WITNESS MY HAND AND OFFICIAL SEAL AT NASHVILLE, TENNESSEE, THIS THE 9TH DAY OF JANUARY, 1940.

(SEAL) MARTIN SETTLE,
NOTARY PUBLIC.

MY COM.EX.JULY 9, 1941.

U.S.R.S. $0.50.

RECD JAN. 11, 1940 AT 3:05 P M
MW

NUMBER 31589 RECORDED JAN.13, 1940.

J.E.CALDWELL & CO.,
TO DEED
R.B.RUDDER, ET UX.

D E E D

WHEREAS, THE HEREINAFTER DESCRIBED PROPERTY IS SUBJECT TO A DEED OF TRUST FROM JAMES E.CALDWELL & COMPANY TO J.H.TIDMAN, TRUST OFFICER OF THE COMMERCE UNION BANK, AND HIS SUCCESSORS IN OFFICE AS TRUSTEE, WHICH DEED OF TRUST IS RECORDED IN BOOK 1076, PAGE 85, ET SEQ. REGISTERS OFFICE OF DAVIDSON COUNTY, TENNESSEE, AND

WHEREAS, THE SAID J.H.TIDMAN, TRUSTEE AS AFORESAID, IS JOINING IN THIS DEED FOR THE PURPOSE OF EXECUTING A RELEASE OF THE LIEN OF THE SAID DEED OF TRUST OF THE PROPERTY HEREIN CONVEYED; BUT NO FURTHER OR OTHERWISE, AND

WHEREAS, THE PURCHASE PRICE HEREIN RECITED IS MORE THAN THE MINIMUM PURCHASE PRICE REQUIRED IN SAID DEED OF TRUST, AS MODIFIED BY TWO CERTAIN DECREES OF THE CHANCERY COURT OF DAVIDSON COUNTY, TENNESSEE, ENTERED ON OR ABOUT AUGUST 10, 1939, IN THE CASES OF KNOX COUNTY VS. FOURTH & FIRST NATIONAL BANK ET AL, RULE NO. 44871, AND FIRST NATIONAL BANK IN ST. LOUIS VS. JAMES E.CALDWELL ET AL, RULE NO 53453, WHICH DECREES APPEAR OF RECORD IN MINUTE BOOK 40, PAGE 398, AND MINUTE BOOK 40, PAGE 399, RESPECTIVELY, IN THE OFFICE OF THE CLERK & MASTER FOR DAVIDSON COUNTY, TENNESSEE.

THE SAID JAMES E.CALDWELL & COMPANY HAS PRESENTED TO THE TRUSTEE A WRITTEN REQUEST SPECIFYING BY METES AND BOUNDS THE PROPERTY PROPOSED TO BE SOLD, THE PRICE AND TERMS OF PROPOSED SALE, ACCOMPANIED BY WRITTEN PROPOSITION OF PURCHASE SIGNED BY THE PROPOSED PURCHASER, AND THE SAID TRUSTEE HAS ASSENTED IN WRITING TO SAID PROPOSED SALE, THE SAID JAMES E.CALDWELL & COMPANY HAVING PREVIOUSLY FURNISHED THE TRUSTEE WITH A CERTIFIED COPY OF A GENERAL RESOLUTION OF THE BOARD OF DIRECTORS OF JAMES E.CALDWELL & COMPANY AUTHORIZING CERTAIN NAMED OFFICERS TO APPROVE PROPOSED SALES AND TO REQUEST THE APPROVAL OF THE TRUSTEE AND AUTHORIZING SAID NAMED OFFICERS OF JAMES E.CALDWELL & COMPANY TO ACT GENERALLY IN THE PREMISES.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES AND $637.50, ONE-FOURTH OF WHICH HAS BEEN PAID IN CASH, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED BY JAMES E.CALDWELL & COMPANY AND FOR THE BALANCE OF THE PURCHASE PRICE, THE SAID ROY B.RUDDER AND WIFE, GERTRUDE RUDDER, HAVE EXECUTED THEIR THREE PROMISSORY NOTES OF EVEN DATE IN AMOUNT OF $159.37 EACH DUE ON OR BEFORE 1, 2 AND 3 YEARS

MARSHALL & BRUCE CO. NASHVILLE

FROM DATE, SAID NOTES TO BEAR INTEREST AT THE RATE OF 6% PAYABLE SEMI-ANNUALLY. A LIEN IS EXPRESSLY RETAINED ON THE PREMISES TO SECURE SAID NOTES AND INTEREST UNTIL PAID IN FULL.

