THIS INSTRUMENT PREPARED BY: **Hugh W. Entrekin** **TUNE, ENTREKIN & WHITE, P.C.** Suite 1700, Regions Center 315 Deaderick Street Nashville, Tennessee 37238 (615) 244-2770	STATE OF TENNESSEE) COUNTY OF DAVIDSON) The actual consideration for this transfer is $0.00 AFFIANT Subscribed and sworn to before me, this 13th day of August, 2009. NOTARY PUBLIC My Commission Expires:

ERICA MARTINEZ
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires JULY 3, 2012

Address New Owners as Follows:	**Send Tax Bills To:**	**Map-Parcel Number:**
Irvin Douglass Abernathy William Dale Abernathy 112 General Forrest Ct. Smyrna, TN 37167	Same	Map 131-1 Parcel 68

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of One Dollar ($1.00), cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, **Irvin Douglass Abernathy and William Dale Abernathy** hereinafter collectively called Grantor, by these presents does transfer, quitclaim and convey unto Irvin Douglass Abernathy and William Dale Abernathy as tenants in common, (hereinafter collectively called Grantee, Grantee's heirs, representative and assigns, in certain real property lying and being situated in the County of Davidson, State of Tennessee, being more particularly described as follows:

Land in Davidson County, Tennessee, being Lot No. 19 on the Map of B. N. Stammer Subdivision, as of record in Book 1424, page 23, Register's Office for said County. Said Lot No. 19 fronts 100 feet on the north side of Castleman Drive and runs back between parallel lines 250 feet to a dead line

Being the same property conveyed to William L. Abernathy and wife Sammie Abernathy by deed from William L. Abernathy of record in book 4756, Page 18,

BILL GARRETT, Davidson County
Trans:T20090057558 DEEDQC
Recvd: 08/24/09 08:33 14 pgs
Fees:72.00 Taxes:0.00
20090824-0079100

Register's Office for Davidson County, Tennessee. The said William L. Abernathy having since died on February 1, 1990 such that title to the subject property then passed to his surviving spouse Sammie Abernathy. Sammie Abernathy having died on October 18, 2008 leaving the subject property to her sons **Irvin Douglass Abernathy and William Dale Abernathy** per the will attached hereto as Exhibit A and affidavit of heirship attached hereto as Exhibit B.

This is improved property known as 2216 Castleman Drive, Nashville, TN 37215.

The purpose of this deed is to establish of record the ownership of the subject property in **Irvin Douglass Abernathy and William Dale Abernathy.**

IN WITNESS WHEREOF, this Quitclaim Deed has been executed on this the 13th day of August, 2009.

Irvin Douglass Abernathy

William Dale Abernathy

STATE OF TENNESSEE)
COUNTY OF Rutherford)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **Irvin Douglass Abernathy,** the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Smyrna, Tennessee, on this 13 day of August, 2009.

NOTARY PUBLIC

My commission expires: 11/20/11

JULIE A. MARKUS
STATE OF TENNESSEE NOTARY PUBLIC
RUTHERFORD COUNTY

STATE OF TENNESSEE)
COUNTY OF Rutherford)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **William Dale Abernathy,** the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Smyrna, Tennessee, on this 13 day of August, 2009.

NOTARY PUBLIC

My commission expires: 11/20/11

JULIE A. MARKUS
STATE OF TENNESSEE NOTARY PUBLIC
RUTHERFORD COUNTY

Exhibit A

LAST WILL AND TESTAMENT

OF

SAMMIE W. ABERNATHY

ARTICLE I: OVERTURE

Name, Residence, Family. I, Sammie W. Abernathy, a resident of Davidson County, Tennessee, declare this to be my Will, and I revoke any and all wills and codicils previously made by me.

I have two children, Irvin Douglas and William Dale Abernathy. Whenever I use the term "child," "children," "child of mine," "children of mine", or phrases having similar meaning, I am referring to these children.

ARTICLE II: APPOINTMENT OF FIDUCIARIES

Executor. I appoint Irvin Douglas Abernathy and William Dale Abernathy as the Co-Executors (sometimes hereinafter referred to as "Executor") of my estate, to serve without bond. If either of my original named Co-Executors is unwilling or unable to serve, the remaining named Executor may serve alone, also without bond.

