BOOK 4056 PAGE 619

This Instrument Prepared by
William Waller
American Trust Building
Nashville, Tennessee

Tax Exempt

Map 75
Par. 59.1

DEED

FOR AND IN CONSIDERATION of the conveyance to them by the Trustees of Hermitage Presbyterian Church, Grantees, of any interest Grantees may have in land on which the ruins of an historic brick church, sometimes referred to as Rachel Jackson's Church, are located, and of adjacent land fronting on Lebanon Road, and other valuable considerations, receipt whereof is hereby acknowledged, the Grantors, State of Tennessee, The Ladies Hermitage Association, a Tennessee corporation, and the Trustees of Ladies Hermitage Association, have bargained and sold, and by these presents do transfer and convey unto Grantees, their successors and assigns, a certain tract or parcel of land in the Fourth Civil District of Davidson County, State of Tennessee, described as follows, to wit:

> Beginning at an iron pin in the intersection of the easterly boundary line of Lebanon Pike and the northerly boundary line of Old Hickory Boulevard; running thence in a northerly direction with said easterly margin of Lebanon Pike 300 feet to an iron pin in said easterly margin; thence south 86 degrees east parallel with Old Hickory Boulevard 849.6 feet to a point; thence south 4 degrees west 258.9 feet to a point in the northerly margin of Old Hickory Boulevard; thence north 86 degrees west 1,001.2 feet to the point of beginning, containing 5.5 acres, more or less, and being a part of the same property conveyed in trust to Trustees for the Ladies Hermitage Association by the State of Tennessee, pursuant to Chapter 27, Public Acts of Tennessee of 1923, and Chapter 79, Public Acts of Tennessee of 1935.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantees, their successors and assigns, forever. And Grantors do covenant with the said Grantees that they are lawfully seized and possessed of said land in fee simple; have a good right to convey it, and the same is unencumbered.

STATE TAX $ 1.50
PROBATE .50
TOTAL $ 1.50

SEP 14 1966

R. E. WORRALL
COUNTY COURT CLERK
DAVIDSON COUNTY, TENN.

PAID SEP 14 1966

And Grantors do further covenant and bind themselves, their successors and assigns, to warrant and forever defend the title to the said land to the said Grantees, their successors and assigns, against the lawful claims of all persons whomsoever. But the Trustees of Ladies Hermitage Association make the aforesaid covenants and warranties in their capacities as Trustees only and not individually.

This deed is executed and delivered, however, on the following express condition: That is to say, Grantees covenant that they will, within three years from the date of this deed, have constructed on said property a building to be used as a place of worship; and this deed is on the condition that if said building is not erected within said period, or if said property shall cease to be used by Grantees, for any reasonable period of time, as a place of worship, said property shall revert back to Grantors, free from any encumbrances whatsoever (except as hereinafter expressly provided), and this conveyance shall become null and void. This deed is on the further condition that the design of any building or buildings constructed on said property shall be in keeping in architectural style with the Jacksonian era and the Hermitage Community in general (the Hermitage Community being defined as being the entire Hermitage farm and the historic buildings and other improvements thereon, as well as Tulip Grove Mansion and the lands thereof, under the control of The Ladies Hermitage Association), but need not be of more ornate design than that of the historic brick church, sometimes referred to as Rachel Jackson's Church, recently destroyed by fire, any such design or designs to be first submitted to The Ladies Hermitage Association for approval, and approved in writing, before construction commences, provided, however, that approval by the Association shall not be unreasonably withheld.

Notwithstanding the foregoing provision, Grantees may encumber said property by mortgage or deed of trust for a principal amount sufficient to pay not in excess of 50% of the cost of the building to be erected as a place of worship as aforesaid, but in no event to exceed $50,000 in principal amount, and the final payment of principal to be due not later than twenty years from the date of the instrument, but if future expansion becomes necessary by reason of an increase in the membership of the congregation, the mortgage indebtedness may be increased to defray not in excess of 50% of the cost thereof, provided that mortgage indebtedness shall not be incurred which shall result in the total indebtedness of the church being in excess of $500 per bona fide member of its congregation; and in the event of default on any such mortgage indebtedness, the holder of said indebtedness shall have the right to foreclose said mortgage or deed of trust and to cause the property to be sold in satisfaction of such indebtedness, free and clear of any claim of Grantors under the aforesaid reverter provision, but only if such holder of the indebtedness shall first have offered to sell and assign the same at face value (plus accrued interest for a period of not exceeding one year, but without the addition of costs or fees of any kind) to Ladies Hermitage Association, and shall have left such offer open for a period of at least two months. Any default by the Grantees resulting in the institution of foreclosure proceedings shall, moreover, constitute a breach of the condition of this deed, and the title shall thereupon revert to Grantors, free from any encumbrance except the encumbrance of said mortgage or deed of trust, notwithstanding any purported use of the property as a place of worship.

The conveyance of this property for the considerations stated is made pursuant to Sections 12-212 to 12-215, inclusive, Tennessee Code, and has been approved not only by the Governor and the Commissioner of Finance and Administration, who execute same on behalf of the State, but also by the Commissioner of Revenue, the Commissioner of Conservation, and the Attorney General.

IN WITNESS WHEREOF, the Grantors and Grantees have duly executed this instrument, ~~incorporated~~ as of the 11th day of July, 1966.

Approved:

Donald R. King
Donald R. King
Commissioner of Revenue

Donald M. McSween
Donald M. McSween
Commissioner of Conservation

Approved:

George F. McCanless
George F. McCanless
Attorney General

STATE OF TENNESSEE

By Frank G. Clement
Frank G. Clement
Governor

Harlan Mathews
Harlan Mathews
Commissioner of Finance and Administration

Attest:

Margaret J. Smith
Recording Secretary

LADIES HERMITAGE ASSOCIATION

By Mrs. Willie D. J. Beaton
Regent

J. P. Lawrence

Lewis Donelson, Jr.

