Davidson County DEEDQC
Recvd: 08/15/08 10:45 6 pgs
Fees:32.00 Taxes:0.00
20080815-0084006

THIS INSTRUMENT PREPARED BY: **JACK W. ROBINSON, SR.** **GULLETT, SANFORD, ROBINSON & MARTIN, PLLC** **315 Deaderick Street, Suite 1100** **P. O. Box 198888** **Nashville, Tennessee 37219-8888** **(615) 244-4994**	**STATE OF TENNESSEE)** **COUNTY OF DAVIDSON)** **The actual consideration for this transfer is $0.00.** **AFFIANT** **Subscribed and sworn to before me this 6th day of August, 2008.** **Notary Public** **My Commission Expires: 1/24/2009** **This transfer is exempt from real estate transfer tax pursuant to Tennessee Code Annotated Section 67-4-409(a)(3)(D).**

Address New Owner As Follows:	**Send Tax Bills To:**	**Map/Parcel Numbers:**
Cumberland Trust & Investment Company, LLC Successor Trustee of Jesse L. Talley 2001 Trust Suite 120, Woodmont Centre 104 Woodmont Boulevard Nashville, TN 37205	Same	11806009500 13201003600

EXECUTRIX'S QUITCLAIM DEED

KNOW ALL PERSONS by these presents that **LISA T. WHEELER**, the duly-appointed Executrix of the **ESTATE OF M. CARL TALLEY,** deceased (the "Decedent"), who died on July

9, 2007, and whose estate is being duly administered in the Seventh Circuit Court of Davidson County, Tennessee (Probate Division), as Case No. 07P-1208, for and in consideration of the sum of Ten and no/100 Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, and in connection with the distribution of the estate of the decedent pursuant to the decedent's last will and testament dated January 23, 2001, and Codicil No. 1 dated June 25, 2007, which were duly admitted to probate and are of record at the Probate Court Clerk's Office of Davidson County, Tennessee, hereby releases, remises and quitclaims unto **CUMBERLAND TRUST & INVESTMENT COMPANY, LLC, Successor Trustee of the JESSE L. TALLEY 2001 TRUST,** all of the right, title, and interest of the decedent and the decedent's estate in and to a certain improved tracts or parcels of land in Nashville, Davidson County, Tennessee, which is described in the Exhibit A attached hereto and incorporated herein by reference.

Said **CUMBERLAND TRUST & INVESTMENT COMPANY, LLC** is the successor Trustee to **LISA T. WHEELER** who resigned after serving as the original Trustee, as reflected in Exhibit B attached hereto.

The Decedent was also known as Melvin Carl Talley and also as Carl Talley.

Said properties are quitclaimed subject to such limitations, restrictions and encumbrances as may affect the premises.

WITNESS my hand this 9th day of August, 2008.

Lisa T. Wheeler, Executrix,
Estate of M. Carl Talley

351404.1/2007888

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **LISA T. WHEELER,** Executrix, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 6th day of August, 2008.

Linda H. Robertson
Notary Public

LINDA H. ROBERTSON
NOTARY PUBLIC
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY

My Commission Expires: 1/24/2009

351404.1/2007888

EXHIBIT A

Strip Center

This is improved property located at 2699 Franklin Pike, Nashville, Tennessee 37204.

A 92.5 percent undivided interest in land in the 17th District of Davidson County, Tennessee, located at the southwest quadrant of the intersection of Franklin Pike and Gale Lane; bordered on the north and west by Gale Lane and property conveyed to M. Carl Talley by Instrument No.20020502-0054432, on the east by Franklin Pike and on the south by property conveyed to M. Carl Talley, Lisa T. Wheeler and Lisa T. Wheeler, as Trustee, recorded at Instrument No. 20020502-0054433, Register's Office for Davidson County, Tennessee, described as follows:

