BILL GARRETT, Davidson County
Trans:T20100078729 DEEDWARR
Recvd: 12/15/10 08:28 2 pgs
Fees:12.00 Taxes:0.00
20101215-0099535

SEND TAX BILLS AND ADDRESS NEW OWNER:

**Wayne H. Smiley,
Lauren Smiley, and
Philip Smiley
206 North Road
Wilmington, DE 19809**

This instrument prepared by:
TIMOTHY D. FERGUSON
Attorney at Law
365 West Main Street
Hendersonville, Tennessee

**MAP PARCEL NUMBER:
41 - 8 - 13**

EXECUTOR'S DEED

I.

Recitals

1.1 HERMAN L. SMILEY died testate on February 5, 2010, while a resident of Davidson County, Tennessee.

1.2 The undersigned is the Executor under the Last Will and Testament of HERMAN L. SMILEY admitted to probate on March 16, 2010 and is recorded under Docket No. 10P-424 in the Probate Court for Davidson County, Tennessee at Nashville.

1.3 The decedent owned land in Davidson County, Tennessee, more particularly described below and in the Deed recorded in Book 2799, Page 535, Register's Office for Davidson County, Tennessee.

1.4 All debts of decedent have been paid. A Tennessee Inheritance Tax return was filed and no taxes were due. A copy of the certificate from the State of Tennessee is attached as Exhibit "A".

II.

Conveyance

Pursuant to Item II of the Decedent's Will and as Executor of the Last Will and Testament of HERMAN L. SMILEY, I, WAYNE H. SMILEY, Executor, hereby bargain, transfer and convey to WAYNE H. SMILEY an eighty percent (80%) share, LAUREN SMILEY a ten percent (10%) share, and PHILIP SMILEY a ten percent (10%) share, the property described as follows:

LAND in Davidson County, Tennessee, described as follows, to wit:

Being Lot No. 22 on the Plan of Hickory Acres, Section II, of record in Book 2330, Page 117, Register's Office for said County.

Beginning at a monument located on the SW corner of said lot; thence S 64 deg. 07' 30" E 331.7 feet; thence N 15 deg. 47' E 50 feet; thence N 25 deg. 14' 30" E 135.22 feet; thence westerly on the common property line between Lots No. 22 and 23 for 339.2 feet; thence south along the easterly margin of Marydale Drive 121.15 feet to the beginning.

Being the same property conveyed to Herman Leroy Smiley and wife, Nell Burklin Smiley, by deed of record in Book 2799, Page 535, Register's Office for Davidson County, Tennessee. Nell Burklin Smiley having predeceased her husband on February 19, 2003.

This is improved property known as: 4011 Marydale Drive, Nashville, Tennessee.

TIMOTHY D. FERGUSON
ATTORNEY AT LAW
365 WEST MAIN STREET
HENDERSONVILLE, TN
37075
615-824-0989

TO HAVE AND TO HOLD the above described property unto WAYNE H. SMILEY, LAUREN SMILEY, and PHILIP SMILEY, forever in fee simple.

Executed this the 24 day of November, 2010.

WAYNE H. SMILEY
Executor of the Estate of
HERMAN L. SMILEY, Deceased

STATE OF Delaware

COUNTY OF New Castle

Personally appeared before me the undersigned Notary Public, WAYNE H. SMILEY, Executor of the Estate of Herman L. Smiley, with whom I am personally acquainted and who acknowledged that he executed the within instrument for the purposes therein contained and in the capacity therein stated.

Witness my hand at office on this 24th day of November, 2010.

NOTARY PUBLIC

My Commission Expires: Feb. 14, 2011

STATE OF Delaware

COUNTY OF New Castle

The actual consideration or value, whichever is greater for this transfer is $ None.

AFFIANT

Subscribed and sworn to before me, this the 24th day of November, 2010.

NOTARY PUBLIC

My Commission Expires: Feb. 14, 2011

TIMOTHY D. FERGUSON
ATTORNEY AT LAW
365 WEST MAIN STREET
HENDERSONVILLE, TN
37075
615-824-0989