BILL GARRETT, Davidson County
Trans:T20090082203 DEEDWARR
Recvd: 12/04/09 11:13 6 pgs
Fees:32.00 Taxes:0.00
20091204-0111200

THIS INSTRUMENT PREPARED BY: RONALD B. BUCHANAN, Attorney at Law
165 Indian Lake Boulevard, Suite 101
Hendersonville, Tennessee 37075

(FROM INFORMATION PROVIDED BY THE PARTIES)

Map/Parcel
9/37.00

CORRECTION DEED

FROM:
Estate of Thomas E. Stewart
c/o Nancy Sutton
3726 Cedarwood Drive
Nashville, TN 37216

SEND TAX BILLS TO:
Charles Gassaway
4810 Whites Creek Pike
Whites Creek, TN 37189

NAME & ADDRESS OF NEW OWNER:
Charles Gassaway, et ux
4810 Whites Creek Pike
Whites Creek, TN 37189

WHEREAS, by a deed or record, Instrument Number: 20060125-0009571, Register's Office of Davidson County, Tennessee, **THOMAS E. STEWART, TRUSTEE, WITH FULL POWER TO SELL, TRANSFER, CONVEY OR MORTGAGE, WITHOUT JOINDER OR BENEFICIARY**, as Grantor, conveyed a certain parcel of land in Davidson County, Tennessee, to **CHARLES GASSAWAY and wife, KELLYE GASSAWAY**, Grantees; and

WHEREAS, by inadvertence and mutual mistake, the legal description in the deed inadvertently omitted approximately one acre; and

WHEREAS, the deed incorrectly contained the following description of the land intended to be conveyed:

> Property located on the west side of Wilkinson Road in the 1st Councilmanic District of Davidson County, Tennessee. Being shown as part of parcel 37.00 on Davidson County Property Map 9, and being more particularly described according to a survey by J. Bruce Rainey, Surveyor #823, dated November 2, 2005 and revised on November 25, 2009 and known as Job No. 03-0166, as follows: BEGINNING at a P.K. Nail set in the centerline of Wilkinson Road at the Northeast corner of the herein-described tract. Said point being located approximately 268' south of the Southeast corner of the John Wilson Kinser *et ux* property of record in Book 5079, Page 173, R.O.D.C., TN. Thence from said POINT OF BEGINNING, with the centerline of Wilkinson Road, S 10 deg. 22' 32" W

– 109.12' to a P.K. Nail set; Thence with a curve left having a radius of 290.09', a chord length of 197.44', said chord having a bearing of S 09 deg. 31' 13" E and an arc length along said curve of 201.46' to a P.K. Nail set; Thence leaving Wilkinson Road, S 66 deg. 03' 59" W – 452.28' to an iron pin set; Thence N 35 deg. 24' 57" W - 269.03' to an iron pin set; Thence N 73 deg. 59' 58" W – 461.90' to an iron pin set; Thence North 34 deg. 06' 25" West, 159.20' to an iron pin set; thence North 89 deg. 27' 32" East 1094.15' to the POINT OF BEGINNING, containing 7.00 acres, more or less.

Being a portion of the same property conveyed to THOMAS E. STEWART AND ROBERT EDWARDS, AS CO-TRUSTEES WITH FULL POWER TO SELL, TRANSFER, CONVEY OR MORTGAGE, WITHOUT JOINDER OR BENEFICIARY by Warranty Deed from CARSON C. DRIVER, JR., ET AL. of record in Book 5345, Page 602, Register's Office of Davidson County, Tennessee. The said Robert Edwards having subsequently resigned as Co-Trustee leaving the said Thomas E. Stewart as sole trustee by instrument of record in Instrument Number: 200311114-0166458, said Register's Office, and the said Robert Edwards having further conveyed his rights as trustee and his right, title and interest in and to said property as a beneficiary, to THOMAS E. STEWART, INDIVIDUALLY AND THOMAS E. STEWART, TRUSTEE, WITH FULL POWER TO SELL, TRANSFER, CONVEY OR MORTGAGE, WITHOUT JOINDER OR BENEFICIARY, by Quit Claim Deed and Assignment of record in Instrument Number: 200311114-0166460, said Register's Office.

WHEREAS, the Grantee has requested the Grantor to correct said error; and

WHEREAS, Thomas E. Stewart died on April 6, 2009, in Davidson County, Tennessee; and

WHEREAS, Nancy Sutton and Kristie Taylor, were appointed the Co-Personal Representatives of the Estate of Thomas E. Stewart by the Probate Court of Davidson County, Tennessee, Docket Number: 09P-858, on or about September 29, 2009; and

WHEREAS, Thomas E. Stewart was the only trustee and the sole beneficiary of the trust.