Beginning at an iron pin at the intersection of the west right-of-way line of Franklin Pike and the east right-of-way line of Gale Lane; thence with the west right-of-way line of Gale Lane, South 14 deg. 47 min. 00 sec. East, 330.20 feet to an iron pin corner common with Third National Bank, Trustee in the west right-of-way line of Franklin Pike; thence with Third National Bank, Trustee, South 73 deg. 36 min. 30 sec. West, 205.03 feet to an iron pin; thence south 21 deg. 05 min. 34 sec. West 24.73 feet to an iron pin; thence South 78 deg. 16 min. 01 sec. West, 89.25 feet to an iron pin corner common with Third National Bank, Trustee, in the east right-of-way line of Gale Lane; thence with the east right-of-way line of Gale Lane, North 21 deg. 05 min. 34 sec. East, 129.58 feet to an iron pin; thence on a curve to the right, the radius of which is 1298.57 feet, the central angle of which is 14 deg. 59 min. 23 sec., the chord of which is North 28 deg. 35 min. 15 sec. East, 338.76 feet, along the curve distance of 339.73 feet to the point of beginning, containing 55,975 square feet (1.285 acres, more or less) according to survey dated March 12, 1987, by Jerry Morrow, Registered Land Surveyor, Tennessee License No. 777.

Being the same property conveyed to M. Carl Talley by deed from C & T Investments/Gale Parcel #1, of record as Instrument No. 20021018-0128357, Register's Office for Davidson County, Tennessee. M. Carl Talley having since died and, by his last will and testament, the property was devised to the Grantee/Trustee herein. (The other 13 percent of the aforesaid property has been conveyed to the Trustee of the Lisa T. Wheeler Non-Exempt Trust U/W M. Carl Talley.)

Residential Property

This is improved property known as 4020 Lealand Lane, Nashville, Tennessee 37204.

An undivided one-third interest in land in Davidson County, Tennessee, being Lot No. 187 on the Map of Rolling Meadows, as of record in Book 1424, pages 98 and 99, Register's Office for said county, as follows:

Said Lot No. 187 fronts 115 feet on the easterly side of Lealand Lane and runs back 299.8 feet on the northerly line and 302.1 feet on the southerly line, to a dead line in the rear on which it measures 115 feet.

Being the same property conveyed to Carl Talley and wife, Mary Elizabeth C. Talley, by warranty deed from Roy S. Nicks, Administrator of the Estate of Lowell Douglas Nicks, deceased, and W. H. Nicks, R. D. Nicks, W. E. Nicks, and Mrs. Hubert Wells, of record in Book 3808, page 896, said Register's Office. Mary Elizabeth C. Talley died in January, 1987; and Carl Talley having subsequently died and, by his last will and testament filed as aforesaid, the property was devised to the Grantee/Trustee herein. (Another one-third interest was devised to the Trustee of the Jesse L. Talley 2001 Trust, and the remaining one-third interest was devised to the Trustee of the Lisa T. Wheeler Non-Exempt Trust U/W M. Carl Talley).

The descriptions are the same as contained in previous deeds of record.

EXHIBIT B

JESSE L. TALLEY 2001 TRUST

DATED: JUNE 7, 2001

FEIN NO.: _____

RESIGNATION OF TRUSTEE
AND APPOINTMENT OF SUCCESSOR TRUSTEE

I, Lisa T. Wheeler, pursuant to Article III, Section H of a certain Irrevocable Trust Agreement for Jesse L. Talley executed on June 7, 2001 and establishing the Jesse L. Talley 2001 Trust (the "Trust"), hereby resign as trustee of the Trust and hereby appoint Cumberland Trust and Investment Company, Nashville, Tennessee, as successor trustee of the Trust.

This 21 day of May, 2008.

Lisa T. Wheeler, Resigning Trustee

ACCEPTANCE OF TRUSTEESHIP
BY SUCCESSOR TRUSTEE

Cumberland Trust and Investment Company, Nashville, Tennessee, by and through its authorized representative, hereby accepts its appointment as successor trustee of the Jesse L. Talley 2001 Trust.

This 21 day of May, 2008.

CUMBERLAND TRUST AND INVESTMENT COMPANY, NASHVILLE, TENNESSEE

By:

Signature of Authorized Representative

Joseph R. Greenberg

Print Name of Authorized Representative

President / CEO

Title