day of NOVEMBER, 2006.

MICHAEL W. RUTHERFORD

DEBORAH L. RUTHERFORD

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public, Michael W. Rutherford, with whom I am personally acquainted, who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 30th day of November, 2006.

GINGER M. REEVES NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Notary Public

My Commission Expires: 5-30-08

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public, Deborah L. Rutherford, with whom I am personally acquainted, who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 30th day of November, 2006.

GINGER M. REEVES NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Notary Public

My Commission Expires: 5-30-08

The actual consideration or value (whichever is greater) for this transfer is $295,000.00.

Affiant

Subscribed and sworn to before me, this 30th day of November, 2006.

GINGER M. REEVES NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Notary Public

My Commission Expires: 5-30-08

EXHIBIT A

[Property Description]

TRACT I

LAND IN THE 19TH COUNCILMANIC DISTRICT OF METROPOLITAN NASHVILLE AND DAVIDSON COUNTY, TENNESSEE, BEING THE NORTHERLY PART OF LOT NO. 339 ON THE PLAN OF EWING. M. WETMORE'S ADDITION TO SOUTH NASHVILLE, AS OF RECORD IN BOOK 14, PAGES 202 AND 203, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, AND BEING MORE PARTICULARLY DESCRIBED ACCORDING TO A SURVEY PREPARED BY JAMES TERRY & ASSOCIATES, DATED NOVEMBER 6, 2006, JOB NUMBER 2006-064 AND PROCEEDING AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 6TH AVENUE SOUTH AT THE NORTHEASTERLY PROPERTY CORNER OF A TRACT OF LAND CONVEYED TO MICHAEL W. RUTHERFORD ETUX AS OF RECORD IN DEED BOOK 6952, PAGE 26, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE; THENCE,

1. LEAVING SAID WESTERLY RIGHT-OF-WAY LINE AND WITH THE NORTHERLY PROPERTY LINE OF SAID RUTHERFORD, SOUTH 58 DEGREES 54 MINUTES 04 SECONDS WEST, 45.99 FEET TO A POINT ON THE EASTERLY MARGIN OF ALLEY #179; THENCE,

2. WITH SAID EASTERLY MARGIN, NORTH 04 DEGREES 36 MINUTES 30 SECONDS WEST, 103.10 FEET TO A P.K. NAIL (NEW) IN THE WESTERLY RIGHT-OF-WAY LINE OF THE AFOREMENTIONED 6TH AVENUE SOUTH; THENCE,

3. WITH SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 31 DEGREES 05 MINUTES 56 SECONDS EAST, 92.27 FEET TO THE POINT OF BEGINNING AND CONTAINING 2,121 SQUARE FEET OR 0.048 ACRES, MORE OR LESS.

TRACT II

LAND IN THE 19TH COUNCILMANIC DISTRICT OF METROPOLITAN NASHVILLE AND DAVIDSON COUNTY, TENNESSEE, BEING PART OF LOT NO. 339 ON THE PLAN OF EWING. M. WETMORE'S ADDITION TO SOUTH NASHVILLE AS OF RECORD IN BOOK 14, PAGES 202 AND 203, REGISTER'S OFFICE FOR DAVISON COUNTY, TENNESSEE, AND BEING MORE PARTICULARLY DESCRIBED ACCORDING TO A SURVEY PREPARED BY JAMES TERRY & ASSOCIATES, DATED NOVEMBER 7, 2006, JOB NUMBER 2006-064 AND PROCEEDING AS FOLLOWS:

BEGINNING AT AN IRON ROD (OLD) ON THE WESTERLY RIGHT-OF-WAY LINE OF 6TH AVENUE SOUTH AT THE NORTHEASTERLY PROPERTY CORNER OF A TRACT OF LAND CONVEYED TO ED'S SUPPLY CO., INC. AS OF RECORD IN DEED BOOK 8649, PAGE 552, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE; THENCE,

1. LEAVING SAID WESTERLY RIGHT-OF-WAY LINE AND WITH THE NORTHERLY PROPERTY LINE OF ED'S SUPPLY CO., INC. PROPERTY, SOUTH 58 DEGREES 54 MINUTES 04 SECONDS WEST, 62.43 FEET TO AN IRON ROD (NEW) ON THE EASTERLY MARGIN OF ALLEY #179; THENCE,

2. WITH SAID EASTERLY MARGIN, NORTH 04 DEGREES 36 MINUTES 30 SECONDS WEST, 36.87 FEET TO A POINT; THENCE,

3. NORTH 58 DEGREES 54 MINUTES 04 SECONDS EAST, 45.99 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE AFOREMENTIONED 6TH AVENUE SOUTH; THENCE,

4. WITH SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 31 DEGREES 05 MINUTES 56 SECONDS EAST, 33.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,788 SQUARE FEET OR 0.041 ACRES, MORE OR LESS.

TRACTS I AND II BEING the same property conveyed to Michael W. Rutherford and wife, Deborah L. Rutherford, by Deed of record in Book 6952, page 26, Register's Office for Davidson County, Tennessee.

EXHIBIT B

[Permitted Exceptions]

1. Taxes for year 2007 and subsequent years, a lien not yet due and payable.
2. All matters disclosed on that certain Survey dated November 7, 2006 by James Terry & Associates (Job No. 2006-064)