Mail Tax Notice
To Brinkhaven Corp
3314 Belmont Drive, Nashville
MAP 104-06.
PAR 25
21W 2310
MS

This Instrument Was Prepared By
DENNEY, LEFTWICH, LACKEY & CHERNA
218 Third Avenue North
Nashville, Tennessee

TRUSTEE'S DEED

THIS INDENTURE made this 19th day of August, A.D., 1965, by and between W. B. EARTHMAN, of Nashville, Tennessee, Trustee of the Estate of Acklen Corporation, Bankrupt, in Bankruptcy Number BK 63-1356, Party of the First Part, and BRINKHAVEN CORPORATION, a Tennessee Corporation, of Nashville, Tennessee, Party of the Second Part:

W I T N E S S E TH:

WHEREAS, a petition for adjudication in bankruptcy was filed in the District Court of the United States for the Middle District of Tennessee, Nashville Division, by Acklen Corporation, who was afterwards, on to-wit: the 8th day of March, A.D., 1965, duly adjudged a bankrupt; and

WHEREAS, W. B. Earthman, of Nashville, Tennessee, was thereafter duly appointed Trustee of the Estate of Acklen Corporation, on to-wit: the 8th day of April, A.D., 1965, and duly qualified as such Trustee by filing his bond in the penal sum of $40,000.00, on the 8th day of April, A.D., 1965, which said bond was duly approved by the Honorable John M. Bates, Referee in Bankruptcy, on the 8th day of April, A.D., 1965; and whereupon, the said W. B. Earthman was duly qualified to act and ever since has been and is now acting as such Trustee aforesaid; and

WHEREAS, a certified copy of the order of adjudication in bankruptcy of Acklen Corporation, of the City of

Nashville, County of Davidson, was thereafter filed of record in the County of Davidson, in the State of Tennessee, by the said Trustee herein; and

WHEREAS, a certified copy of the Order Approving Trustee's Bond was on April 13, 1965 filed of record in the County of Davidson, in the Register's Office in Book 3879, Page 955, by the Trustee herein; and

WHEREAS, a petition was filed by W. B. Earthman, Trustee as aforesaid, on the 12th day of August, A.D., 1965, petitioning the Court to sell at private sale the real estate of said bankrupt located and situated in the County of Davidson, in the State of Tennessee, which is more particularly described hereinafter, and thereupon on the 12th day of August, A.D., 1965, it was ordered by the Honorable John M. Bates, Referee in Bankruptcy, that a hearing be had on said Trustee's petition, and that a private sale be had of the real estate of said bankrupt, hereinafter described; and

WHEREAS, it appearing to the Court that there was little or no equity in the hereinafter described real property over and above valid liens, and that the offer of One Thousand ($1,000.00) Dollars by Brinkhaven Corporation was the highest and best bid that could be obtained for the equity in the hereinafter described real property, said offer being made subject to all outstanding mortgages and liens; and

WHEREAS, on to-wit: the 12th day of August, A.D., 1965, the Trustee herein, duly filed his report of said sale with this Court, which report was thereafter on, to-wit: the 12th day of August, A.D., 1965, duly approved and confirmed by this Court, and the Trustee herein was authorized, directed and empowered to accept the bid of the Party of the Second Part, and was further authorized, directed and empowered to make and execute the necessary deed or deeds of conveyance to pass the title to the lands and premises so sold; and

WHEREAS, in said Order last aforesaid, the Court further found that all of the rules and orders of Court had been complied with; that the bid of the Party of the Second Part was approved; and that it was to the best interest of the creditors of said bankrupt and the estate in general to sell and dispose of the lands and premises of said bankrupt, in order that a just, proper and expeditious administration of this estate be made;

NOW THIS INDENTURE WITNESSETH: That in consideration ofthe sum of One Thousand & No/100ths ($1,000.00) Dollars, paid by Brinkhaven Corporation, Party of the Second Part, to W. B. Earthman, Trustee, Party of the First Part, receipt whereof is hereby acknowledged, the undersigned W. B. Earthman, Trustee of the Estate of Acklen Corporation, Bankrupt, in Bankruptcy Number BK 63-1356, does hereby give, grant,

bargain, sell and convey unto the said Brinkhaven Corporation, Party of the Second Part, its successors and assigns, forever, all of the right, title and interest of the bankrupt, and all of his right, title and interest in said premises as Trustee of the Estate of Acklen Corporation, Bankrupt, in and to the lands and premises of said bankrupt located and situated in the County of Davidson, in the State of Tennessee, and more particularly described as follows:

Being Lot No. 3 on the Map of West End Park, as of record in Book 161, Page 47, Register's Office for Davidson County, Tennessee, described as follows:

Beginning on the northwesterly margin of Park Roadway at the corner of Lots Nos. 2 and 3; thence with the line between said two lots northwesterly 239.1 feet to the common corner of Lots Nos. 2, 3, 7 and 8; thence with the line between Lots Nos. 3 and 7 south 36 degrees 45 minutes west 200 feet to the common corner of Lots Nos. 3, 4, 6 and 7; thence southeasterly 290.9 feet to the northwesterly margin of said Park Roadway; thence with said roadway on a curve northeasterly 208 feet to the beginning.

Being the same property conveyed to D. R. Selley by deed from Minos L. Fletcher, et ux., dated March 16, 1959, and of record in Book 3032, Page 633, said Register's Office.

This conveyance of said property is subject to the provisions contained in an instrument of record in Book 365, Page 379, said Register's Office, by which the strip of ground between the roadway in front of the above described lot and West End Avenue was dedicated to the public forever, said strip to remain unfenced and free from buildings of any kind and to be used for ornamental purposes only.

Together with all and singular the tenants, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the rents, issue and profits thereof, to have and to hold, the said above granted premises with the appurtenances thereof, unto the said Party of the Second Part, its successors and assigns forever, to it or its own proper use and behoof as fully and absolutely as the said Party of the First Part can and ought to do pursuant to the Statutes and his authority as aforesaid.

IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his hand and seal the day and year first above written.

Trustee in Bankruptcy,
Estate of Acklen Corporation, Bankrupt

Signed, Sealed and Delivered
in the presence of:

APPROVED:

John M. Bates
Referee in Bankruptcy

STATE TAX $ 1.50
PROBATE .50
TOTAL $ 2.00

SEP 8 1965

R. E. WORRALL
COUNTY COURT CLERK
DAVIDSON COUNTY, TENN.
PAID SEP 8 - 1965
CT

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

I, Frances M. Moore, a Notary Public in and for said County in the State aforesaid, do hereby certify that W. B. Earthman, personally known to me, to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as the free and voluntary act of himself, as Trustee of the Estate of Acklen Corporation, Bankrupt, in Bankruptcy No. BK 63-1356, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal, this 19 day of August, A.D., 1965.

Frances M. Moore
Notary Public.

My Commission Expires: 66

BOOK 3932 PAGE 642

96608

FELIX Z WILSON II REGISTER
DAVIDSON COUNTY
STATE OF TENN

SEP 6 3 40 PM '65

BOOK 1412 PAGE 403

RECORDING FEE 3.75

DEP. REG. [illegible]

Earth Man - Trustee
Erin Haven Corporation