THEY AS SUCH BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE CORPORATION BY THEMSELVES AS 3RD VICE PRESIDENT AND ASST SECTY.

WITNESS MY HAND AND OFFICIAL SEAL AT OFFICE THIS 13TH DAY OF FEBRUARY, 1936

(SEAL (JOHN A. LAHEEBY NOTARY PUBLIC

BRONX CO CLK NO.136 REG NO.122-37

CERTIFICATE FILED IN

N.Y.CO CLK NO.693 REG NO. 7L 402

COM.EXPIRES MCH 30, 1937

REC'D FEB 24,1936 AT 12:20 P.M.

NUMBER 67708 RECORDED FEB 26,1936

PARTITION DEED

OF

H.M. HAYES, JR and C.D. Hayes

KNOW ALL MEN BY THESE PRESENTS, THAT WHEREAS, BY DEED FROM W.C. WOMACK, ET AL, OF RECORD IN BOOK 635 PAGE 272 REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE, WE, H.M. HAYES, JR AND C.D. HAYES, DERIVED TITLE TO AND NOW HOLD EQUAL AND UNDIVIDED TITLE AND INTEREST IN AND TO A CERTAIN TRACT OR PARCEL OF LAND SITUATED IN DAVIDSON COUNTY,TENNESSEE, DESCRIBED AS FOLLOWS;

LAND IN DAVIDSON COUNTY,TENNESSEE, BEING LOT NO.2 ON THE MAP SHOWING SUBDIVISION OF LOTS NOS.45,46,47, 48 AND 49 IN THE MONTAGUE SUBDIVISION AS OF RECORD IN BOOK 547, PAGE 35, REGISTER'S OFFICE FOR SAID COUNTY, SAID LOT NO.2 FRONTS 217.15 FEET ON THE EASTERLY SIDE OF FERN BANK DRIVE AND RUNS BACK FROM THE CENTER OF SAID DRIVE 285 FEET ON THE NORTHERLY LINE AND 289 FEET ON THE SOUTHERLY LINE TO THE LOW WATER MARK OF THE CUMBERLAND RIVER AND SHOWS 217.15 FEET ON SAID REAR LINE. SAID LOT WAS CONVEYED TO H.M. HAYES, JR AND C.D. HAYES BY DEED FROM W.C. WOMACK, ET AL, OF RECORD IN BOOK635, PAGE 272, SAID REGISTER'S OFFICE.

NOW WE, HAVING MADE PARTITION OF SAID LAND BETWEEN OURSELVES, HAVE ALLOTTED THE SAME IN THE FOLLOWING MANNER, VIZ:

THE SAID C.D. HAYES HEREBY TRANSFERS AND CONVEYS UNTO THE SAID H.M. HAYES JR. HIS HEIRS AND ASSIGNS, FOREVER, ALL OF HIS RIGHT, TITLE AND INTEREST TO THAT PORTION OF SAID LAND WHICH IS DESCRIBED AS FOLLOWS, TO WIT:

THE SOUTHERLY 108.57 FEET OF LOT NO.2 ON THE MAP SHOWING SUBDIVISION OF LOTS NOS.45,46,47,48 AND 49 IN THE MONTAGUE SUBDIVISION,AS OF RECORD IN BOOK 547, PAGE 35, REGISTER'S OFFICE OF DAVIDSON COUNTY,TENNESSEE.

SAID SOUTHERLY 108.57 FEET front ON THE EASTERLY SIDE OF FERN BANK DRIVE, AND SAID PART OF SAID LOT RUNS BACK FROM THE CENTER OF SAID DRIVE ON ITS NORTHERLY LINE 287 FEET, AND ON ITS SOUTHERLY LINE 289 FEET TO THE LOW WATER MARK OF THE CUMBERLAND RIVER, AND SHOWS 108.57 FEET ON SAID REAR LINE.

SAID PART OF SAID LOT WAS CONVEYED , AS HEREINBEFORE SHOWN, TO H.M. HAYES JR BY DEED FROM W.C. WOMACK, ET AL, OF RECORD IN BOOK 635, PAGE 272, SAID REGISTER'S OFFICE.

AND THE SAID C.D. HAYES DOES HEREBY COVENANT TO WARRANT AND FOREVER DEFEND THE TITLE TO THE PORTION OF SAID LAND SO CONVEYED TO THE SAID H.M.

HAYES JR., HIS HEIRS AND ASSIGNS,FOREVER, AGAINST THE CLAIMS OF ALL PERSONS WHOMSOEVER.

