NUMBER 59136 RECORDED AUG 2,1935.

EDWIN WARNER, ETUX

TO

MAMIE CRAIG HOWELL

FOR AND IN CONSIDERATION OF THE SUM OF FIVE THOUSAND TWO HUNDRED FIFTY & NO/100 DOLLARS ($5,250.00) PAID AND TO BE PAID BY TO EDWIN WARNER BY MAMIE CRAIG HOWELL, AS FOLLOWS: ONE THOUSAND SEVEN HUNDRED, Fifty & NO/100 ($1,750.00) DOLLARS, CASH IN HAND PAID, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, AND FOR THE REMAINDER THE SAID MAMIE CRAIG HOWELL HAS EXECUTED HER TWO (2) PROMISSORY NOTES FOR ONE THOUSAND SEVEN HUNDRED FIFTY & NO/100 ($1,750.00) DOLLARS EACH, OF EVEN DATE HEREWITH, DUE RESPECTIVELY ON OR BEFORE ONE AND TWO YEARS AFTER DATE, BEARING INTEREST AT 6% PER ANNUM, PAYABLE SEMI-ANNUALLY, AND A VENDOR'S LIEN IS HEREBY RETAINED ON THE LAND HEREIN CONVEYED TO SECURE THE PAYMENT OF SAID NOTES AND INTEREST, WE, EDWIN WARNER AND WIFE, SUSAN R. WARNER, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO THE SAID MAMIE CRAIG HOWELL, HER HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN DAVIDSON COUNTY, ~~STATE~~ TENNESSEE, AS FOLLOWS:

SAID LAND IS LOCATED IN THE 7TH CIVIL DISTRICT OF DAVIDSON COUNTY, TENNESSEE, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE EASTERLY MARGIN OF BELLE MEADE PIKE OR THE OLD FRANKLIN ROAD, BEING THE NORTHWEST CORNER OF THE MIKE DIVNEY 12 ACRE TRACT; THENCE SOUTH 86° EAST 1279 FEET, MORE OR LESS, WITH THE SAID DIVNEY'S NORTH LINE TO A STAKE IN SAID LINE; THENCE NORTH 3° 30" EAST 1385 FEET TO A HACKBERRY TREE, LOCATED IN THE SOUTH LINE OF THE OLD BELLE MEADE TRACT; THENCE NORTH 3° 30" EAST 443 FEET TO A STAKE IN THE SOUTHERLY MARGIN OF BELLE MEADE PIKE OR OLD CHICKERING ROAD; THENCE WITH THE SOUTHERLY MARGIN OF SAID PIKE 265 FEET TO A STAKE; THENCE SOUTH 3° 30" WEST 300 FEET TO A POST IN THE OLD BELLE MEADE LINE; ~~THENCE SOUTH 3° WEST 300 FEET TO A POST IN THE OLD BELLE MEADE LINE~~; THENCE SOUTH 3° 30" WEST 925 FEET TO AN IRON STAKE; THENCE NORTH 86° WEST 1115 FEET, MORE OR LESS, TO A STAKE IN THE EASTERLY BOUNDARY OF THE BELLE MEADE PIKE; THENCE SOUTHERLY WITH THE EASTERLY BOUNDARY OF SAID PIKE 165 FEET TO A STAKE; THENCE SOUTH 15° EAST 323 FEET TO THE POINT OF BEGINNING, CONTAINING 22.5 ACRES, MORE OR LESS. BEING PART OF THE SAME PROPERTY CONVEYED TO JOHN F. CALDWELL, TRUSTEE TO EDWIN WARNER BY DEED OF RECORD IN BOOK 967, PAGE 474, R.O.D.C., TENNESSEE; TO WHICH REFERENCE IS HEREBY MADE. DESCRIBED ACCORDING TO PLAT MADE BY W.S.

I declare that I am the true and lawful holder of the claim secured by the foregoing instrument within recorded, and hereby acknowledge the satisfaction thereof and discharge of the lien for same thereby created.

Witness: _____

This 4th day of Oct. 1941

Davidson County Register

SOUTHGATE JULY 1935.