Should it become necessary, I authorize my Executor to nominate an individual or corporation which may serve as Executor under Tennessee Code Annotated, Section 35-50-107(a), to serve as a Co-Executor of my estate; and should an ancillary administration of my estate be necessary, I authorize my

SWA

Executor to appoint an ancillary administrator. Any Co-Executor or ancillary administrator appointed by any named Executor shall be vested with all of the powers granted to my fiduciaries in my Will and shall also serve without bond, unless any named Executor should determine bond to be desirable.

ARTICLE III: SPECIFIC BEQUESTS

Personal Effects. I will, devise and bequeath to my daughters-in-law, Jo Ellen Abernathy and Sandra Jean Abernathy, all of my jewelry and antiques, and it is my desire that the said jewelry and antiques be divided equally. In case my daughters-in-law cannot agree on a division of this property in kind, then I direct that the said property be sold and the proceeds realized therefrom be divided equally between them.

I give all of the remainder of my personal and household effects, including automobiles, furniture, clothing, and similar personal effects, together with all policies of insurance on such effects to my two sons, Irvin Douglas Abernathy and William Dale Abernathy in equal shares as they shall agree. However, in the event my children are unable to agree on a division of such effects, then I direct that the said property be sold and the proceeds realized therefrom be divided equally between them.

The reasonable cost of packing, shipping and storing all of my personal and household effects shall be charged against my estate as an expense of administration.

ARTICLE IV: DISPOSITION OF RESIDUARY ESTATE

I give the entire residue of my estate, including property of every kind which I may own or have an interest in at the time of my death, real, personal, or mixed and wherever situated, including the proceeds of any policies of insurance on my life which may be payable to my estate, as reduced by my debts,

SWA

funeral expenses, administration expenses, taxes chargeable against my residuary estate, and any other charges against the principal of my estate, to my children in equal shares, with the share of any deceased child of mine to be distributed among his or her living issue, per stirpes. If any child of mine is deceased without living issue, his or her share shall be distributed pro rata among my remaining children, with the share of any other deceased child of mine to be distributed among his or her living issue, per stirpes.

ARTICLE V: GENERAL WILL PROVISIONS

Qualified Disclaimer. Any person entitled to receive property under the terms of my Will may disclaim all or any portion of the property otherwise passing to him or her by complying with the statutory requirements of Section 2518 of the Code, and the federal regulations thereunder, and Tennessee Code Annotated, Section 31-1-103, as these statutory provisions presently exist or may subsequently be amended. Unless otherwise provided in my Will, such disclaimed property shall be distributed pursuant to the terms of my Will as if the disclaiming person had predeceased me.

ARTICLE VI: PAYMENT OF DEBTS, EXPENSES AND TAXES

Payment of Debts and Expenses. I authorize my Executor to pay my debts, funeral expenses and the expenses incurred in the administration of my estate. I specifically do not charge the proceeds of any insurance policies on my life with the payment of any of my debts, funeral expenses, or the expenses incurred in the administration of my estate. However, my Executor is authorized, in its sole discretion, to apply the proceeds from any insurance policies on my life which are payable to my estate in paying these expenses.

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Payment of Death Taxes. All transfer, estate, inheritance, succession and other death taxes, and any interest or penalties thereon, which shall become payable by reason of my death, shall be paid out of my residuary estate without apportionment, whether such taxes are payable with respect to property passing under my Will or outside of my Will, exclusive of any tax on excess retirement accumulations imposed under Section 4980A of the Code, or any corresponding provision of state law; and exclusive of any tax imposed as a result of Section 2036, 2041, or 2044, or Chapter 13 or 14 of the Code, or a corresponding provision of state law. Any tax on excess retirement accumulations under Section 4980A(d) of the Code shall be apportioned to or among the beneficiary or beneficiaries entitled to receive such property, in proportion to the value of their interests therein.

ARTICLE VII: GENERAL FIDUCIARY POWERS

Authorization of Executor. Without diminishing or restricting the powers vested by law or elsewhere in my Will, and subject to all of the provisions of my Will, I authorize and empower my Executor, without having to obtain any judicial authorization or approval, and in the application of its best judgment and discretion on behalf of the beneficiaries of my Will, to exercise all or any of the following powers:

1. Incorporation of State Law Powers. Pursuant to Tennessee Code Annotated, Section 35-50-109, I authorize my Executor to exercise the powers specifically enumerated in Tennessee Code Annotated, Section 35-50-110, including the introductory paragraph thereof and all subparagraphs thereof to the extent applicable. These powers, as set out in this statute on the date of the execution of my Will, are granted and incorporated by reference, notwithstanding that this statute may have been amended or repealed at the time of my death.

