This Instrument Prepared By:
D. Jefferson Herring, Attorney
Suite 200, The Pilcher Building
144 Second Avenue North
Nashville, TN 37201

Davidson County DEEDWARR
Recvd: 03/16/07 13:06 8 pgs
Fees:42.00 Taxes:0.00
20070316-0032440

WARRANTY DEED

Grantor: **Earl E. Scruggs**	
Grantee: **Randy L. Scruggs and Gary E. Scruggs, Trustees of Earl E. Scruggs Trust**	
County: **Davidson, Tennessee**	
Name and Address of New Owner: Randy L. Scruggs and Gary E. Scruggs, Trustees 2828 Azalea Place Nashville, TN 37204	**Send Tax Bills To: Same** **Map and Parcel No. (s):** Parcel 1: 02600006000 02600008100 02600013500 Parcel 2: 04216019200 Parcel 3: 08301022200 Parcel 4: 04216017700 Parcel 5: 13206003800

AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The undersigned hereby states that this Warranty Deed conveys property to a revocable living trust and pursuant to T.C.A. § 67-4-409(a)(3)(F) this conveyance is exempt from transfer tax.

Randy L. Scruggs and Gary E. Scruggs, Trustees of Earl E. Scruggs Trust
Affiant

Subscribed and sworn to before me, this 19TH day of FEBRUARY, 2007.

Notary Public
My commission Expires Sept. 22, 2007.

D. JEFFERSON HERRING STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

affix *seal here*

R E C I T A L S:

WHEREAS, on April 27, 2006, Earl E. Scruggs ("the Grantor") established by agreement a revocable living trust known as the "Earl E. Scruggs Trust;"

WHEREAS, Randy L. Scruggs and Gary E. Scruggs were appointed trustees of such trust (the "Trustees");

WHEREAS, the Grantor owns several parcel of real estate described in the attached Exhibit A (the "Property"); and

WHEREAS, the Grantor intends to convey such real estate to the Trustees to administer as trustees of the Earl E. Scruggs Trust.

NOW, THEREFORE, IN CONSIDERATION of the premises, and for ten dollars ($10.00) cash in hand paid, and for other good and valuable consideration, the receipt of which is hereby acknowledged, **Earl E. Scruggs,** an unmarried person, ("the Grantor") has this day bargained and sold and does hereby transfer and convey the real estate described in the attached Exhibit A unto **Randy L. Scruggs and Gary E. Scruggs, Trustees of the Earl E. Scruggs Trust, established April 27, 2006,** ("the Grantee"), and their successors, personal representatives and assigns.

TO HAVE AND TO HOLD the Property, with the appurtenances, estate, title and interest thereto belonging, to the Grantees, their successors, personal representatives and assigns forever. The Grantor does hereby covenant that he is lawfully seized and possessed of the Property in fee simple, has a good right to convey it, and that the same is unencumbered except for current year metropolitan property taxes, utility easements applicable to the Property, and as may be otherwise disclosed in the attached Exhibit A.

The Grantor further covenants and bind himself, his heirs and personal representatives to warrant and forever defend the title to the Property to the Grantees, their successors, personal representatives and assigns, against the claims of all persons.

IN WITNESS WHEREOF, the Grantor has signed this Warranty Deed on this 19TH day of FEBRUARY, 2007.

Earl E. Scruggs

By: _____
Randy L. Scruggs
Attorney-in-fact for Earl E. Scruggs
Under power of Attorney of record as
Instrument No.
20070316-0032439
Register's Office for Davidson County,
Tennessee

By: _____
Gary E. Scruggs
Attorney-in-fact for Earl E. Scruggs
Under power of Attorney of record as
Instrument No.
20070316-0032439
Register's Office for Davidson County,
Tennessee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, **Randy L. Scruggs** and **Gary E. Scruggs,** the within named bargainors, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that such persons executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 19TH day of FEBRUARY, 2007.

Notary Public

My Commission Expires September 22, 2007.