JAMES E.CALDWELL & COMPANY HAS BARGAINED AND SOLD AND DOES HEREBY TRANSFER AND CONVEY UNTO ROY B.RUDDER AND WIFE, GERTRUDE RUDDER, THEIR HEIRS AND ASSIGNS, THE FOLLOWING LAND LYING AND BEING IN THE SEVENTH CIVIL DISTRICT OF DAVIDSON COUNTY, TENNESSEE, TO WIT:

"LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO.68 ON THE MAP OF THE WOODMONT BOULEVARD SECTION OF MARENGO PARK, OF RECORD IN BOOK 1130, PAGE 2, OF THE REGISTERS OFFICE FOR SAID COUNTY.

SAID LOT NO.68 FRONTS 75 FEET ON THE NORTHWESTERLY SIDE OF JOHN B.HOOD TRAIL AND RUNS BACK BETWEEN PARALLEL LINES 195 FEET TO A DEAD LINE.

BEING PART OF THE PROPERTY CONVEYED TO JAMES E.CALDWELL & COMPANY BY DEED FROM JAMES E.CALDWELL AND WIFE, OF RECORD IN BOOK 881, PAGE 188, SAID REGISTERS OFFICE."

THIS CONVEYANCE IS MADE SUBJECT TO RESTRICTIVE COVENANTS OF RECORD IN BOOK 1113, PAGE 296, IN THE REGISTERS OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

TO HAVE AND TO HOLD UNTO THE SAID ROY B.RUDDER AND WIFE, GERTRUDE RUDDER, WITH THE APPURTENANCES, ESTATE, TITLE AND INTEREST THERETO BELONGING, THEIR HEIRS AND ASSIGNS IN FEE SIMPLE FOREVER.

THE SAID JAMES E.CALDWELL & COMPANY COVENANTS WITH THE SAID ROY B.RUDDER AND WIFE, GERTRUDE RUDDER THAT IT IS LAWFULLY SEIZED AND POSSESSED OF SAID LAND, HAS A PERFECT RIGHT TO CONVEY THE SAME AND THAT IT IS UNENCUMBERED.

THE SAID JAMES E.CALDWELL & COMPANY COVENANTS AND BINDS ITSELF AND ITS SUCCESSORS, TO WARRANT AND FOREVER DEFEND THE TITLE TO SAID LAND UNTO THE SAID ROY B.RUDDER AND WIFE, GERTRUDE RUDDER, THEIR HEIRS AND ASSIGNS FOREVER, AGAINST THE LAWFUL CLAIMS OF ALL PERSONS WHOMSOEVER.

J.H.TIDMAN, TRUST OFFICER OF THE COMMERCE UNION BANK, AS TRUSTEE, UNDER THE DEED OF TRUST RECORDED IN BOOK 1076, PAGE 85, ET. SEQ. REGISTERS OFFICE OF DAVIDSON COUNTY, TENNESSEE, EXPRESSLY STATES THAT ALL CONDITIONS OF THE SAID DEED OF TRUST, AS MODIFIED BY SAID TWO DECREES HERETOFORE REFERRED TO, WITH REFERENCE TO SALES AND PARTIAL RELEASES OF THE PROPERTY THEREBY COVERED HAVE BEEN COMPLIED WITH AND HEREBY ACKNOWLEDGES RECEIPT OF JAMES E.CALDWELL & COMPANY OF $159.39 IN CASH AND THREE LIEN NOTES IN AMOUNT OF $159.37 EACH AND JOINS HEREIN FOR THE PROPER RELEASING THE LAND HEREIN CONVEYED FROM THE LIEN OF THE DEED OF TRUST RECORDED IN BOOK 1076, PAGE 85, ET. SEQ. REGISTERS OFFICE DAVIDSON COUNTY, TENNESSEE, BUT NO FURTHER OR OTHERWISE, THE TRUSTEE DEEMING THE JOINDURE IN THIS INSTRUMENT AS THE PROPER FORM OF PARTIAL RELEASES PROVIDED FOR UNDER SAID DEED OF TRUST.

IN WITNESS WHEREOF THE SAID JAMES E.CALDWELL & COMPANY HAS CAUSED THIS INSTRUMENT TO BE EXECUTED BY ITS FULLY AUTHORIZED OFFICERS AND J.H.TIDMAN, AS TRUSTEE, HAS DULY AFFIXED HIS SIGNATURE ALL ON THIS DAY, JANUARY 11TH, 1940.

(NO SEAL) JAMES E.CALDWELL & COMPANY

ATTEST: BY
WINSTON CALDWELL, SECRETARY. JAMES E.CALDWELL, PRESIDENT

J.H.TIDMAN, TRUSTEE.