LAW OFFICES
BAILEY, EWING, DALE & BAILEY
NASHVILLE BANK & TRUST BUILDING
NASHVILLE, TENNESSEE 37201

Map 147-11
Par. 30-48
64.28

Mail to: [illegible]
to
Peerless [illegible]
233 [illegible]
Nashville

BOOK 3852 PAGE 653

WARRANTY DEED

Map 161
Par. 9

M.O.

WHEREAS, heretofore under date of November 20, 1964, the owners of record of all of the issued and outstanding shares of the capital stock of Peerless Properties, Inc., a Tennessee corporation, having its principal office and place of business in Nashville, Davidson County, Tennessee, acting pursuant to recommendations of the directors of said corporation under date of November 20, 1964, unanimously adopted resolutions directing the liquidation of said corporation and, as an incident to said liquidation, the transfer of all of the said corporation's properties to the stockholders, or in the event the stockholders should so elect, to a Trustee for the said stockholders; and,

WHEREAS, the owners and holders of record of all of the issued and outstanding shares of capital stock of said corporation, to wit: James L. Boner, Charles L. Morris, Theodore H. Pailet and Southland Construction Company, as evidenced by their joining herein, have directed that said properties be conveyed to Andrew Ewing, Trustee, for said stockholders;

NOW, THEREFORE, in consideration of the premises, and for the purpose of complying with the resolutions in liquidation adopted by the stockholders of Peerless Properties, Inc., the undersigned Peerless Properties, Inc., acting by and through its President, Theodore H. Pailet, and its Secretary, Albert G. Morris, as specifically directed and empowered in said resolutions, has bargained and sold and by these presents does hereby transfer and convey unto Andrew Ewing, Trustee for James L. Boner, Charles L. Morris, Theodore H. Pailet and Southland Construction Company, his successors and assigns, the following described tracts of land, to wit:

TRACT NO. 1:

A tract of land lying in the Sixth Civil District of Davidson County, Tennessee, and being a portion of the reserved section of Whispering Hills, Section II-C, as of record in Book 2663, page 67, Register's Office for Davidson County, Tennessee, and running the following courses and distances:

Beginning at a concrete monument on the easterly margin of Whispering Hills Drive in a fence line on the southerly line of the Moore property and the northerly margin of Whispering Hills, Section II-C, and running thence:

1. South 73°-09' East a distance of 32' to a concrete monument in the westerly margin of the Boler Jack Property and the northerly margin of Whispering Hills Section II-C; thence;

2. South 11°-08' West along the westerly margin of the Boler Jack property a distance of 323.5' to a concrete monument in the northerly margin of Leeanne Drive; thence,

3. Along said northerly margin of Leeanne Drive in a northwesterly direction a distance of 29.5' to a concrete monument; thence,

4. Around a 25'-radius curve to the right a distance of 39.3' to a concrete monument at the northeast return of Whispering Hills Drive; thence,

5. North 17°-09' East a distance of 112' to a concrete monument in the easterly margin of Whispering Hills Drive; thence,

6. Around a 985'-radius curve to the left a distance of 185' to a concrete monument and the point of beginning, containing 0.3 acres, more or less.

TRACT NO. 2:

A tract of land lying in the Sixth Civil District of Davidson County, Tennessee, and being a portion of the reserved sections of Whispering Hills, Section II-C, as of record in Book 2663, page 67, Register's Office for Davidson County, Tennessee, and running the following courses and distances:

Beginning at a concrete monument on the northerly margin of Leeanne Drive and being the southwest corner of Lot 428; thence,

1. Along the northerly margin of Leeanne Drive around a 522'-radius curve to the left a distance of 182.2' to a concrete monument on the northerly margin of Leeanne Drive; thence,

2. Continuing along said margin in a northwesterly direction a distance of 135.5' to a concrete monument on the northerly margin of Leeanne Drive, being the southwest corner of the Boler Jack property; thence,

3. North 88°-23' East a distance of 389.8' to a concrete monument at the northwest corner of Lot 428; thence,

4. Along the westerly margin of Lot 428 in a southwesterly direction a distance of 172.3' to a concrete monument and the point of beginning, containing 0.5 acres, more or less.

