THIS INSTRUMENT PREPARED BY:
Robert W. Rutherford, Attorney
1312 Sixth Avenue North
Nashville, TN 37208

ADDRESS NEW OWNER:

Edwin Ruthven Rutherford, III
2000 Hwy. 49 West
Ashland City, TN 317015

Map and Parcel: 06900001600 and 06900012400

BILL GARRETT, Davidson County
Trans:T20130008025 DEEDQC
Recvd: 01/30/13 08:46 2 pgs
Fees:17.00 Taxes:0.00
20130130-0009472

EXECUTOR DEED

KNOW ALL MEN BY THESE PRESENTS:

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable considerations, receipt of all of which is hereby acknowledged, I, Edwin Ruthven Rutherford, III, Executor of the Estate of Edwin R. Rutherford, Sr., for the express purpose of making a re-conveyance to Edwin Ruthven Rutherford, III, have this day bargained and sold and by these presents do hereby transfer and convey unto Robert W. Rutherford, Trustee, his successors and assigns, all of my right, title, interest, claim, or lien in and/or to that certain real property parcel of land, and any improvements and/or appurtenances thereto, situated and located in Davidson County, State of Tennessee, and legally described as follows:

A certain tract or parcel of land in Davidson County, Tennessee 13th (formerly the 23rd) Civil District, State of Tennessee, described as follows, to wit:

Beginning at a point on the northerly margin of Highway No. 12, formerly the Hydes Ferry Pike, at the intersection of the northerly margin of said Highway and the center of Heatons Creek; thence with the northerly margin of said Highway, South 85 degrees 11 minutes West 60 feet, South 2 degrees 30 minutes west 5 feet and South 87 degrees 09 minutes West 245 feet; thence North 1 degree 30 minutes West 93 feet; thence South 86 degrees 50 minutes East 18 feet to the center of said Heaton's Creek; South 86 degrees 50 minutes East 129 feet, South 66 degrees 50 minutes East 132 feet and South 49 degrees 20 minutes East 74 feet to the beginning, containing 0.51 of an acre, more or less.

Being the same property conveyed to E.R. Rutherford and Edwin Rutherford as tenants with the right of survivorship, the said E.R. Rutherford having died on November 28, 2011, of record in Instrument Number 10100312-0019091, Register's Office of said County.

This is property known as **4414 Ashland City Highway, Nashville, TN 3718**

Further conveyed is the following two tracts of land:

Tract No. 1:
Commencing at a point in the centerline of Cato Road and on the north right of way of Hydes Ferry Pike, said pont being 35 feet from the centerline of Hydes Ferry Pike, and proceeding as follows: South 87-degrees 09 minutes 07 seconds East 154.59 feet to an iron pin at the southwest corner of property owned by Rod Brown and Edwin Rutherford, of record in Deed Book 91137, RODC, Tennessee; thence North 01 degrees 30 minutes 00 seconds West 92.88 feet to an iron pin; thence North 86 degrees 50 minutes 00 seconds East 18.0 feet to an iron pin set and the point of beginning; said iron pin also being a corner on the North property line of the Brown and Rutherford property; thence from the point of beginning; North 1 degrees 30 minutes 00 seconds West 195.00 feet to an iron pin set in the relocated Eatons Creek and the southerly property line of Enchanted Hills, Section 12, as of record in Plat Book 4675, Page 165, RODC, Tennessee; thence South 74 degrees 42 minutes 42 seconds East 161.38 feet along a line in Eatons Creek and the southerly property line of Lots 210, 211 and 213 of said Enchanted Hills, Section 12, to a point; thence South 05 degrees 30 minutes 00 second, East, 45.00 feet along a line in Eatons Creek and the southerly line of Lot 214, Enchanted Hills, Section 12; thence continuing with a line in Eatons Creek and along the southerly line of Lot 214, South 32 degrees 31 minutes 11 seconds East 121.23 feet to a point at the corner of said Lot 214; thence continuing with a line in Eatons Creek South 17 degrees 44 minutes 46 seconds East 64.60 feet to an iron pin set in said Eatons Creek and the northeast corner of property owned by Brown and Rutherford; thence North 80 degrees 50 minutes 42 seconds West 144.12 feet along said Brown and Rutherford's north property line to an iron pin set; thence continuing with Brown and Rutherford's north property line North 82 degrees 24 minutes 04 seconds West 129.0 feet to an iron pin and the point of beginning. Said tract contains 41,033 square feet in accordance with survey by Ragan-Smith Associates, dated 2/17/1994.

