This instrument prepared by J. Stephen Broadway, Attorney at Law
310 East Market Street, Fayetteville, Tennessee 37334

MERLEAN SLOAN DOWNING ---DEED TO---JAMES AUSTIN DOWNING ET AL

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 ($10.00) DOLLARS, this day cash in hand paid to me the undersigned, Merlean Sloan Downing, acting through James Downing, as her attorney in fact, by James Austin Downing, a single person and Beverly Downing Towry, a single person, receipt of which is hereby acknowledged, I, the said Merlean Sloan Downing, a single person have this day bargained and sold and do hereby transfer and convey unto the said James Austin Downing and Beverly Downing Towry, as joint tenants with the express right of survivorship, survivor taking, the following described tract or parcel of land lying and situated in Davidson County, Tennessee, bounded and described as follows:

> Land in Davidson County, Tennessee, being part of an unnumbered tract as shown on the Plat of S.A. Epperson's Subdivision, of record in Book 161, page 72, Register's Office for said county, and more particularly described as follows:
>
> **BEGINNING** on the westerly margin of Lischey Avenue, or North Fourth Street, 159-1/2 feet Southerly from the southerly margin of Taylor and Cleveland Street; thence southerly with the westerly margin of said Avenue 59-1/2 feet; thence at right angles Westerly 188 feet, more or less, to the easterly margin of an alley; thence with said alley northerly 59-1/2 feet; thence Easterly 188 feet, more or less, to the beginning.
>
> And being the same real estate conveyed unto James Laughton Downing and wife, Merlean Sloan Downing by quitclaim deed of Beverly Ann Downing Towry and husband, John Thomas Towry of record in the Register's Office of Davidson County, Tennessee in Record Book 5491, page 410, to which reference is here had for particulars. The said James Laughton Downing is now deceased and Merlean Sloan Downing acquired all right, title, claim and interest in said real estate as surviving tenant.

TO HAVE AND TO HOLD said above described real estate unto the said James Austin Downing, a single person and Beverly Downing Towry, a single person as joint tenants, with the express right of survivorship, survivor taking, and unto their heirs and assigns, forever. The Grantees acknowledge that T.C.A. 66-1-107 specifically abolishes survivorship in joint tenancy. Under the authority of Tennessee case law which interprets this section as not prohibiting the creation of estates of survivorship, the parties expressly intend under this instrument that the said code section be inapplicable and that an estate of survivorship be created.

This instrument prepared on the basis of information furnished by the parties

This instrument prepared by J. Stephen Broadway, but no title search made nor requested

J. STEPHEN BROADWAY
Attorney at Law
310 East Market Street
Fayetteville, Tennessee 37334
(931) 433-5979

Davidson County DEEDWARR
Recvd: 08/22/07 13:00 3 pgs
Fees:18.00 Taxes:220.89
20070822-0100428

The parties freely signing this instrument acknowledge that the tenancy in common normally created is not created so that the right of survivorship attaches to the tenancy created hereunder, that being the expressed intention and agreement of the parties. The parties intend that upon the death of either co-tenant that the property pass to the survivor.

GRANTOR COVENANTS with Grantees that she is lawfully seized and possessed of said described real estate, that she has a good and perfect right to sell and convey the same and that the same is free, clear and unencumbered, save and except for a lien for the 2007 real estate taxes.

GRANTOR FURTHER COVENANTS with Grantee and hereby bind herself, her heirs and personal representatives to warrant and forever defend the title to the real estate herein conveyed against the lawful claims and demands of all persons, save and except for said taxes.

The power of attorney under which James Downing acts for and on behalf of Merlean Sloan Downing is recorded in the Register's Office of Davidson County, Tennessee as Document Number 20070810-0096009, to which reference is here had for particulars.

In testimony of all which I have hereunto set my hand, this the 21 day of August, 2007.

Merlean Sloan Downing

By: _____
James Downing, Attorney in Fact
as recorded aforesaid

STATE OF TENNESSEE
COUNTY OF DAVIDSON

James Downing, being first duly sworn, makes oath in accordance with T.C.A. Section 34-6-105(c), that he did not have at the time of the exercise of the powers of attorney actual knowledge of the termination of the power by revocation or of the principal's death.

This the 21 day of August, 2007.

_____
James Downing

SWORN to and subscribed before me this the 21 day of August, 2007.

_____
Notary Public

My Commission Expires: 09/25/2010

LLOYD R. DALTON
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said State and County, the within named bargainor, James Downing, attorney in fact for Merlean Sloan Downing, to me known to be the person who executed the foregoing instrument on behalf of Merlean Sloan Downing, and who acknowledged that he executed the same as the free act and deed of Merlean Sloan Downing.

Witness my hand and official seal at NASHVILLE, Tennessee, this the 21 day of August, 2007.

LLOYD B. DALTON STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Notary Public

My commission expires: 10/25/2010

MAP & PARCEL ID#
082 07 0 115.00

Name and address of property owner:

James Austin Downing et al
1002 W. CLARK BLVD.
MURFREESBORO, TN 37129

Name and address of person responsible for real estate taxes:

SAME

I or we hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater is $ 59,700.00, which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

James A Downing
Affiant

Sworn to and subscribed before me on this the 21 day of August, 2007.

LLOYD B. DALTON STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Notary Public

My commission expires: 10/25/2010