Davidson County DEEDWARR
Recvd: 11/03/08 16:11 5 pgs
Fees:28.00 Taxes:1295.00
20081103-0109432

THIS INSTRUMENT PREPARED BY AND WHEN RECORDED, RETURN TO:
John L. Van Cleave, Esq.
Watkins & McNeilly, PLLC
214 2nd Avenue, North, Suite 300
Nashville, TN 37201-1638

SPECIAL WARRANTY DEED

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
MARSHALL I. KARR, TRUSTEE 5633 Charlotte Avenue, Suite 201 Nashville, TN 37209	Same	Map & Par Nos: 92-12-23.00 92-12-24.00

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $350,000.00.

Affiant

SUBSCRIBED AND SWORN to before me this 31st day of October 2008.

Notary Public
My Commission Expires: 5/2/2011

JULIE M. BROWN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires MAY 2, 2011

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, FFH PROPERTIES, a Tennessee general partnership, hereinafter "Grantor", has this day bargained and sold and does hereby transfer and convey unto MARSHALL I. KARR, Trustee under Trust Declaration and Agreement dated October 31, 2008, as heretofore or hereafter amended, his successors and assigns, hereinafter "Grantee", with full power to sell, transfer, convey, mortgage or encumber in any manner whatsoever, all without joinder of any other party, those certain tracts or parcels of improved real estate located in Davidson County, Tennessee, more particularly described in Exhibit "A" attached hereto and incorporated herein by reference ("the Property").

This conveyance and all covenants and warranties contained herein are made expressly subject to the permitted encumbrances listed on Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, his successors and assigns forever. Grantor covenants that except as may be provided in Exhibit "A" hereto the property is free from all encumbrances made or suffered by Grantor and Grantor has not made, done, executed, allowed or suffered any act, instrument or thing whatsoever whereby said Property, or any part thereof, now or at any time hereafter shall be charged or encumbered in any manner whatsoever.

Grantor further covenants and binds itself, its successors and assigns, to warrant and forever defend the title to said real estate to said Grantee, his successors and assigns, against the lawful claims of all persons, claiming by, through or under Grantor.

IN WITNESS WHEREOF, the Grantor has caused this Special Warranty Deed to be executed this 3rd day of November, 2008, the corporate party, if any, having caused its name to be signed hereto by its duly authorized officer on said day and date.

FFH PROPERTIES

By: _____
Robert Frost, General Partner

STATE OF OHIO)
COUNTY OF CUYAHOGA)

Before me, LOUISE M. MAKI, of the State and County aforesaid, personally appeared ROBERT FROST, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be a general partner of FFH PROPERTIES, the within named bargainor, a general partnership, and that he as such general partner executed the foregoing instrument for the purposes therein contained, by signing the name of the partnership by himself as general partner.

WITNESS my hand and seal, in Berea, Ohio, this 30 day of October, 2008.

_____
NOTARY PUBLIC

My Commission Expires:

_____

LOUISE M. MAKI, NOTARY PUBLIC
STATE OF OHIO
MY COMMISSION EXPIRES MAY 28, 2011

EXHIBIT "A"

Legal Description

Tract 1

TAX MAP 092 – 12 – 1, PARCEL 024

All that certain parcel of Land in the First Civil District of Nashville, Davidson County, Tennessee being a portion of Lot 5, John R. Hudson's - Addition to Nashville subdivision plat, as recorded in the Register's Office in Nashville, TN in Plat Book 21 – Page 136 bounded on the South by the northerly margin of Charlotte Avenue, bounded on the west by Lot 6 other lands of FFH Properties, a Tennessee Partnership, on the North by a 20' wide un-named public alley as shown on aforesaid subdivision plat, and on the east by Fisk Street, a 50' wide public street and being more particularly described as follows, to wit:

BEGINNING at an iron pin capped 2230 set at the back of the existing concrete side walk and in the northern right-of-way line of Charlotte Avenue, having a width of 92 feet, said iron pin being 82' westerly from the centerline of Fisk Street and a corner common to Lot 6; thence,

Along said Lot 6, North 27 degrees 00 minutes 20 seconds West, 127.56 feet to an iron pin capped 2230 in the southern right-of-way line of an un-named alley, being 20' in width; thence,

Along said southern right-of-way line of said alley, North 64 degrees 49 minutes 06 seconds East, 57.04 feet to an iron pin capped 2230 set in the western right-of-way line of Fisk Street, having a width of 50 feet; thence,

