NUMBER 43506 RECORDED AUGUST 14, 1940. ERNEST W. BENZ, TRUSTEE TO BEN H. CARDEN, ET UX. 325

49098 MARSHALL & BRUCE CO NASHVILLE

Book No. 1148

For and in consideration of the sum of FORTY-SIX HUNDRED & NO/100 DOLLARS, CASH IN HAND PAID BY BEN H. CARDEN AND WIFE, ALLEENE N. CARDEN THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED,

I, ERNEST W. BENZ, TRUSTEE FOR JOSEPHINE R. BENZ, (A WIDOW) WITH FULL POWER AS SAID TRUSTEE TO SELL MORTGAGE, TRANSFER, OR CONVEY, WITHOUT THE JOINDER OF SAID BENEEICIARY, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO THE SAID BEN H. CARDEN AND WIFE, ALLEENE N. CARDEN, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO WIT:

BEING LOT NO. 67, BLOCK "D" ON THE MAP OF A PROPOSED SUBDIVISION OF R. M. DUDLEY'S 30 ACRE TRACT ON WILLIAMS FERRY ROAD, AS OF RECORD IN BOOK 421, PAGE 122, REGISTER'S OFFICE FOR SAID COUNTY.

SAID LOT NO. 67 FRONTS 80 FEET ON THE SOUTHEASTERLY SIDE OF RIVERSIDE BOULEVARD AND EXTENDS BACK IN A SOUTHEASTERLY DIRECTION 170 FEET TO THE NORTHERLY MARGIN OF AN ALLEY, MEASURING 40 FEET ON SAID ALLEY.

BEING THE SAME PROPERTY CONVEYED TO ERNEST W. BENZ, TRUSTEE, FROM BERTHA J. BENZ, AN UNMARRIED WOMAN, BY DEED OF RECORD IN BOOK 1101, PAGE 568, R.O.D.C., TENN.

TAXES FOR THE YEAR 1940 HAVING BEEN PRO RATED FROM DATE OF DEED AND SETTLEMENT HAVING BEEN MADE THEREFOR BY THE GRANTEES, THE GRANTOR HEREIN HEREBY ASSUMES AND AGREES TO PAY THE SAME.

To Have and to Hold the said tract or parcel of land, with the appurtenances, estate, title, and interest thereto belonging to the said BEN H. CARDEN AND WIFE, ALLEENE N. CARDEN, THEIR ....., heirs and assigns, forever, and I do covenant with the said BEN H. CARDEN AND WIFE, ALLEENE N. CARDEN, that I AM lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unincumbered,

AND I, ERNEST W. BENZ, TRUSTEE FOR JOSEPHINE R. BENZ, (A WIDOW) WITH FULL POWER AS SAID TRUSTEE TO SELL, MORTGAGE, TRANSFER, OR CONVEY, WITHOUT THE JOINDER OF SAID ~~And~~ BENEFICIARY, do further covenant and bind MYSELF, MY SUCCESSORS ~~heirs~~ and representatives, to warrant and forever defend the title to said land to the said BEN H. CARDEN AND WIFE, ALLEENE N. CARDEN, THEIR, heirs and assigns, against the lawful claims of all persons whomsoever.

Witness MY hand, this 10 day of AUGUST, 1940.

ERNEST W. BENZ, TRUSTEE

STATE OF TENNESSEE, DAVIDSON COUNTY.

Personally appeared before me, H. N. GRAVES, JR. a Notary Public in and for said County and State, the within-named ERNEST W. BENZ, TRUSTEE the bargainor, with whom I am personally acquainted, and who acknowledged that HE executed the within instrument for the purposes therein contained.

And X X X wife of the said, having appeared before me privately and apart from husband, the said acknowledged the execution of the said instrument to have been done by freely, voluntarily, and understandingly, without compulsion or constraint from said husband and for the purposes therein expressed.

Witness my hand and official seal at Nashville, Tennessee, this 10TH day of AUGUST, 1940

Commission Expires 6 day of OCTOBER, 1941 (Seal.) H. N. GRAVES, JR.,
Notary Public.

U.S.R.S. $2.20

RECEIVED AUG. 14, 1940, AT 11:45 A.M.