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2. Power to Allocate Assets. My Executor shall, in its sole discretion, make reasonable allocations of the property comprising my estate without being required to apportion each individual asset in satisfying any bequest made herein, in allocating the residue of my estate as herein directed, in funding any trust created herein, or in dividing any trust into shares.

3. Distributions to Incapacitated Beneficiaries. If, pursuant to my Will, any property shall be payable outright to a person who is a minor, or is under any other legal, mental, or physical disability (hereinafter referred to as an "incapacitated beneficiary"), my Executor shall have the power, exercisable in its absolute discretion and without court approval, either to defer payment of such property, or to pay such property, in whole or in part, to an incapacitated beneficiary, to a parent, guardian, or conservator of an incapacitated beneficiary, to a custodian for an incapacitated beneficiary under a Transfers or Gifts to Minors Act, or to any adult with whom an incapacitated beneficiary may reside. The recipient of such property shall not be required to furnish bond or file any accountings with respect to such property, unless my fiduciaries should direct otherwise; and the receipt of such property by the recipient shall discharge my fiduciaries from any further responsibility or liability with respect to such property. If my Executor shall elect to defer payment of any such property, I authorize my Executor to hold such property as a trustee for the benefit of an incapacitated beneficiary, with all the powers given to my Executor in this Will and by law, and to pay or apply so much, all, or none of the income and principal of such property for the benefit of an incapacitated beneficiary as my Executor shall deem advisable for his or her support in reasonable comfort, and his or her health, maintenance and education, whether public, private, or special. When an incapacitated beneficiary attains capacity, whether legal, mental, or physical, the balance of such property then remaining shall be distributed to him or her. If an incapacitated beneficiary should die before attaining capacity, the balance of such property remaining at his or her death shall be distributed to his or her estate.

SWA

4. Tax Elections and Consents. In addition to all other powers, and notwithstanding any other provision of my Will, my Executor shall have full discretion to claim the deductions allowable to my estate for debts, expenses, taxes, claims and losses, either for federal income tax or estate tax purposes, in such manner as my Executor shall deem advisable, in order to minimize the total state and federal income and death taxes payable by my estate or as a result of my death. Such allocation may be made regardless of whether its effect is to favor one beneficiary or class of beneficiaries over another, or whether such expenses shall be charged to income or principal for distribution purposes. In addition, my Executor shall also be authorized, in its sole and absolute discretion, to consent to or oppose, as a shareholder, any election by any corporation pursuant to the provisions of any federal or state tax statutes or regulations.

5. Generation-Skipping Tax Elections. My Executor shall also be authorized, in its sole discretion and without court approval, to allocate any federal exemptions from the federal generation-skipping transfer tax to any property with respect to which I am the transferor for purposes of this tax, regardless of whether such property is included in my probate estate, or to exclude any such property from such allocation.

6. Fiduciary Compensation. Compensation for services rendered by any corporate Executor shall be paid in accordance with that Executor's customary charges for such services at the time the services are rendered. Any individual Executor shall be entitled to receive reasonable compensation for services rendered under the terms of my Will.

7. Employment of Agents. My Executor shall be specifically authorized, in its sole discretion, to employ and to pay the compensation of such agents, accountants, custodians, experts and counsel, legal, investment, or otherwise, as my Executor shall deem advisable, and to delegate discretionary powers to, and rely upon information furnished by, such individuals or entities. Compensation paid for such services, as well as other administrative expenses and compensation paid to my Executor for its services, shall be paid out of estate assets in such manner as my Executor shall deem advisable.

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8. Waiver of Inventory and Accounting. Pursuant to Tennessee Code Annotated, Sections 30-2-301 and 30-2-601, I excuse the requirements for making and filing an inventory and court accountings of my probate estate. However, my Executor shall compile and furnish an inventory and an accounting of my estate to any residuary beneficiary under my Will, who may so request.

9. Administration of Real Property by Executor. All real property in which I may have any interest at the time of my death shall be deemed to be part of my probate estate for purposes of administering my estate, and as such, shall be subject to the control of my Executor during the administration of my estate. For purposes of Tennessee Code Annotated, Section 31-2-103, such real property shall be deemed to be personal property, subject to sale by my Executor, acting without joinder of any beneficiary, for the purpose of facilitating the distribution of my estate among the beneficiaries of my Will, as well as for the purpose of paying taxes, administrative expenses, and any other expenses or debts of my estate, without first being required to exhaust all other personal property of my estate.