TRACT NO .3:

A tract of land lying in the Sixth Civil District of Davidson County, Tennessee, and being a portion of the reserved sections of Whispering Hills, Section II-C, as of record in Book 2663, page 66, Register's Office for Davidson County, Tennessee, and running the following courses and distances:

Beginning at a concrete monument at the southeast corner of Lot 442, being the northerly margin of Northcrest Drive; thence,

1. Around a 25'-radius curve to the left, a distance of 37.5' to a concrete monument; thence,

2. Continuing along the easterly margin of said Lot 442, a distance of 24.3' to a concrete monument; thence,

3. Continuing along the easterly margin of said Lot 442, around a 413.7'-radius curve to the left a distance of 117'; thence,

4. South 53°-33' West a distance of 209.1' to a concrete monument at the northwest corner of Lot 442; thence,

5. South 85°-57' West a distance of 184' to a concrete monument; thence,

6. North 84°-52' West a distance of 347.4' to a concrete monument; thence,

7. North 57°-36' West a distance of 186.2' to a concrete monument; thence,

8. North 47°-06' West a distance of 193.6' to a concrete monument at the northwest corner of Lot 428; thence,

9. Along a fence in the northeasterly direction of 1120', more or less, to a concrete monument; thence,

10. Continuing along said fence, South 85°-12' East a distance of 67' to a concrete monument; thence,

11. North 89°-02' East a distance of 104' to a concrete monument; thence,

12. South 03°-08' East a distance of 95' to a concrete monument; thence,

13. South 88°-52' East a distance of 249.9' to a concrete monument at the northwest corner of Lot 445; thence,

14. In a southwesterly direction a distance of 220.4' along the westerly margin of Lot 445 to a concrete monument; thence,

15. Around a 25'-radius curve to the left a distance of 37.4' to a concrete monument in the northerly margin of Northcrest Drive; thence,

16. Around a 617.4'-radius curve to the left a distance of 577.4' to a concrete monument in the northerly margin of Northcrest Drive and the point of beginning, containing 7.4 acres, more or less.

The above described tracts 1, 2 and 3 were conveyed to Peerless Properties, Inc. by deed of Evergreen Land Company, of record in Book 3641, page 265, Register's Office for Davidson County, Tennessee.

TRACT NO. 4:

Being parts of Lots Nos. 4 and 5 on the Plan of E. L. Endsley Lands of record in Plan Book 1, page 24, Chancery Court and being a part of the Alford Tract, as described in the deed from Mary Loomis to F. Compton Wallace, of record in Book 2635, page 448, Register's Office for said County, and described according to a copy of a survey thereof made by Hickerson-Miller, Engineers-Surveyors, September 2, 1959, as follows:

Beginning at a concrete monument in the westerly margin of Cotton Lane at the southwest corner of the original Alford Tract above referred to; thence along the southerly boundary of said tract and along a fence as follows: north 89° west 104 feet to a concrete monument; north 85° west 67 feet to a concrete monument; north 84° 30' west 246 feet to a post; north 86° west 462 feet to a corner post; thence north 12° east and along a fence, 390 feet to a point; thence north 79° 45' East 342 feet to a corner post; thence south 5° east 140 feet to a point; thence south 57° 50' east 563 feet to a point in the westerly margin of Cotton Lane; thence with the margin of the same, south 25° 45' west 75 feet to the beginning, containing 5.89 acres, more or less.

Being the same property which was conveyed to Peerless Properties, Inc. by deed of Andrew Ewing, Trustee, of record in Book 2993, page 91, Register's Office for said County.

TRACT NO. 5:

A tract of land situated in the Sixth Civil District of Davidson County, Tennessee, and described according to a survey of Hickerson-Miller, Engineers-Surveyors, dated April 22, 1959, as follows:

BEGINNING at a concrete monument set in the southeast corner of the Plan of Section II-B, of Whispering Hills, as of record in Book 2331, page 155, Register's Office for Davidson County, Tennessee, and also being a corner in the tract of land conveyed to W. H. Whitsitt, Jr. by deed of Andrew Ewing, Trustee, of record in Book 2638, page 247, in said Register's Office; thence south 0° 08' west 64.0 feet to a point; thence South 11° 53' East 20.2 feet to a

point; thence south 53° 15' West 9.5 feet to a point in the center line of a creek; thence with a fence South 0° 8' West 1150 feet to a corner post set in the northerly margin of McMurray Drive; thence with the northerly margin of said McMurray Drive 87° 25' West 494 feet to a corner post; thence with a fence North 1° 05' East 947 feet to a corner post; thence with a fence North 87° 25' West 963.6 feet to a corner post; thence with a fence North 1° 05' East 1257 feet to a point in the center of a creek; thence North 29° 15' East 13 feet to a monument set in the southwest corner of said Plan of Section II-B Whispering Hills, as above identified; thence South 65° 53' East 141.6 feet to a monument; thence continuing on the same course 183.7 feet to another monument; thence South 51° 15' East 480.3 feet to a monument; thence South 58° 50' East 169.0 feet to a monument; thence South 61° 15' East 120.0 feet to a monument; thence South 58° 37' East 100.0 feet to a monument; thence South 42° 39' East 505.0 feet to a monument; thence South 32° 24' East 94.2 feet to the point of beginning, and containing, according to said survey, 39.2 acres, more or less.