Along said western right-of-way line of Fisk Street, South 27 degrees 00 minutes 20 seconds East, 112.06 feet to an iron pin capped 2230 set at the point of curvature for the street return curve at the intersection of the western right-of-way line of Fisk Street and the northern right-of-way line of Charlotte Avenue; thence,

Along said street return curve, along a curve having a radius of 15.00 feet, an arc length of 23.56 feet (chord bearing & distance – South 19 degrees 19 minutes 10 seconds West, 21.21 feet) to an iron pin set in the northern right-of-way line of Charlotte Avenue; thence,

Along said northern right-of-way line of Charlotte Avenue South 64 degrees 19 minutes 10 seconds West, 41.67 feet to the POINT AND PLACE OF BEGINNING.

CONTAINING: 7,206 square feet – 0.17 acres more or less.

The above description is per survey by LTT Land Surveying, LLC dated 10-27-08.

Being a portion of the property conveyed to FFH Properties, a Tennessee general partnership composed of Robert E. Hoehn, Robert Frost and Gerald G. Forstner, Jr. by deed of record in Book 7281, page 984, Register's Office for Davidson County, Tennessee.

Tract 2

TAX MAP 092 – 12 – 1, PARCEL 023

All that certain parcel of Land in the First Civil District of Nashville, Davidson County, Tennessee being a portion of Lot 6, John R. Hudson's - Addition to Nashville subdivision plat, as recorded in the Register's Office in Nashville, TN in Plat Book 21 – Page 136 bounded on the South by the northerly margin of Charlotte Avenue, bounded on the west by Lot 7 lands of Marshall Karr, on the North by a 20' wide un-named public alley as shown on aforesaid subdivision plat, and on the east by Lot 5 other lands of FHH Properties, a Tennessee Partnership, and being more particularly described as follows, to wit:

BEGINNING at an iron pin capped 2230 set at the back of the existing concrete side walk and in the northern right-of-way line of Charlotte Avenue, having a width of 92 feet, said iron pin being 82' westerly from the centerline of Fisk Street and a corner common to Lot 6; thence,

Along said Northern right-of-way line of Charlotte Avenue South 64 degrees 19 minutes 10 seconds West, 50.01 feet to a point inside the existing building on Lot 7, said point bears North 27 degrees 00 minutes 20 seconds West, 0.20 feet from a mag-nail reference point set in the concrete sidewalk adjacent to said building; thence,

Along said Lot 7 North 27 degrees 00 minutes 20 seconds West, 128.00 feet to a mag-nail set in a parking lot pavement and in the southern right-of-way line of an un-named alley, being 20' in width; thence,

Along said southern right-of-way line of said alley, North 64 degrees 49 minutes 06 seconds East, 50.03 feet to an iron pin capped 2230 set, said iron pin being a corner common to Lot 5; thence,

Along said Lot 5 South 27 degrees 00 minutes 20 seconds East, 127. 56 feet to the POINT AND PLACE OF BEGINNING.

CONTAINING: 6,389 square feet – 0.15 acres more or less.

The above description is per survey by LTT Land Surveying, LLC dated 10-27-08.

Being a portion of the property conveyed to FFH Properties, a Tennessee general partnership composed of Robert E. Hoehn, Robert Frost and Gerald G. Forstner, Jr. by deed of record in Book 10999, page 341, Register's Office for Davidson County, Tennessee.

Exceptions to Title

The foregoing property is conveyed subject to the following permitted exceptions:

1. Taxes and assessments for the year 2008 and subsequent years.

2. All matters shown on plat of record in Plat Book 21, page 136, Register's Office for Davidson County, Tennessee.

3. All matters shown on ALTA/ASCM survey dated October 29, 2008 prepared by LTT Land Surveying, LLC.

4. All matters contained in that certain Lease Agreement as Amended and Restated by and between FFH Properties and Quaker State Minit-Lube, Inc./QLube, Inc. as evidenced by that certain Memorandum of Lease Agreement of record in Book 7716, page 642, and Amended and Restated Memorandum of Lease of record in Book 11693, page 568, Register's Office for Davidson County, Tennessee.

5. All matters contained in that certain Sublease by and between QLube, Inc. and Tennessee Lubes One, LLC as evidenced by that certain Memorandum of Sublease of record in Book 11527, page 190, Register's Office for Davidson County, Tennessee.

6. All matters contained in that certain lease agreement dated March 15, 2004 between FFH Properties and Marshall I. Karr, as amended.