10. Rights and Duties of Successor Executor and Apportionment of Responsibilities. Any successor Executor, whether individual or corporate, shall succeed to all of the rights and duties of its predecessor, but shall not be accountable for any of the acts or transactions of such predecessor. Further, if there is more than one Executor serving in the same capacity, such Co-Executors may apportion their respective responsibilities among themselves in any manner they deem advisable.

SWR

ARTICLE VIII: MEANING OF TERMS

Throughout my Will, the masculine gender shall be deemed to include the feminine, and vice versa, and the singular shall include the plural, and vice versa. Whenever the words "child," "children," "grandchildren," "issue," or words of similar meaning are used in my Will, they are intended to include adopted as well as natural born persons. The term "Code" as used in my Will shall refer to the Internal Revenue Code of 1986, as amended, unless otherwise indicated.

IN WITNESS WHEREOF, I have hereunto set my hand to this my Will, consisting of seven (7) pages, each of which bears my initials or signature, at Nashville, Tennessee, this 16th day of May, 2008.

Sammie W. Abernathy
SAMMIE W. ABERNATHY

Signed, published, and declared by Sammie W. Abernathy, as and for her Last Will and Testament, in the presence of us, the undersigned, who, at her request and in her sight and presence and in the sight and presence of each other, have hereunto signed our names as attesting witnesses on the day and date and at the place above written.

Pamela E. Jones

Maeri N Thompson

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Personally appeared before me, Diane L. Abbott, a Notary Public in and for said State and County, Annetta E. Jones and Mollie R. Thompson to me known, who made oath as follows:

1. That they were requested by the Testatrix, Sammie W. Abernathy, to witness her signature to the attached instrument, which purports to be her Last Will and Testament, and they were further requested by the Testatrix to execute this affidavit;

2. That the Testatrix signed said instrument and declared the same to be her Last Will and Testament in the presence of each of the undersigned, on the date set forth therein;

3. That each of the undersigned in turn signed the said instrument on the same date, as attesting witnesses, in the sight and presence of the Testatrix and of each other;

4. That the Testatrix was at least eighteen (18) years of age and of apparent sound mind at the time of the execution of said instrument, and legally capable of making a Will; and

5. That this affidavit is made pursuant to Tennessee Code Annotated, Section 32-2-110.

Annetta E. Jones

Mollie R Thompson

Subscribed and sworn to before me this 16th day of May, 2008.

DIANE L. ABBOTT
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

Diane L. Abbott
Notary Public

My Commission Expires: 9-19-09

0368027.01
999999-004 05/15/08

My Commission Expires SEPT. 19, 2009

Exhibit B

Affidavit of Heirship

This Affidavit of Heirship is made and given this 12th day of August, 2009, by Lena Ann Love.

For the purposes of certifying as to identity of the rightful heirs of Sammie Lillian Williams Abernathy and William Lawrence Abernathy, the undersigned Lena Ann Love, does hereby affirm as to the following facts:

1. My name is Lena Ann Love and I am the sister of Sammie Lillian Williams Abernathy.

2. My sister Sammie Lillian Williams Abernathy was married to William Lawrence Abernathy for 41 years and was married to William Lawrence Abernathy on the date of his death on February 1, 1990.

3. My sister Sammie Lillian Williams Abernathy and her husband William Lawrence Abernathy had two children, Irvin Douglass Abernathy and William Dale Abernathy. Neither my sister Sammie Lillian Williams Abernathy nor her husband William Lawrence Abernathy had any other children.

4. Both Irvin Douglass Abernathy and William Dale Abernathy were alive at the time of the death of my sister Sammie Lillian Williams Abernathy.

Further, affiant sayeth not.

Lena Ann Love

STATE OF TENNESSEE
COUNTY OF DAVIDSON

LAUREN C. KRUSE
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

Before me, _____, a Notary Public in and for the above mentioned County and State, personally appeared Lena Ann Love, with whom I am personally acquainted (or proved to me in the basis of satisfactory evidence), the within named bargainor, and who further acknowledged that she executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and official seal at office this 12th day of August, 2009.

Notary Public

My Commission Expires: 09/03/2012