AND THE SAID H.M. HAYES, JR HEREBY TRANSFERS AND CONVEYS UNTO THE SAID C.D. HAYES, HIS HEIRS AND ASSIGNS, FOREVER, ALL OF HIS RIGHT, TITLE AND INTEREST TO THAT PORTION OF SAID LAND WHICH IS BESCRIBED AS FOLLOWS, TO WIT:

THE NORTHERLY 108.57 FEET OF SAID LOT NO.2, AS SHOWN ON THE MAP OR SUBDIVISION OF LOTS NOS.45,46,47,48 AND 49, IN THE MONTAGUE SUBDIVISION, AS OF RECORD IN BOOK 547,PAGE 35, REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

SAID NORTHERLY PART OF SAID LOT NO.2 FRONTS 108.57 FEET ON THE EASTERLY SIDE OF FERN BANK DRIVE, AND RUNS BACK FROM THE CENTER OF SAID DRIVE 285 FEET ON ITS NORTHERLY LINE, AND 287 FEET ON ITS SOUTHERLY LINE TO THE LOW WATER MARK OF THE CUMBERLAND RIVER, AND SHOWS 108.57 FEET ON SAID REAR LINE. SAID PART OF SAID LOT IS A PART OF THE SAME PROPERTY CONVEYED TO H.M. HAYES, JR AND C.D. HAYES BY DEED AS AFORESAID, FROM W.C. WOMACK, ET AL OF RECORD IN BOOK 635, PAGE 272, SAID REGISTER'S OFFICE.

AND THE SAID H.M. HAYNES, JR DOES HEREBY COVENANT TO WARRANT AND FOREVER DEFEND THE TITLE TO THE PORTION OF THE LAND SO CONVEYED TO THE SAID C.D. HAYES, HIS HEIRS AND ASSIGNS, FOREVER, AGAINST THE CLAIMS OF ALL PERSONS WHOMSOEVER.

ALL OF THE PROPERTY HEREINBEFORE DESCRIBED IS ENCUMBERED BY DEED OF TRUST MADE BY THE SAID H.M. HAYES, JR AND C.D. HAYES TO FRANK B. WELCH TRUSTEE, OF RECORD IN BOOK 297, PAGE 420, REGISTER'S OFFICE OF DAVIDSON COUNTY,TENNESSEE, TO SECURE THE PAYMENT OF A NOTE FOR $1500.00 DATED, JANUARY 29TH, 1934, DUE IN THREE YEARS, WITH INTEREST. THE SAID H.M. HAYES ,JR AND HAS AGREED TO ASSUME AND PAY THE INDEBTEDNESS DESCRIBED AND REFERRED TO IN SAID DEED OF TRUST, AMOUNTING TO $1500.00 , AND INTEREST.

SAID PARTIES HAVE ALSO AGREED TO PAY ALL TAXES NOW ASSESSED AGAINST SAID PROPERTY EQUALLY.

AT THE REAR OR WESTERLY SIDE OF THE LOT HEREBY CONVEYED BY THE SAID H.M. HAYES, JR AND TO C.D. HAYES, ARE CERTAIN STEPS LEADING FROM THE TOP OF THE ENBANKMENT TO THE RIVER, AND THE CONVEYANCES HEREBY MADE ARE MADE UPON THE UNDERSTANDING THAT THE SAID H.M. HAYES, JR., HIS HEIRS AND ASSIGNS, AND HIS SUCCESSORS IN TITLE TO THE SOUTHERLY PART OF SAID LOT NO.2, RESERVES AN EASEMENT ACROSS THE NORTHERLY PART OF SAID LOT FROM THE SOUTHERLY PART OF SAID LOT TO SAID STEPS AND THE RIGHT TO THE USE OF SAID STEPS; AND THE SAID C.D. HAYES HEREBY GRANTS UNTO THE SAID H.M. HAYES, JR., HIS HEIRS AND ASSIGNS, AND HIS SUCCESSOR IN TITLE TO THE SOUTHERLY PART OF SAID LOT NO.2, AN EASEMENT TO CROSS THE NORTHERLY PART OF SAID LOT NO.2 AND TO THE USE OF THE STEPS LEADING FROM THE TOP OF THE ENBANKMENT AT THE WESTERLY PART OF SAID LOT TO THE RIVER; UPON THE UNDERSTANDING, HOWEVER, THAT THE SAID H.M. HAYES, JR., HIS HEIRS AND ASSIGNS, SHALL BE JOINTLY AND EQUALLY LIABLE WITH THE SAID C.D. HAYES, HIS HEIRS AND ASSIGNS, IN ANY EXPENSE INCURRED IN THE MAINTENANCE OF SAID STEPS.

~~IN WITNESS WHEREOF, THE SAID H.M. HAYES, JR. AND C.D. HAYES HEREUNTO AFFIX THEIR SIGNATURES ON THIS 19 DAY OF FEBRUARY 1936.~~