BILL GARRETT, Davidson County
Trans:T20130017908 DEEDQC
Recvd: 03/05/13 09:35 7 pgs
Fees:37.00 Taxes:0.00

20130305-0021770

QUITCLAIM DEED

Address New Owner as Follows:	Send Tax Bills To:	Map-Parcel No.
Kirk LeMoyne Billings Harwell and Independence Trust Company as Co-Trustees	Independence Trust Company PO Box 682188 Franklin, TN 37068-2188	Map 93-6-2 Parcel 85 and 86

This instrument prepared by: RIGGS DAVIE PLC (CWR), 150 Fourth Avenue North, Suite 1850, Nashville, Tennessee 37219

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer is $ -0- .

Affiant

Subscribed and sworn to before me, this the 25th day of February, 2013.

NOTARY PUBLIC

My Commission Expires: 9-8-2013

DOROTHY A. DUGUE
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires September 8, 2013

For and in consideration of Ten Dollars ($10.00), and other good and valuable consideration, Fifth Third Bank and Kirk LeMoyne Billings Harwell, as as Co-Trustees of the Family Trust under the Will of Robert E. Harwell # II ("Grantors"), by their presents, do hereby quitclaim, transfer, and convey as Co-Trustees of the aforementioned Trust, unto Kirk LeMoyne Billings Harwell and Independence Trust Company, as Co-Trustees of the Family Trust under the Will of Robert E. Harwell # II (the "Grantees"), all of their right, title, and interest in and to the following described land in Davidson County, Tennessee:

Parcel #1 – Land in Davidson County, Tennessee, in the 5th Ward of the City of Nashville, being parts of Lot No. 15 on the Original Plan of Nashville, not of record, described according to a survey made by E. R. Southgate, Surveyor, January 18, 1944, as follows:

Beginning on the northerly margin of Broad Street 66 feet 8 inches east of the southeast corner of 2nd Avenue, North, and Broad Street, running thence northwardly and parallel with 2nd Avenue, North, 77 feet 6 inches to the southerly line of the property owned by McEwell Corporation; thence with McEwell's southerly line eastwardly 146 feet 5 inches to the westerly margin of 1st Avenue, North; thence with the westerly margin of

said Avenue, southwardly 37 feet 6 inches to an iron pin, S. T. Ross' northeast corner; thence with his line, westwardly and parallel with Broad Street, and with the southerly wall of the filling station building now on the land being here described 63 feet 4 inches to a point in the east line of the land described as the First Tract in the deed from Jos. R. West, Clerk & Master, to Sarah F. Cohen; thence southwardly and parallel with 1st Avenue, North 40 feet to the northerly margin of Broad Street; thence with the northerly margin of said street, westwardly 83 feet to the point of beginning.

Parcel #2 – Being Lot No. 15 on the Original Plan of Nashville, not of record described as follows:

Beginning on the northerly margin of Broad Street about 40 feet easterly from the easterly margin of Second Avenue North, formerly Market Street, the southwest corner of a brick building on the lot herein described; thence with the northerly margin of Broad Street, easterly, about 21 feet 7 inches to the center of the division wall; thence through the center of said wall, northerly 72 feet to the margin of a private alley; thence with said private alley westerly, about 21 feet 7 inches to the northwest corner of said brick building; thence with the wall of the same, southerly, about 72 feet to the beginning.

In addition thereto a certain tract or parcel of land, alley or areaway, between the northerly line of the property conveyed to McEwell Corporation by deed from Elizabeth Chambers and husband, J. D. Chambers, of record in Deed Book 1784, page 401, and the southerly line of the property conveyed to McEwell Corporation by deed from Sally Core Looney, a widow, of record in Book 1278, page 157, Register's Office of Davidson County, Tennessee, said tract of land situated in the First Civil District of Davidson County, Tennessee, extends east and west approximately 21 feet 7 inches, more or less, and north and south approximately 5 feet, more or less.

Parcel #3 – Land in Davidson County, Tennessee, being part of Lot No. 15 on the Original Plan of the Town of Nashville, not of record, described as follows:

Beginning on the easterly margin of Second Avenue, North, formerly Market Street, at a point 19 feet north of the northerly margin of Broadway, formerly Broad Street, said point being the northwest corner of the property conveyed to Mrs. E. B. Shwab by deed from J. R. Whitmore of record in Book 168, page 480, Register's Office for said County; thence with the easterly margin of said Avenue, northwardly 37 feet 3 inches to the southwest corner of the property conveyed to McEwell Corporation by deed from Irvin G. Chase and wife, of record in Book 1136, page 423, said

Register's Office; thence with said Corporation's southerly line, eastwardly 40 feet, more or less, to the westerly margin of an alley; thence with said alley, southwardly 37 feet 2 inches to the northeast corner of said Shwab property; thence with the northerly line of same, westwardly 40 feet, more or less, to the beginning.

Also and together with the land, alley, or areaway between the easterly line of the above described property, the said I. Komisar and wife, Eva Komisar, did grant to the McEwell Corporation all of their right, title, and interest, if any, in and to the aforesaid property described in parcel #2 hereinabove as quit claimed from Elizabeth Chambers and husband, J. D. Chambers, to McEwell Corporation.

Parcel #4 – Being part of Lot No. 15 on the Original Plan of the Town of Nashville, not of record, described as follows:

Beginning on the easterly margin of Second Avenue North, formerly Market Street, at a point 56 feet 2 inches more or less, north of the northerly margin of Broadway, formerly Broad Street, said point being the northwest corner of the property conveyed to I. Komisar by deed from Vanderbilt University of record in Book 1194, page 109, Register's Office for said County; thence with the easterly margin of said Avenue northwardly 21 feet, more or less, to the southwest corner of the property conveyed to McEwell Corporation by deed from Sallie Core Looney of record in Book 1278, Page 157, said Register's Office; thence with the southerly line of same eastwardly 40 feet, more or less, to the westerly margin of an alley; thence with said alley southwardly 21 feet, more or less, to the northeast corner of said Komisar property; thence with the northerly line of same westwardly 40 feet, more or less, to the beginning.