Tract No. 2:
Land in Northwest Davidson County, Tennessee, being Lot No. 201 on the Plan of enchanted Hills, Section Eight, recorded in Book 4300, page 99, Register's Office for Davidson County, Tennessee and being more particularly described as follows: Said Lot No. 201 fronts 145.09 feet, more or less, on the south side of Cato Road and has a common rear line on the east with Lot No. 202, measuring 427.00 feet and a rear line of 80.78 feet more or less and a west line along the center of Eatons Creek measuring 406 feet more or less. Said Lot 201 is subject to all matters of record in the recorded plat of Enchanted Hills, Section Eight.

The above two tracts are the same property conveyed to EV. R. Rutherford and Edwin Rutherford as tenants with the right of survivorship, the said E. R. Rutherford having died on November 28, 2011, of record in Instrument Number 20100312-0019091, Register's Office of said County.

This conveyance is subject to any and all zoning regulations, building restrictions and setback lines, if any, easements and rights-of-way for public utilities of record.

This conveyance is subject to: 1)Current years taxes which have been prorated and assumed by the Grantee; 2) All restrictions of record, 3) All easements of record, 4) All visible easements 5) All matters appearing on the plat of record, 6) All applicable government and zoning regulations, 7) If the property is supplementally assessed due to any improvements or changes in tax base, Grantee shall be responsible for any additional taxes due, 8) Grantor shall be responsible for any rollback taxes.

This is improved property known as **4414 Ashland City Highway, Nashville, TN 37208 and 0 Eatons Creek Road, Nashville, TN 37208**

Property taxes have been prorated between the Grantor and Grantee herein as of the date of this conveyance. All future taxes are the sole responsibility and liability of the Grantee.

This conveyance is further subject to 1) all applicable zoning ordinances, 2) utility, sewer, drainage and other easements of record, 3) all subdivision/condominium assessments, covenants, bylaws, restrictions, declarations and easements of record, 4) building restrictions and, 5) other matters of public record.

And, now, I Robert W. Rutherford, Trustee, for the express purpose of carrying out the intent of this conveyance as above set out, do hereby quitclaim and convey unto Edwin Ruthven Rutherford, III the same property hereinabove described, to which reference is here made, and said property is conveyed subject to the same limitations, restrictions and encumbrances as may affect the premises, as above set forth.

E.R. ~~TO HAVE AND TO HOLD said tract or parcel of land, with the appurtenances, estate, title and interest thereto~~ belonging, to the said ~~GRANTEES~~, their heirs and ~~assigns~~, forever.

AND I DO COVENANT with the GRANTEE that I am lawfully seized and possessed of said land in fee simple, have a good and lawful right to convey it, and that same is free, clear and unencumbered.

AND I DO FURTHER COVENANT and bind myself, my heirs and representatives, to warrant and forever defend the title to said land to the sand GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever.

I convey as Executor only, as fully and completely as I could or should do, but no further otherwise and I am not personally bound upon any of the covenants or warranties contained herein.

WITNESS MY HAND this 16 day of Jan, 2013.

Edwin Ruthven Rutherford, III
Executor of the Estate of Edwin R. Rutherford, Sr.

Robert W. Rutherford, Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, a Notary Public, in and for said County and State, Edwin Ruthven Rutherford, III, Executor of the Estate of Edwin R. Rutherford, Sr., the within bargainor, with whom I am personally acquainted, and who acknowledged that he executed the foregoing instrument for the purposes therein contained.

WITNESS MY HAND AND OFFICIAL SEAL this 16 day of Jan, 2013

NOTARY PUBLIC

MAXINE O. SIMS STATE TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My commission expires: 7/7/2014

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Send tax bill to
Edwin R Rutherford
P.O. Box 611 Ashland City
TN, 37015

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, a Notary Public, in and for said County and State, the within named Robert W. Rutherford, Trustee, with whom I am personally acquainted, and who acknowledged that he executed the foregoing instrument for the purposes therein contained.

WITNESS MY HAND AND OFFICIAL SEAL this 16 day of Jan, 2013

NOTARY PUBLIC

MAXINE O. SIMS STATE TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My commission expires: 7/7/2014

STATE OF TENNESSEE
COUNTY OF Davidson

AFFIDAVIT

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is $0.00.

Affiant

Subscribed and sworn to before me this 16 day of Jan, 2013

notary public

MAXINE O. SIMS STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My commission expires: 7/7/2014