D. JEFFERSON HERRING
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

EXHIBIT A

Parcel No. 1

Land in the 10th Civil District of Davidson County, Tennessee, in accordance with a survey by Sanford and Associates, Inc., Franklin, Tennessee, dated November 27, 1974, and being more particularly described as follows:

Beginning in the north margin of Gallatin Road at the southeast corner of William G. Wright property and the southeast corner of this property; thence N 13 deg. 39 min. 21 sec. W 2,499.55 feet to Sally V. Butts property; thence N 87 deg. 07 min. 58 sec. E 858.98 feet; thence S 82 deg. 28 min. 22 sec. E 70.08 feet; thence N 50 deg. 36 min. 15 sec. E 38.18 feet to the west margin of Farm Road; thence S 43 deg. 27 min. 32 sec. E. 213.67 feet; thence S 48 deg. 03 min. 46 sec. E 226.47 feet; thence S 34 deg. 46 min. 11 sec. E 134.59 feet; thence S 29 deg. 36 min. 56 sec. E 317.82 feet; thence S 15 deg. 35 min. 29 sec. E 104.55 feet; thence S 23 deg. 23 min. 23 sec. E 274.69 feet; thence S 4 deg. 43 min. 10 sec. E 133.37 feet; thence S 16 deg. 13 min. 25 sec. E 121.10 feet; thence leaving said Farm Road S 77 deg. 24 min. 22 sec. W 907.78 feet; thence N 14 deg. 40 min. 54 sec. W 150.50 feet; thence S 80 deg. 03 min. 37 sec. W 200.84 feet; thence S 12 deg. 11 min. 32 sec. E 1108.52 feet to the north margin of Gallatin Pike; thence along the north margin of Gallatin Pike generally west 211.25 feet to the point of beginning, containing 46.070 acres, more or less.

Included in the above description but excluded from this conveyance are the following tracts of land:

Excluded Tract No. 1. Being a parcel of land in the Second Civil District of Nashville, Davidson County, Tennessee, located on the north margin of U.S. Highway 31E (Gallatin Road) West of Mansker's Creek and being more particularly described according to a survey by Crawford Land Surveyors, P.C., William C. Cockrill, Registered Land Surveyor, Tennessee R.L.S., No. 1401, dated February 29, 1996, and revised March 4, 1996, as follows:

Beginning at an iron pin in the northerly margin of U.S. Highway 31E, said pin being the southwest corner of the herein described tract and being 26.4 feet easterly along said margin from a concrete right-of-way monument; thence, leaving said margin, with the east line of Thomas Diskin, et. ux., of record in Deed Book 5072, page 425, R.O.D.C.T., N 13 deg. 12' 02" W, 925.97 feet to a point in the southerly margin of Hendersonville By-Pass; thence, with said margin and a curve concave to the south having a radius of 5629.58 feet, a central angle of 02 deg. 18' 48" and a chord of N 82 deg. 42' 07" E, 227.27 feet for an arc length of 227.29 feet to a point, said point being 4.76 feet along said margin from a concrete right-of-way monument; thence, leaving said margin, with the west line of W.H. Green, et. ux. of record in Deed Book 3186, page 421, R.O.D.C.T., S 12 deg. 11' 32" E, 930.83 feet to a concrete right-of-way monument in the north margin of U.S. Highway 31E; thence, with said margin S 84 deg. 09' 39" W, 211.43 feet to the point of beginning, containing 202,753 square feet or 4.65 acres, more or less.

Being the same property conveyed to Shurgard-Freeman Franklin Joint Venture, a Tennessee joint venture, from Earl E. Scruggs and wife, Louise Scruggs, by deed of record in Book 9985, page 379, Register's Office for Davidson County.

Excluded Tract No. 2. Beginning at the point of intersection of the north boundary of the Andy and Andrew Barrett property and the east boundary of the W. H. Green property; thence with said east boundary north 13 degrees 57 minutes 22 seconds west 148 feet more or less to a point in the north boundary of the W. H. Green, et ux property; thence with said north boundary south 80 degrees 48 minutes 44 seconds west 200.84 feet to a point in the west boundary of the W. H. Green et ux property; thence with said west boundary south 11 degrees 15 minutes 29 seconds east 168 feet more or less to a point in the proposed south margin of S.R. 386; thence with said proposed margin with a curve left having a radius of 5,629.58 feet westwardly 229.22 feet to a point in the east boundary of the Thomas Francis Diskin property; thence with said east boundary north 11 degrees 43 minutes 29 seconds west 238 feet more or less to a point in the proposed north margin of S.R. 386; thence with said proposed margin along a curve right having a radius of 5,864.58 feet eastwardly 592.89 feet to a point; thence north 88 degrees 17 minutes 24 seconds east 202.35 feet to a point; thence north 88 degrees 37 minutes 31 seconds east 559.765 feet to a point in the west boundary of the existing permanent perpetual easement; thence with said easement south 17 degrees 21 minutes 12 seconds east 44 feet more or less to a point in said north boundary of the Andy and Andrew Barrett property; thence with said north boundary south 78 degrees 05 minutes 39 seconds west 907.78 feet to the point of beginning and containing 4.016 acres and being part of the same property conveyed to Earl E. Scruggs et ux by Mary H. Wright as of record in book 4879, page 855, Register's Office for Davidson County.