TAXES FOR THE YEAR 1935 WILL BE PAID BY THE GRANTOR.

IT IS EXPRESSLY COVENANTED AND AGREED BY AND BETWEEN THE SAID EDWIN WARNER AND WIFE, SUSAN R. WARNER, GRANTORS AND MAMIE CRAIG HOWELL, GRANTEE, AS FOLLOWS:

1. NO RESIDENCE OR DWELLING HOUSE, EXCEPT FOR OCCUPANCY BY SERVANTS, CAN BE CONSTRUCTED ON THE LAND HEREIN CONVEYED COSTING LESS THAN $10,000.00, AND THAT NO RESIDENCE OR DWELLING HOUSE, EXCEPT FOR OCCUPANCY BY SERVANTS, COSTING LESS THAN $10,000.00 CAN BE CONSTRUCTED ON THE LAND NEXT ADJOINING ON THE EAST THE LAND HEREIN CONVEYED FOR A DISTANCE OF 400 FEET.

2. SAID GRANTOR WILL NOT ERECT OR CAUSE TO BE ERECTED A RESIDENCE OR DWELLING HOUSE OR OTHER STRUCTURE ON THE LAND ADJOINING ON THE EAST, THE LAND HEREIN CONVEYED, NEARER THAN 675 FEET FROM THE SOUTH MARGIN OF BELLE MEADE PIKE SITUATED WHOLLY OR PARTLY WITHIN 200 FEET OF THE EASTERLY BOUNDARY OF THE LAND HEREIN CONVEYED. SAID GRANTEE WILL NOT ERECT OR CAUSE TO BE ERECTED A RESIDENCE OR DWELLING HOUSE OR OTHER STRUCTURE ON THE LAND HEREIN CONVEYED NEARER THAN 300 FEET ON THE SOUTHERLY MARGIN OF BELLE MEADE PIKE.

3. NO SHOP, STORE, FACTORY, FILLING STATION, SALOON, BEER GARDEN, HOSPITAL, ASYLUM, INSTITUTION OF LIKE OR KINDRED NATURE, AND NO CHARITABLE INSTITUTION, OR BUSINESS HOUSE OF ANY KIND, SHALL BE ERECTED AND MAINTAINED ON THE PREMISES HEREIN CONVEYED.

4. NO PART OF THE PREMISES HEREIN CONVEYED SHALL BE SOLD, ALIENED, CONVEYED OR DEVISED TO ANY PERSON OR PERSONS OF AFRICAN BLOOD OR DESCENT, AND NO PERSON OR PERSONS OF AFRICAN BLOOD OR DESCENT SHALL OWN OR ACQUIRE TITLE THERETO, EITHER IN FEE OR OTHERWISE, OR AS TENANTS OR LESSEES, BUT THIS SHALL NOT PROHIBIT OR PRECLUDE PERSONS OF AFRICAN BLOOD OR DESCENT FROM LIVING ON THE PREMISES HEREIN CONVEYED IN THE CAPACITY OF SERVANTS.

IT IS EXPRESSLY AGREED HEREIN BETWEEN THE GRANTORS AND GRANTEE THAT THE AFORESAID STIPULATIONS, COVENANTS AND CONDITIONS ARE AND SHALL BE BINDING AND OBLIGATORY UPON THE PARTIES HERETO, THEIR HEIRS AND ASSIGNS, UNTIL THE 1ST DAY OF JANUARY, 1961.

THE SAID EDWIN WARNER HEREBY SELLS, TRANSFERS, SETS OVER AND CONVEYS UNTO THE SAID MAMIE CRAIG HOWELL ALL HIS RIGHT, TITLE AND INTEREST IN AND TO HIS RIGHT FOR THE PURCHASE OF FOUR (4) WATER TAPS AT A COST OF ONE HUNDRED DOLLARS ($100.00) EACH AS CONTAINED IN THE AGREEMENT BETWEEN HARPETH HILLS WATER COMPANY AND EDWIN WARNER OF RECORD IN BOOK 944, PAGE 677, R.O.D.C. TENNESSEE.