Stanley F. Horn

C. Lawrence Winn

Walter Chandler

James G. Stahlman

William Waller

Henry Barker

Thomas Berry

William H. Vanstone

Andrew C. Henderson

J. E. Chastain

J. E. Wilhelm

Charles Willoughby

Trustees of Hermitage Presbyterian Church

Grantees

Trustees of Ladies Hermitage Association

Grantors

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, Claire Miller, a Notary Public in and for the State and County aforesaid, Frank G. Clement and Harlan Mathews, with whom I am personally acquainted and who, upon oath, acknowledged themselves to be the Governor and the Commissioner of Finance and Administration, respectively, of the State of Tennessee, one of the Grantors herein, and that they, as such officials, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of State of Tennessee by themselves as such officials.

Witness my hand and seal this 11 day of July, 1966.

Claire Miller
Notary Public

My commission expires: Jan 30 1968

* * * * *

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, Mary C. Garnish, a Notary Public in and for the state and county aforesaid, Mrs. Willie D. J. Buntin and Mrs. Margaret T. Smith, with whom I am personally acquainted and who, upon oath, acknowledged themselves to be the Regent and the Recording Secretary, respectively, of The Ladies Hermitage Association, one of the Grantors above named, and that they as such officers, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained and expressed, by signing the name of The Ladies Hermitage Association by the said Mrs. Willie D. J. Buntin as Regent, and attesting the same by the said Mrs. Margaret T. Smith as Recording Secretary.

Witness my hand and seal this 12th day of July, 1966.

Mary C. Garnish
Notary Public

My commission expires: 7-26-67

NOTARY PUBLIC DAVIDSON COUNTY, TENN.

STATE OF TENNESSEE )
COUNTY OF SHELBY )

Personally appeared before me, Donald A. Malm , a Notary Public in and for said County and State, Lewis Donelson, Jr. and Walter Chandler, Trustees of The Ladies Hermitage Association, the within named bargainors, with whom I am personally acquainted, and who acknowledged that, as such Trustees, they executed the within instrument for the purposes therein contained.

Witness my hand and seal this 16th day of August , 1966.

Donald A. Malm
Notary Public

My Commission expires:
My Commission Expires July 25, 1967

* * * *

STATE OF TENNESSEE )
COUNTY OF SULLIVAN )

Personally appeared before me, O. D. Hamrick . , a Notary Public in and for said County and State, Henry Barker, Trustee of The Ladies Hermitage Association, the within named bargainor, with whom I am personally acquainted, and who acknowledged that as such Trustee, he executed the within instrument for the purposes therein contained.

Witness my hand and seal this 30th day of Aug , 1966.

O. D. Hamrick
Notary Public

My commission expires: April 25th 1970.

STATE OF TENNESSEE }
COUNTY OF JEFFERSON }

Personally appeared before me, Alice W. Crittenden a Notary Public in and for said County and State, Thomas Berry, Trustee of The Ladies Hermitage Association, the within named bargainor, with whom I am personally acquainted, and who acknowledged that as such Trustee, he executed the within instrument for the purposes therein contained.

Witness my hand and seal this 24th day of August, 1966.

Alice W. Crittenden
Notary Public

My commission expires: 4-20-67



STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, Mary C. Parrish, a Notary Public in and for said County and State, James G. Stahlman, Trustee of The Ladies Hermitage Association, the within named bargainor, with whom I am personally acquainted, and who acknowledged that as such Trustee, he executed the within instrument for the purposes therein contained.

Witness my hand and seal this 22 day of Aug., 1966.

Mary C. Parrish
Notary Public

My commission expires: 7-26-67

* * * *

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, Mary C. Parrish, a Notary Public in and for said County and State, J. P. Lawrence, Stanley F. Horn and William Waller, Trustees of The Ladies Hermitage Association, the within named bargainors, with whom I am personally acquainted, and who acknowledged that as such Trustees, they executed the within instrument for the purposes therein contained.

Witness my hand and seal this 22 day of Aug., 1966.

Mary C. Parrish
Notary Public

My commission expires: 7-26-67

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, Mary C. Parrish, a Notary Public in and for said County and State, C. Lawrence Winn, Trustee of The Ladies Hermitage Association, with whom I am personally acquainted, and who acknowledged that as such Trustee, he executed the within instrument for the purposes therein contained.

Witness my hand and seal this 8th day of Sept., 1966.

Mary C. Parrish
Notary Public

My commission expires: 7-26-67

* * * * *

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, Mary C. Parrish, a Notary Public in and for said County and State, William H. Vanstone, Andrew C. Henderson, J. E. Chastain, J. E. Wilhelm and Charles Willoughby, with whom I am personally acquainted, and who, upon oath, acknowledged themselves to be the Trustees of Hermitage Presbyterian Church, Inc., the within named bargainor, a corporation, and that they as such Trustees, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

Witness my hand and seal at office at Nashville, Tennessee, this 9th day of Sept., 1966.

Mary C. Parrish
Notary Public

My commission expires: 7-26-67

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5.00

State of Tennessee,
The Ladies Hermitage
Association and
The Trustees of The
Ladies Hermitage
Association

to

Trustees of Hermitage
Presbyterian church

43544

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY
STATE OF TENN

SEP 14 4 17 PM '06

NOTED: BOOK 114 PAGE 836
RECORDING FEE $ 5.00
DEP. REG. ____