Being the same property condemned and taken by the State of Tennessee as described in the Order of the Circuit Court of Davidson County, Tennessee, of record in Book 8211, page 577, Register's Office for Davidson County.

The property is subject to the following easements:

Easement No. 1. Easement for power line granted to Tennessee Electric Power Company by instrument or record in Book 980, page 582, Register's Office for Davidson County, Tennessee, and easement for power and tower lines to T.V.A.

Easement No. 2. A permanent easement and right-of-way for electric power transmission purposes, consisting of the perpetual right to enter and to erect, maintain, repair, rebuild, operate, and patrol two lines of poles or transmission line structures with sufficient wires and cables for electric power circuits and telephone circuits, and all necessary appurtenances, in, on, over, and across said right-of-way, together with the right to clear said right-of-way and keep the same clear of brush, trees, buildings, and fire hazards, to destroy or otherwise dispose of such trees and brush, and to remove, destroy, or otherwise dispose of danger trees, if any, located beyond the limits of said right-of-way, the plaintiff to remain liable for any direct physical damage to the land, crops, fruit trees, fences, and roads resulting directly from the operations of the construction and maintenance forces of plaintiff in and about the erection and maintenance thereof, all upon, under, over, and across the following described land:

(Tract No. GARL-3) A parcel of land located in the Tenth Civil District of Davidson County, State of Tennessee, as shown on a plan and profile map entitled "Gallatin S.P.-West Nashville 161-kV Transmission Line," sheet 7AA, R.2, attached to the declaration of taking filed herein, the said parcel being more particularly described as follows:

Beginning at a point in a fence line, which is Thomas Francis Diskin, et ux.'s east property line, the said point being 50 feet north of and opposite survey station 830+43.6 on the centerline of the transmission line location; thence, with a line 50 feet north of and parallel with the centerline of the location, N. 81° 33' E., 255.5 feet to a point diametrically opposite an angle in the centerline of the location at survey station 832+95.6; thence, N. 89° 27' E., 1,099.3 feet to a point in a fence line, which is the State of Tennessee's west property line; thence leaving the parallel line and with the said property line, S. 14° 39' E., 15.6 feet to a point; thence leaving the said property line and with the original Gallatin Steam Plant-West Nashville Transmission Line north right-of-way line, S. 84° 33' W., 1,341.3 feet to a point in a fence line, which is Thomas Francis Diskin, et ux.'s east property line; thence leaving the said right-of-way line and with Thomas Francis Diskin, et ux.'s east property line, N. 12° 22' W., 96.7 feet, crossing the centerline of the location at survey station 830+47 and at 46.6 feet, to the point of beginning and containing 2.2 acres, more or less.

Being the same easement described in the Judgement of the United States District Court for The Middle District of Tennessee, Nashville Division, of record in Book 7720, page 606, Register's Office for Davidson County, Tennessee, and also described in the Declaration of Taking filed with the United States District Court for The Middle District of Tennessee, Nashville Division, of record in Book 7566, page 346, said Register's Office.

Being a part of the same property conveyed to Earl E. Scruggs and wife, Louise Scruggs, from Mary H. Wright by deed of record in Book 4879, page 855, Register's Office for Davidson County. And Louise Scruggs died on February 2, 2006, and Earl E. Scruggs became the sole owner of the property.

Parcel No. 2

Being Lot No. 10 on the Map of Douglas-Levine's Subdivision at Madison of record in Book 547, Page 44, Register's Office for Davidson County, Tennessee.

Said Lot No. 10 fronts 50 feet on the westerly side of Gallatin Pike and extends back between parallel lines 150 feet to an alley, said lot extending back along the southerly margin of Woodruff Street.

Being the same property conveyed to Earl E. Scruggs and wife, Louise Scruggs, from Robert J. Brewington and wife, Nancy J. Brewington by deed of record in Book 5519, page 589, said Register's Office. And Louise Scruggs died on February 2, 2006, and Earl E. Scruggs became the sole owner of the property.