Parcel #5 – In the 5th Ward of the City of Nashville, being part of Lot No. 15 on the Original Plan of Nashville, not of record, described as follows:

Beginning on the easterly margin of Second Avenue North, formerly Market Street, at a point 76 feet 8 inches, more or less, northwardly from the northerly margin of Broad Street, being the northwest corner of the lot conveyed by the Executors of the William Litterer estate to James H. Gordon by deed of record in Book 611, page 353, Register's Office for said County; running thence with the easterly margin of said Second Avenue North northwardly 26 feet 10 inches, more or less, to the southwest corner of the lot owned by Benjamin Herman, now deceased; thence with Herman's southerly line eastwardly 213 feet to the westerly margin of First Avenue North, formerly Front or Water Street; thence with the westerly margin of First Avenue North southwardly 26 feet 10 inches, more or less, to the northerly margin of a private alley; thence westwardly with said margin of said alley, to the northeast corner of the aforesaid

Gordon lot, and continuing with said Gordon's northerly line to the point of beginning on Second Avenue North, this southerly line of the Litterer lot measuring like its northerly line 213 feet.

Parcel #6:
Land in Davidson County, Tennessee, being part of Lot 15 on the Plan of Original Town of Nashville, and further identified as Parcel 96 on Metropolitan Property Map 93-6-2. Said lot fronts 63.41 feet on the north side of Broadway and extends back 40 feet along the west margin of First Avenue, North to a dead line in the rear, on which it measures 63.33 feet.

Parcel #7:
Land in Davidson County, Tennessee, being part of Lot No. 15 on the Original Plan of Nashville, not of record, described as follows:

Beginning at a point on the easterly margin of 2nd Avenue, North, formerly Market Street, 103 feet 8 inches, north of the northerly margin of Broadway, and running thence eastwardly through the center of a party wall 210 feet to a point on the westerly margin of 1st Avenue North, formerly Front Street, 104 feet 1 inch north of the northerly margin of Broadway; thence northwardly, along the westerly margin of 1st Avenue North, 25 feet 7 inches; thence westerly through the center of a party wall 210 feet to the easterly margin of 2nd Avenue North; thence southwardly 25 feet 9 inches to the beginning, according to a survey made on September 30, 1931, by W. B. Southgate, Surveyor.

Parcels #1 through #7 being the same property conveyed to Coleman A. Harwell, II and Fifth Third Bank, as Co-Trustees of the Coleman A. Harwell, II Separate Share Trust established under the Will of Robert E. Harwell, deceased, by instrument no. 20040922-0113889, of record in the Register's Office for Davidson County, Tennessee. By order of the Seventh Circuit Court for Davidson County, Tennessee, Probate Division, entered on January 14, 2010, it was ordered that the Coleman A. Harwell, II Separate Share Trust established under the Will of Robert E. Harwell is a separate trust and that such trust is in fact known as "the Family Trust under the Will of Robert E. Harwell, # II"; and it was further ordered that a certificate of trust be filed with the register of deeds to evidence said fact, which certificate of trust is of record at instrument no. 20100201-0007762, Register's Office for Davidson County, Tennessee. Kirk LeMoyne Billings Harwell is the successor Co-Trustee to Coleman A. Harwell, II by order of the Seventh Circuit Court for Davidson County, Tennessee, Probate Division at Nashville, entered on July 27, 2012.

This is improved property known generally as 108 and 110 Second Avenue North, Nashville, Davidson County, Tennessee. The property is

conveyed subject to all limitations, matters that would be shown on a survey, restrictions and encumbrances as may affect the property, including, without limitation, all zoning restrictions, and irrespective of whether such limitations, matters, restrictions and encumbrances are of record.

IN WITNESS WHEREOF, Grantors have executed this instrument on the 15th day of FEBRUARY, 2013.

Kirk LeMoyne Billings Harwell, as Co-Trustee of the Family Trust under the Will of Robert E. Harwell # II

State of Washington)

County of KING)

I certify that I know or have satisfactory evidence that **Kirk LeMoyne Billings Harwell** is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Co-Trustee of the Family Trust under the Will of Robert E. Harwell # II , to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 02/15/2013

NOTARY PUBLIC

(Seal or stamp)

Matthew Sandoval Baker
Notary Public
State of Washington
Commission Expires March 15, 2015

Title: NOTARY PUBLIC

My Appointment Expires: 03/15/2015

Fifth Third Bank, as Co-Trustee of the Family Trust under the Will of Robert E. Harwell # II

By: _____
Shannon Privett, Vice President

By: _____
Joey Luttrell, Vice President

STATE OF OHIO)
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this 19th day of February, 2013, by **Shannon Privett** and **Joey Luttrell**, both Vice Presidents of Fifth Third Bank, an Ohio banking corporation, on behalf of the corporation in its capacity as Co-Trustee of the Family Trust under the Will of Robert E. Harwell # II .

Notary Public: Aimee L Schuler

Title (and Rank): Notary Public

Printed Name: Aimee L. Schuler

My Commission Expires: 6/19/2017

Serial Number, if any: _____

NOTARIAL SEAL STATE OF OHIO

Aimee L. Schuler
Notary Public, State of Ohio
My Commission Expires 06-19-2017

The preparer of this quitclaim deed has done so to affect a transfer to successor co-trustees as described herein and has not reviewed a survey or restrictive covenants for purposes of the conveyance described herein.