Karen Johnson Davidson County
Batch# 375812 DEEDQC
03/23/2020 10:48:27 AM 7 pgs
Fees: $32.00 Taxes: $0.00
20200323-0031331

Prepared By

William M. Gardner 681 Vernon Street Oakland, California 94610

After Recording Return / Send Tax Bills To

William M. Gardner 681 Vernon Street Oakland, California 94610

Space Above This Line for Recorder's Use

TENNESSEE QUIT CLAIM DEED

State of Tennessee Davidson County

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of One-Dollar ($0.00):

William M. Gardner, a married individual, Trustee of The William M. Gardner Living Trust, residing at 681 Vernon Street, Oakland , California, 94610.

The receipt whereof is hereby acknowledged, the undersigned hereby conveys and quitclaims to The William M. Gardner Living Trust, dated November 4th, 2011 and Amended March 10, 2020, residing at 681 Vernon Street, Oakland, California, 94610. (hereinafter called the "Grantee(s)") all the rights, title, interest, and claim in or to the following described real estate, situated in Davidson County, Tennessee, to-wit:

A Certain Condominium Unit in Davidson County, Tennessee, being Unit No. 401 in a Horizontal Property Regime as shown on the condominium site plat of the 207 Third Avenue North Condominiums, as shown on Exhibit "B" of the Master Deed for the Phoenix Loft of record in Instrument No. 20040701-0078141, and First Amendment to the Amended and Restated Master Deed for the Phoenix Loft of record in Instrument No. 20120523-0044645, and as amended by Amended and Restated Master Deed for the Phoenix Loft of record in Instrument Nos. 20050907-0107157 and 20051019-0125906, and amended in Instrument No. 20120523-0044645, Register's Office of Davidson County, Tennessee, to which reference is hereby made for a more complete and accurate description. Being the same property conveyed to Keith Herbster and wife, Christine Herbster by Warranty deed from Ward R. Pace of record in Instrument No. 20070504-0053670 Register's Office for Davidson County, Tennessee, dated April 30, 2007 and recorded on May 04, 2007. Being the same property conveyed to William M. Gardner, married by Warranty deed from Keith Herbster and wife, Christine Herbster of record in Instrument No. 20190201-0009864 Register's Office for Davidson County, Tennessee, dated January 31, 2019 and recorded on February 01, 2019. Parcel 093-02-3D-005.00-CO. Current Source of Title 20191122-0121091

Grantor's Signature _____ **Date March 11, 2020**

Print Name: William M. Gardner, Trustee of The William M. Gardner Living Trust
Address: 681 Vernon Street, Oakland , California, 94610

(State of California County of Alameda)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William M. Gardner- whose names are signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, executed the same voluntarily on the day the same bears date.

Given under my hand this 12 day of March, 2020.

_____ **(SEAL)** Notary Public

My Commission Expires: 08/03/2023

JAS1 DARIAN STARKS COMM. # 2252415 NOTARY PUBLIC • CALIFORNIA ALAMEDA COUNTY My Commission Expires AUGUST 03, 2022 JAS1

CERTIFICATION OF TRUST

TO: ALL FINANCIAL INSTITUTIONS, MUTUAL FUND ADMINISTRATORS, TITLE INSURERS, TRANSFER AGENTS, AND OTHER PERSONS AND INSTITUTIONS

The undersigned desires to confirm the establishment of a revocable living trust named THE WILLIAM M. GARDNER LIVING TRUST (hereinafter referred to as the "Trust"). The following provisions are found in said Trust and may be relied upon as a full statement of the matters covered by such provisions by anyone dealing with the original Trustee or his successors.

CREATION OF TRUST

The Trust was created on November 4, 2011 by a Trust Agreement executed by the undersigned as Settlor and Trustee, for the benefit of the undersigned during his lifetime and thereafter for the benefit of other successor beneficiaries in interest.

NAME OF TRUST

The name of the Trust is THE WILLIAM M. GARDNER LIVING TRUST. Any assets held in the name of the Trust should be titled in substantially the following manner: WILLIAM M. GARDNER, as Trustee of THE WILLIAM M. GARDNER LIVING TRUST, U/A dated November 4, 2011.

TRUSTEE

The currently acting Trustee of the Trust is WILLIAM M. GARDNER. If he should cease to act as the Trustee for any reason, he shall be succeeded by PEARSON K. MILLER, CLPF, of Life Trust Associates, as the successor Trustee.

REVOCABILITY OF TRUST

The Trust is revocable. The person holding the power to revoke or amend the Trust is WILLIAM M. GARDNER.

TAXPAYER IDENTIFICATION NUMBER

The Trust uses the Social Security number of the Settlor as its Taxpayer Identification Number. No separate tax identification number is required while this Trust is revocable and the Settlor is acting as a Trustee.