This is improved property known as 310 A Gallatin Pike, Madison, Tennessee 37115.

Parcel No. 3

Land in Davidson County, Tennessee, being Lot No. 2 on the Plan of Joe Corley Subdivision of record in Book 4060, page 164, a resubdivision of Lot No. 1 on the map of J. G. Grissim's Grand Avenue Addition, as of record in Book 974, page 35, Register's Office for said County, described as follows:

Beginning at a point on the westerly side of Gallatin Road (U.S. 31-E), said point being the common front corner of Lots Nos. 2 and 3; thence along the said margin of said road south 17° 00' west 100 feet to a concrete monument; thence north 82° 52' west 191.10 feet to a point; thence north 16° 51' east 100 feet to a point, said point being the common rear corners of Lots 2 and 3; thence along the dividing line between said lots, south 82° 51' east 191.35 feet to a point in the westerly margin of Gallatin Road (U.S. 31-E) the point of beginning.

Being the same property conveyed to Earl E. Scruggs and wife, Louise C. Scruggs, from William H. Howell, Trustee, by deed or record in Book 4564, page 119, Register's Office for Davidson County. And Louise C. Scruggs died on February 2, 2006, and Earl E. Scruggs became the sole owner of the property.

This is improved property known as 926 Gallatin Avenue, Nashville, Tennessee 37206.

Parcel No. 4

Land in Davidson County, Tennessee, described as follows:

Being the southerly 50 feet of the northerly 100 feet of Lots Nos. 17 and 18 on the Plan of Douglas-Levine Subdivision, in Madison, Tennessee, as of record in Book 547, page 44, Register's Office for Davidson County, Tennessee.

Said part of said Lots Nos. 17 and 18 fronts 50 feet on the easterly side of Douglas Street, and runs back between parallel lines 180 feet to the westerly line of Lot No. 16.

Being the same property conveyed to Earl E. Scruggs and wife, Louise Scruggs, from Pallie Pauline Patton and Callie Maurine Patton, by deed of record in Book 4840, page 789, Register's Office for Davidson County. And Louise Scruggs died on February 2, 2006, and Earl E. Scruggs became the sole owner of the property.

Included in the above description but excluded from this conveyance is a portion of the above described property being particularly described as follows: Being a part of Lots 17-18 of the Plat of the Douglas Levine Subdivision, of record in Book 547, page 44, described as follows: Beginning at the point of intersection of the east margin of Douglas Street and the south boundary of the C. L. Douglas property, thence along the said south boundary south 78 degrees 56 minutes east 30.0 feet to a point; thence south 10 degrees 57 minutes 35 seconds west 50.0 feet to a point, thence north 78 degrees 56 minutes west 30.0 feet to a point in the said east boundary, thence along the said easy boundary northwardly 50.0 feet to the point of beginning and containing 1500 square feet.

Being the same property conveyed to Metropolitan Government of Nashville and Davidson County by deed from Pallie Pauline Patton and Callie Maurine Patton, of record in Book 4834, page 155, Register's Office for Davidson County.

This is improved property known as 405 Douglas Street, Madison, Tennessee 37115.

Parcel No. 5

Land in Davidson County, Tennessee, described according to a mortgage loan inspection by John Kohl, dated April 14, 1992, as follows:

Beginning at a point in the west line of Franklin Road, said point being 2.753 feet South of the centerline of Caldwell Lane; thence, South 8 deg. East 399.93 feet to a point; thence South 82 deg. West 872.5 feet to a point; thence, North 8 deg. west 400 feet to a point; thence, North 82 deg. East 875 feet to the point of beginning.

This property is subject to all matters set forth in the Plan of record in Plat Book 974, pages 52-53, Register's Office for Davidson County, including any and all setback lines, easements, notes, restrictions, etc., as may be shown thereon.

Being the same property conveyed to Earl E. Scruggs and Louse Scruggs, from Lewis I. Rashmir and wife, Marilyn J. Rashmir, by deed of record in Book 11368, page 226, Register's Office for Davidson County, Tennessee. And Louise Scruggs died on February 2, 2006, and Earl E. Scruggs became the sole owner of the property.

This is improved property known as 4121 Franklin Pike, Nashville, Tennessee 37204.

The legal descriptions in this deed were taken from the deeds by which the Property was conveyed to the Grantor. The Property was not surveyed at the time of this conveyance and no title search was performed.

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