REC'D JULY 28, 1938 AT 9;30 A.M.

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NUMBER 3196 RECORDED JULY 29, 1938

EUGENE H. FLETCHER

TO

OWEN WILSON WOOTEN ET UX

FOR AND IN CONSIDERATION OF THE SUM OF FIVE HUNDRED FORTY AND 00/100 DOLLARS CASH IN HAND PAID BY OWEN WILSON WOOTEN AND WIFE, HELEN BUCK WOOTEN, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, I, EUGENE H. FLETCHER HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO THE SAID OWEN WILSON WOOTEN AND WIFE, HELEN BUCK WOOTEN, THEIR HEIRS AND ASSIGNS A CERTAIN TRACT OR PARCEL OF LAND IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS TO WIT:

BEING EAST ONE HALF OF LOT NO. 11 AND LOT 12 ON THE MAP SHOWING RE-SUBDIVISION OF CERTAIN LOTS IN EASTDALE PLACE, A PLAN OF WHICH IS OF RECORD IN BOOK 974, PAGE 22, REGISTER'S OFFICE DAVIDSON COUNTY, TENNESSEE.

SAID EAST ONE HALF OF LOT NO. 11 ANDLOT NO. 12 FRONT TOGETHER 90 FEET ON THE SOUTHERLY SIDE OF PLYMOUTH AVENUE AND RUN BACK BETWEEN PARALLEL LINES 200 FEET TO A DEAD LINE.

AND BEING THE SAME PROPERTY CONVEYED TO EUGENE H. FLETCHER BY DEED FROM THE COMMERCE UNION BANK, TRUSTEE, OF RECORD IN BOOK 1038, PAGE 480 REGISTER'S OFFICE DAVIDSON COUNTY, TENNESSEE.

IT IS EXPRESSLY STIPULATED AND AGREED BY THE PARTIES AS FOLLOWS:

FIRST: THAT NO SHOP, STORE, FACTORY OR OTHER BUSINESS OF ANY KIND, HOSPITAL, ASYLUM OR INSTITUTION OF LIKE OR KINDRED NATURE, AND NO HOSPITAL ASYLUM OR CHARITABLE INSTITUTION SHALL BE ERECTED AND MAINTAINED ON THE PROPERTY HEREBY CONVEYED, BUT THE PREMISES SHALL BE OCCUPIED AND USED FOR RESIDENCE PURPOSES ONLY AND NOT OTHERWISE.

SECOND: THAT NO DWELLING COSTING LESS THAN THREE THOUSAND ($3000.00) DOLLARS SHALL BE ERECTED OR KEPT ON THE PROPERTY HEREIN CONVEYED.

THIRD: THAT NO DWELLING OR RESIDENCE OR OTHER STRUCTURE SHALL BE ERECTED OR KEPT ON THE PROPERTY HEREIN CONVEYED, WHOLLY OR PARTLY, WITHIN 35 FEET OF THE FRONT LINE OF THE ~~SATREE~~ *Street* OR AVENUE ON WHICH IT FRONTS, AND NO GARAGE, COAL HOUSE, OR OTHER OUTHOUSE BUILDING SHALL BE ERECTED OR KEPT ON SAID PROPERTY WHOLLY OR PARTLY WITHIN 80 FEET OF THE FRONT OF SAID STREET OR AVENUE ON WHICH SAID PROPERTY FRONTS.

FORTH: THAT THE PREMISES NOR ANY PART OF THE PROPERTY HEREIN CONVEYED SHALL NOT BE SOLD, ALIENED, CONVEYED OR DEVISED TO ANY PERSON OR PERSONS OF AFRICAN BLOOD OR DESCENT, AND THAT NO PERSON OR PERSONS OF AFRICAN BLOOD OR DESCENT SHALL ACQUIRE TITLE THEREIN IN FEE OR OTHER WISE OR AS TENANTS OR LESSEES, BUT THIS COVENANT DOES NOT PRECLUDE OR PROHIBIT PERSON OR PERSONS OF AFRICAN BLOOD OR DESCENT FROM LIVING IN THE CAPACITY OF SERVANTS ON SAID PREMISES.