ADDRESS OF THE TRUST

The Trust uses the address of the Settlor/Trustee as its location. This address is currently 349 38th St., Oakland, CA 94609.

TRUSTEE AUTHORITY

(1) Subject to state law, a Trustee may appoint an Attorney-in-Fact ("Power of Attorney") and delegate to such agent the exercise of all or any of the powers conferred upon a Trustee.

(2) No purchaser from or other person dealing with a Trustee shall be responsible for the application of any purchase money or thing of value paid or delivered to such Trustee, but the receipt by a Trustee shall be a full discharge; and no purchaser or other person dealing with a Trustee and no issuer, or transfer agent, or other agent of any issuer of any securities to which any dealings with a Trustee should relate, shall be under any obligation to ascertain or inquire into the power of such Trustee to purchase, sell, exchange, transfer, mortgage, pledge, lease, distribute or otherwise in any manner dispose of or deal with any security or any other property held by such Trustee or comprised in the trust fund.

(3) The certification of a Trustee and/or the agent of a Trustee that such person is acting according to the terms of the Trust shall fully protect all persons dealing with such Trustee and/or agent. Any person may rely upon the certification of any Trustee as to the matters which are not contained in this Certification of Trust, including a further enumeration of the Trustee's powers.

A person who acts in reliance on this Certification of Trust without knowledge that the representations contained in this Certification of Trust are incorrect is not liable to any person for so acting and may assume without inquiry the existence of the facts contained in this Certification. Knowledge of the terms of the Trust may not be inferred solely from the fact that a copy of all or part of the trust instrument is held by the person relying on the certification. A person who in good faith enters into a transaction in reliance on this Certification of Trust may enforce the transaction against the trust property as if the representations contained in this Certification of Trust were correct.

TRUSTEE'S POWERS

The Trustee shall have, in general, the power to do and perform any and all acts and things in relation to the trust fund in the same manner and to the same extent as an individual might or could do with respect to his or her own property including the power to buy, sell, hold, transfer, convey, or exercise any ownership rights in any asset for the Trust by executing any appropriate document, or by an oral demand to buy or sell a security; to maintain, deposit or to withdraw from any bank, brokerage or mutual fund account (including margin accounts), and to sign checks or drafts on any such account; to purchase or exercise rights in any life insurance or annuity contracts; and to borrow and pledge any Trust asset as security. In addition to the above, the Trustee shall have all of the powers enabled by §§16200, et. seq., of the California Probate Code (as though such powers were set forth herein) and, in addition, the Trustee is specifically authorized and empowered to exercise those powers set forth in Article IV of said Trust.

No specific provision of the Trust limits the general authority of the Trustee granted in the Trust and outlined above. Further, the Trust is not subject to supervision by any court nor is court permission or approval necessary for any act by the Trustee.

ADMINISTRATIVE PROVISIONS

(1) The Trust shall be administered according to the California Trust Code (Division 9 of the California Probate Code beginning with §15000), except as shall be specifically modified therein.

(2) The Trust has not been revoked, modified, or amended in any manner that would cause the representations contained in this Certification of Trust to be incorrect.

(3) This Certification of Trust is a true and accurate statement of the matters referred to herein concerning the Trust.

(4) This Certification of Trust has been signed by the currently acting sole Trustee of the Trust.

(5) This Certification of Trust is intended to comply with the provisions of §18100.5 of the California Probate Code.

(6) Reproductions of this executed original (with reproduced signatures) shall be deemed to be original counterparts of this Certification of Trust and any person who is in possession of a photocopy of this executed Certification may, in good faith, rely upon the information it contains and shall not be liable to the Settlor, any Trustee or beneficiary for reliance upon the information herein contained.

(7) No person shall have received notice of any event upon which the use of this Certification of Trust depends unless said notice is in writing and until the notice is delivered to said person.

IN WITNESS WHEREOF, the undersigned declares under penalty of perjury that the foregoing is true and correct and that he has executed this Certification of Trust on December 17th, 20 19, in Alameda County, California.

WILLIAM M. GARDNER,
Settlor-Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF ALAMEDA

On Dec. 17, 2019, before me, Lynne Jenkins, a Notary Public, personally appeared WILLIAM M. GARDNER, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public Signature

LYNNE JENKINS
Notary Public - California
Alameda County
Commission # 2166674
My Comm. Expires Oct 3, 2020

Notary Public Seal

KAREN JOHNSON
REGISTER OF DEEDS

www.nashville.gov/rod

PO Box 196398
Nashville, TN 37219-6398
(615) 862-6790 phone
(615) 880-2039 fax

The following oath of consideration is required on all deeds transferring property:

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or true value, whichever is greater for this transfer is $ 0 .

Affiant

Subscribed and sworn before me, this 19 day of March, 2020

Notary

JAPJIT SANDHU
Notary Public - California
Marin County
Commission # 2311365
My Comm. Expires Nov 3, 2023