Being the same property which was conveyed to Peerless Properties, Inc. by deed of Albert G. Morris, Trustee, of record in Book 2993, page 257, Register's Office for Davidson County, Tennessee.

The above described Tract No. 5 is conveyed expressly subject to the lien of a Deed of Trust executed by Peerless Properties, Inc. to C. D. Rippy, Trustee, of record in Book 3816, page 986, Register's Office for Davidson County, Tennessee.

The said Andrew Ewing, Trustee, is expressly vested by James L. Boner, Charles L. Morris, Theodore H. Pailet and Southland Construction Company, as evidenced by their signatures hereto, with full power and authority to sell, mortgage, or otherwise encumber, rent, subdivide, or otherwise deal with said property in any manner as he, as an individual, might do, and shall have full authority to execute any deed, deed of trust, mortgage, subdivision plan, or other instrument or document of any kind or character respecting said property, or any part thereof, without the joinder of any other party or beneficiary, and no party or parties advancing any funds to the said Andrew Ewing, Trustee, upon the faith of any instrument shall be required to see to the application of any funds advanced on the faith thereof, and any such instrument when executed by said Trustee shall be in full acquittance and discharge of the parties advancing such funds.

The right is expressly reserved by the said beneficiaries to remove said Trustee from office and to appoint a successor

trustee, with the further right to remove the successor trustee and appoint a successor to him, by the execution and recording of an appropriate written instrument in the Office of the Register of Davidson County, Tennessee, and any such successor trustee shall be vested with all powers and authority of his predecessor or predecessors in trust.

TO HAVE AND TO HOLD said real estate with the appurtenances, estates, titles and interests thereto belonging, to the said Andrew Ewing, as Trustee, his successors and assigns, forever, and the undersigned grantor covenants that it is lawfully seized and possessed of said real estate in fee simple, has a good right to convey it and that the same is unencumbered, except as hereinabove set forth, and taxes for the year 1964, which are assumed by the Grantee.

The undersigned Grantor further covenants and binds itself, its successors and assigns, to warrant and forever defend the title to said real estate to the said Andrew Ewing, Trustee, his successors and assigns, against the lawful claims of all persons.

IN WITNESS WHEREOF, Peerless Properties, Inc. has caused its authorized officers to execute this instrument, and the said James L. Boner, Charles L. Morris, Theodore H. Pailet and Southland Construction Company, have executed this instrument, on this the 31st day of December, 1964.

STATE TAX $ [illegible]
PROBATE .50
TOTAL $ [illegible]

JAN 2 1965
PAID JAN 20 1965
R. E. WORRALL
COUNTY COURT CLERK
DAVIDSON COUNTY, TENN.

PEERLESS PROPERTIES, INC.

By _____
President

Attest: _____
Secretary

_____
James L. Boner

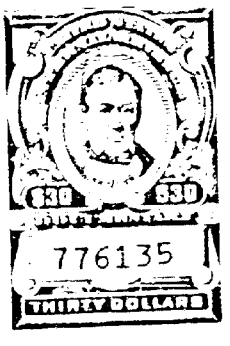
_____
Charles L. Morris

_____
Theodore H. Pailet









SOUTHLAND CONSTRUCTION COMPANY

By Albert G. Morris
President

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Before me, Rebecca Goodpasture, a Notary Public of the State and County aforesaid, personally appeared Theodore H. Pailet and Albert G. Morris, with whom I am personally acquainted, and who upon their several oaths acknowledged themselves to be the President and Secretary, respectively, of Peerless Properties, Inc., the within named bargainor, a corporation, and that they as such President and Secretary, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by the said Theodore H. Pailet, as such President, and attesting the same by the said Albert G. Morris, as such Secretary;

And before me further personally appeared Albert G. Morris, with whom I am personally acquainted and who, upon his oath, acknowledged himself to be the President of Southland Construction Company, the within named bargainor, a corporation, and that he as such president, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by the said Albert G. Morris as such president;

And further personally appeared before me, the within named James L. Boner, Charles L. Morris and Theodore H. Pailet, the bargainors, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, this 21st day of December, 1964.

Rebecca Goodpasture
Notary Public

My comm. expires:

My Commission Expires May [illegible]

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WARRANTY DEED

PEERLESS PROPERTIES, INC.

to

ANDREW EWING, TRUSTEE

65831

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY
STATE OF TENN

JAN 20 11 25 AM '65

NOTE BOOK 110 PAGE 249
RECORDING FEE $ 5.25
DEP. REG. ---

LAW OFFICES
BAILEY, EWING, DALE & BAILEY
NASHVILLE BANK & TRUST BUILDING
NASHVILLE, TENNESSEE 37201

5.25