PARTITION DEED

WE, MARTIN R. DAVIS AND WIFE, MACIE T. DAVIS, AND CLYDE G. ENGLAND AND WIFE, LAURA S. ENGLAND, are the owners of adjoining tracts of land that we purchased from Helen W. Liebhart, et al.

MARTIN R. DAVIS AND WIFE, MACIE T. DAVIS, conveyed to JOE UPCHURCH AND WIFE, FRANCES UPCHURCH, a tract of 4.48 acres, more or less, off of the south part of our tract of land, by deed of record in Book 3157, page 291, Register's Office for Davidson County, Tennessee.

The tract purchased by the said Clyde G. England and wife, Laura S. England, is of record in Book 2992, page 614, Register's Office, and the tract purchased by the said Martin R. Davis and wife, Macie T. Davis, is of record in Book 2992, page 606, said Register's Office. The tract purchased by Clyde G. England and wife, is encumbered by a deed of trust of record in Book 3012, page 464, Register's Office, which contains the same description as is contained in the deed to the said Clyde G. England and wife.

The entire tract jointly owned by us has recently been surveyed by C. J. Carney, Surveyor, and said survey discloses numerous errors in the descriptions contained in our respective deeds brought about by the draftsman who prepared the description for our respective deeds and in addition thereto the Surveyor has made a division line between the respective tracts, which does not conform to the description in our respective deeds, and it is now the desire of the said parties by this instrument to set out the correct descriptions for our respective tracts, and we each convey to the other any discrepancies existing between the original tract and the description contain herein for our respective tracts.

The description for the Clyde G. England and wife, Laura S. England tract is as follows:

A tract of land in the 14th, formerly 24th Civil District of Davidson County, Tennessee, described according to a survey made by C. J. Carney, Surveyor, dated January 10, 1961, as follows:
BEGINNING at a point in the centerline of Simpkins Road, in the northwest line of the Martin R. Davis Tract; thence along the new line of said Davis' tract, North 45° 45' East 845 feet to a stake in the west line of the Burgess Property; thence along Burgess' line as follows: North 4° West 40 feet to a pin; North 14° 45' East 184.8 feet to a pin; North 9° West 481.4 feet to a pin in Dickerson's south line; thence with Dickerson's line, North 84° West 698.5 feet to a pin; thence with Simpkin's line, South 62° West 1220 feet to an iron pin in Simpkins Creek; thence with said Creek, North 70°West 254 feet to a corner of Simpkins and Dickerson; thence with Dickerson's east line, South 200 feet to a pin; thence South 46° 30' West 230 feet to a pin; South 55° 30' West 213 feet to a pin; thence South 13° East 354 feet to a pin in Carney's line; thence with Carney's line, South 70° East 300 feet to a pin; South 47° East 328 feet to a pin; being the northwest corner of Martin R. Davis tract; thence with said Davis' line, North 70° East 670 feet to a pin; thence South 55° East 298 feet to a pin; thence North 45° 45' East 400 feet to the point of beginning, containing 56.7 acres.

The said Clyde G. England and wife, Laura S. England does hereby convey unto Thomas O. H. Smith, Jr., Trustee, the above described tract to secure the note set out in the deed of trust of record in Book 3012, page 464, said Register's Office, which description is in lieu of the description contained in said deed of trust, and which is erroneous. The tract above described is encumbered by said deed of trust by the same terms and conditions set forth in the original.

The description for the Martin R. Davis and wife, Macie T. Davis tract, is as follows:

A tract of land in the 14th, formerly 24th Civil District of Davidson County, Tennessee, described according to a survey made by C. J. Carney, Surveyor, dated January 10, 1961, as follows:
BEGINNING at an iron pin south of Simpkins Road, at the corner of the property conveyed by Martin R. Davis and wife, to Joe Upchurch and wife, as of record in Book 3157, page 291, Register's Office; thence North 14° 30' East 362 feet to a pin in Teasley's west line; and continuing with said line, North 11° East 429 feet to a pin; North 4° West 750 feet to a pin, a corner of the the Clyde G. England and wife, Laura S. England tract; thence with said England's southerly line as