EMB MARSHALL & BRUCE CO., NASHVILLE

FIFTH: IT IS FURTHER CONTRACTED AND AGREED THAT THESE COVENANTS AND AGREEMENTS ARE EXPRESS COVENANTS WHICH RUN WITH THE LAND AND SHALL BE BINDING UPON THE PURCHASER AND EVERY PURCHASER OR OWNER SUCCEEDING TO THIS LAND AND INCLUDING THE 1ST DAY OF JANUARY 1944.

AND THE COMMERCE UNION BANK, BEING THE LAWFUL OWNER AND HOLDER OF THE NOTE FOR $9,350.00 SECURED BY A DEED OF TRUST TO MARVIN K. BARRY, TRUSTEE, OF RECORD IN BOOK 1039, PAGE 116 JOINS IN THIS INSTRUMENT FOR THE SOLE PURPOSE OF RELEASING THE LIEN RETAINED IN SAID DEED OF TRUST ON THE PROPERTY HEREINBEFORE DESCRIBED, AND NO FURTHER OR OTHERWISE.

TO HAVE AND TO HOLD THE SAID TRACT OR PARCEL OF LAND, WITH THE APPURTENANCES, ESTATE, TITLE AND INTEREST THERETO BELONGING TO THE SAID OWEN WILSON WOOTEN AND WIFE, HELEN BUCK WOOTEN, THEIR HEIRS AND ASSIGNS FOREVER.

AND I DO COVENANT WITH THE SAID OWEN WILSON WOOTEN AND WIFE, HELEN BUCK WOOTEN THAT I AM LAWFULLY SEIZED AND POSSESSED OF SAID LAND IN FEE SIMPLE; HAVE A GOOD RIGHT TO CONVEY IT, AND THE SAME IS UNENCUMBERED.

AND I, EUGENE H. FLETCHER DO FURTHER COVENANT AND BIND MYSELF, MY HEIRS AND REPRESENTATIVES, TO WARRANT AND FOREVER DEFEND THE TITLE TO THE SAID LAND TO THE SAID OWEN WOOTEN AND WIFE, HELEN BUCK WOOTEN, THEIR HEIRS AND ASSIGNS AGAINST THE LAWFUL CLAIMS OF PERSONS WHOMSOEVER.

WITNESS MY HAND THIS 26TH DAY OF JULY 1938.

EUGENE H. FLETCHER,

IN WITNESS WHEREOF THE COMMERCE UNION BANK HAS CAUSED ITS NAME TO BE SIGNED BY ITS VICE PRESIDENT AND ITS CORPORATE SEAL TO BE AFFIXED AND ATTESTED BY ITS - - CASHIER ON THIS 26TH DAY OF JULY 1938.

(SEAL) COMMERCE UNION BANK,

BY; CHAS. F. LOVELL, VICE PRES.

ATTEST:

J. R. KELLAM. CASHIER

STATE OF TENNESSEE

DAVIDSON COUNTY

BEFORE ME B. M. SMOTHERMAN A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, THE WITHIN NAMED EUGENE H. FLETCHER (UNMARRIED) THE BARGAINOR WITH WHOM I AM PERSONALLY ACQUAINTED AND WHOC ACKNOWLEDGED THAT HE EXECUTED THE WITHIN INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

WITNESS MY HAND AND OFFICIAL SEAL AT NASHVILLE, TENNESSEE, THIS 26TH DAY OF JULY 1938.

(SEAL) B. M. SMOTHERMAN,

NOTARY PUBLIC

COM. EXPIRES JULY 14, 1941

STATE OF TENNESSEE

COUNTY OF DAVIDSON

ON THIS 26TH DAY OF JULY 1938, BEFORE ME B. M. SMOTHERMAN A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, APPEARED CHAS. F. LOVELL, AND