NOW, THEREFORE, the said Grantor, for the purpose of correcting said error and in consideration of the sum of Ten and No/100 ($10.00) dollars cash in hand paid, the receipt and sufficiency of which are hereby acknowledged, has bargained and sold and by these presents does transfer and convey unto said Grantees, their heirs, successors, and assigns, a certain parcel of land in Davidson County, Tennessee, described as follows:

Property located on the west side of Wilkinson Road in the 1st Councilmanic District of Davidson County, Tennessee. Being shown as part of parcel 37.00 on Davidson County Property Map 9, and being more particularly described according to a survey by J. Bruce Rainey, Surveyor #823, dated November 2, 2005 and revised on November 25, 2009 and known as Job No. 03-0166, as follows:

BEGINNING at a P.K. Nail set in the centerline of Wilkinson Road at the Northeast corner of the herein-described tract. Said point being located approximately 268' south of the Southeast corner of the John Wilson Kinser et ux property of record in Book 5079, Page 173, R.O.D.C., TN. Thence from said POINT OF BEGINNING, with the centerline of Wilkinson Road, S 10°22'32" W – 109.12' to a P.K. Nail set; Thence with a curve left having a radius of 290.09', a chord length of 197.44', said chord having a bearing of S 09°31'13" E and an arc length along said curve of 201.46' to a P.K. Nail set; Thence leaving Wilkinson Road, S 66°03'59" W – 452.28' to an iron pin set; Thence N 35°24'57" W - 269.03' to an iron pin set; Thence N 73°59'58" W – 461.90' to an iron pin set; Thence S 89°45'22" W – 577.02' to an iron pin set; Thence N 56°08'34" E – 95.00' to an iron pin set; Thence N 79°03'36" E – 411.79' to an iron pin set; Thence N 89°27'32" E – 1094.15' to the POINT OF BEGINNING, containing 8.03 acres, more or less.

Being a portion of the same property conveyed to THOMAS E. STEWART, INDIVIDUALLY AND THOMAS E. STEWART, TRUSTEE, by Quit Claim Deed and Assignment from by Robert Edwards record as Instrument Number: 200311114-0166460, said Register's Office.

The Grantees join in this conveyance for the sole purpose of consenting thereto.

This is unimproved property known as 8.0+/- Wilkinson Road, Joelton, Tennessee 37050.

TO HAVE AND TO HOLD said land, together with the appurtenances, estate, title and interest belonging to the said Grantees, their successors, heirs and assigns in fee simple forever. Grantor does hereby reaffirm and ratify all covenants, warranties and stipulations made and provided in said deed, Instrument Number: 20060125-0009571, Register's Office of Davidson County, Tennessee, and the entire contents thereof except for the incorrect description, as fully and effectively as if the entire instrument were copied herein verbatim containing the correct description, and said instrument is accordingly incorporated herein by reference.

IN WITNESS WHEREOF, said parties hereto have hereunto set their signatures on this the 1 day of Dec, 2009.

GRANTEE:
STEWART

CHARLES GASSAWAY, Grantee Representative

KELLYE GASSAWAY, Grantee Representative

GRANTOR: ESTATE OF THOMAS E.

NANCY SUTTON, Personal

KRISTIE TAYLOR, Personal

STATE OF TENNESSEE
COUNTY OF Davidson

Before me, the undersigned, a Notary Public in and for said county and state, personally appeared, CHARLES GASSAWAY, the within named grantee, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the foregoing instrument for the purposes therein contained.

Witness my Hand and Notarial Seal at office in Nashville, Tennessee, on this the 3 day of Dec, 2009.

NOTARY PUBLIC

My Comm. Expires: 11-07-2011

WILLIAM S. DESIREY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

STATE OF TENNESSEE
COUNTY OF Davidson

Before me, the undersigned, a Notary Public in and for said county and state, personally appeared, KELLYE GASSAWAY, the within named grantee, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the foregoing instrument for the purposes therein contained.

Witness my Hand and Notarial Seal at office in Nashville, Tennessee, on this the 3 day of Dec, 2009.

NOTARY PUBLIC

My Comm. Expires: 11-07-2011

WILLIAM S. DESIREY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

STATE OF TENNESSEE
COUNTY OF Davidson

Before me, the undersigned, a Notary Public in and for said county and state, personally appeared, Nancy Sutton, Co-Personal Representative of the Estate of Thomas E. Stewart, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the foregoing instrument as the Co- Personal Representative on behalf of the Estate of Thomas E. Stewart for the purposes therein contained.

Witness my Hand and Notarial Seal at office in Madison, Tennessee, on this the 1 day of Dec, 2009.

SHERRY CLEM
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

NOTARY PUBLIC
My Comm. Expires: 7-8-13

STATE OF TENNESSEE
COUNTY OF Davidson

Before me, the undersigned, a Notary Public in and for said county and state, personally appeared, Kristie Taylor, Co-Personal Representative of the Estate of Thomas E. Stewart, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the foregoing instrument as the Co- Personal Representative on behalf of the Estate of Thomas E. Stewart for the purposes therein contained.

Witness my Hand and Notarial Seal at office in Madison, Tennessee, on this the 1 day of Dec, 2009.

SHERRY CLEM
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

NOTARY PUBLIC
My Comm. Expires: 7-8-13

STATE OF TENNESSEE
COUNTY OF SUMNER

The actual consideration for this transfer or the valuation of the property transferred, whichever is greater, is $ -0-.

Affiant

Sworn to and subscribed before me on this the 1 day of Dec, 2009.

NOTARY PUBLIC

My Comm. Expires: 2-8-13

SHERRY CLEM
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY