This instrument prepared by Tyree B. Harris, 900 Nashville Trust Building, Nashville, Tennessee.

WARRANTY DEED

Nashville Associates
c/o Melvin S. Taub
Attorney at Law
950 Clifton Avenue
Clifton, New Jersey 07013

Map 102
P/o Par. 22
m.o.

For and in consideration of the sum of One Hundred Fifteen Thousand ($115,000.00) Dollars, cash in hand paid by Melvin S. Taub, Herbert Kay, Samuel Brodie, Peter E. Simon and Philip H. Simon, partners doing business as Nashville Associates, we, Mary Napier Ganier, Conservator for Mary C. Napier, and Albert F. Ganier, Jr., as Substitute Trustee, have bargained and sold and by these presents do transfer and convey unto the said Melvin S. Taub, Herbert Kay, Samuel Brodie, Peter E. Simon and Philip H. Simon, partners doing business as Nashville Associates, their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to-wit:

STATE TAX $ 172.50
PROBATE
TOTAL $ 172.50

AUG 24 1967

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

PAID AUG - 4 1967

A tract of land in the 8th Civil District of Davidson County, Tennessee, being parts of Lots Nos. 18 and 19 in the Subdivision of Mount Hickory, of record in Book 332, page 68, Register's Office for said County, located at the northeast quadrant of Charlotte Pike (U.S. 70N) and Interstate I-40 and being described according to a copy of a survey made by William Collier Parrish Associates, Civil Engineers, dated July 27, 1965, Revised July 25, 1966, Revised January 5, 1967, as follows:

Beginning at a concrete monument at the intersection of the northerly margin of Charlotte Pike (U.S. 70N) and the easterly margin of Interstate I-40, said monument being 1,190.08 feet easterly as measured along the centerline of U.S. 70N (Charlotte Pike) from the centerline of I-40 and northerly perpendicular to, and 148.1 feet from, the centerline of Charlotte Pike; Thence with the northerly margin of Charlotte Pike (U.S. 70N) North 71° 23' East, 503.35 feet to an iron stake at the southwest corner of the Chevron Oil Company one acre lot as shown on said survey; Thence with the Chevron Oil Company lot, North 18° 37' West, 200 feet to an iron stake at the northwest corner of the Chevron Oil Company lot; thence North 71° 23' East, 205.85 feet to an iron stake at the northeast

corner of the Chevron Oil Company lot on the easterly boundary of the herein described tract; thence North 25° 30' West, 110.14 feet to an iron stake; thence North 42° 23' West, 314.10 feet to a concrete monument on the easterly margin of I-40, said concrete monument being 165 feet southeasterly from the centerline of I-40; thence South 43° 16' West, 315.95 feet to an iron stake; thence South 43° 10' West, 192.55 feet to a concrete monument, said concrete monument being 180 feet easterly from the centerline of I-40; thence South 11° 38' West, 222.30 feet to a concrete monument; thence South 15° 28' 20"E.164.85 feet to the point of beginning, containing 6.041 acres according to said survey.

Being part of the property conveyed to Mary C. Napier for life and Commerce Union Bank, as trustee, by deed from James W. Napier, of record in Book 904, page 614, Albert F. Ganier, Jr., having been appointed Successor Trustee by decree of the County Court of Davidson County, Tennessee, entered in Minutes Book 149, page 450, a certified copy of which is of record in Book 3070, page 506, all in the Register's Office for said County.

Grantors reserve unto themselves, their heirs, assigns and successors in interest a permanent easement for vehicular, pedestrian and other traffic over that portion of the land hereinabove conveyed lying within 50 feet of the southernmost boundary thereof and within 65 feet of the easternmost boundary thereof; said easement for the use of any member of the public having a lawful right to transact business with or visit upon the property touching the easement hereinafter conveyed and reserved, or any future extensions thereof. In exchange for the reservation of the permanent easement hereinabove reserved the grantors, their heirs, assigns and successors in interest, grant, assign, set over and convey to grantees, their heirs, assigns and successors in interest a permanent easement for vehicular, pedestrian and other traffic for use by any member of the general public having a lawful right to transact business with or visit upon the property touching the easement herein conveyed or reserved or any future extensions thereof over a certain tract of land, more particularly described as follows:

Commencing on the northern margin of Charlotte Pike at the southeast corner of the property hereinabove conveyed; thence northwardly along the said eastern margin of the property hereinabove conveyed North 18° 37' West 50 feet to a point; thence North 71° 23' East 222.54 feet, more or less, to a point; thence North 65° 00' 29" East 500 feet, more or less, parallel to and 70 feet from the northern margin of Charlotte Pike to a point; thence South 24° 59' 31" East 70 feet to a point in the northern margin of Charlotte Pike; thence South 65° 00' 29" West 90 feet, more or less, to a point in the margin of said Charlotte Pike; thence North 24° 59' 31" West 20 feet to a point; thence South 65° 00' 29" West 410 feet, more or less, to a concrete monument; thence South 71° 23' West 230 feet along the northern margin of Charlotte Pike to the point of beginning.

This is unimproved property known as Charlotte Pike, Nashville, Tennessee.

It is understood that the above tract is being conveyed for the construction of a Howard Johnson Motor Lodge and Restaurant and for contemplated future expansion thereof. In the event the grantees hereunder should make any other use of any portion of the Charlotte Pike frontage to a depth of 200 feet, or should attempt to sell any portion of such property, the grantors reserve an option to repurchase any such portion of the frontage at the price of Nineteen Thousand ($19,000.00) Dollars per acre. This option which will run with said land will expire as to any portion of such frontage used for the construction or expansion of Howard Johnson Motor Lodge or Restaurant facilities, or ten (10) years from the date hereof, whichever shall first occur.

To Have and to Hold the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Melvin S. Taub, Herbert Kay, Samuel Brodie, Peter E. Simon and Philip H. Simon, partners doing business as Nashville Associates, their heirs and assigns, forever.

And we do covenant with the said Melvin S. Taub, Herbert Kay, Samuel Brodie, Peter E. Simon and Philip H. Simon, partners doing business as Nashville Associates, that we are lawfully seized and possessed of said land in fee simple; have a good right to convey it, and the same is unencumbered, except for the 1967 property taxes which have been prorated and are to be paid by the grantors and an easement from Mary Napier Ganier, Conservator for Mary C. Napier, and Albert F. Ganier, Jr., Substitute Trustee, to the City of Nashville for sanitary sewer purposes, of record in Book 4164, page 664, R.O.D.C., Tennessee.

And Mary Napier Ganier, Conservator for Mary C. Napier, and Albert F. Ganier, Jr., as Substitute Trustee, do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said Melvin S. Taub, Herbert Kay, Samuel Brodie, Peter E. Simon and Philip H. Simon, partners doing business as Nashville Associates, their heirs and assigns against the lawful claims of all persons whomsoever.

Witness our hands this 24 day of August, 1967.

Mary Napier Ganier, conservator for Mary C. Napier

Albert F. Ganier, Jr. substitute trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me Janel Williams, a Notary Public in and for said County and State, the within named Mary Napier Ganier, as Conservator for Mary C. Napier, and Albert F. Ganier, as Substitute Trustee, 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, Tennessee this 24 day of August, 1967.

Janel Williams
Notary Public

My commission expires: Nov. 12, 1969.

BOOK 4164 PAGE 677

85381

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY
STATE OF TENN

AUG 24 3 23 PM '67
NOTED: BOOK 117 PAGE 188
RECORDING FEE $ 2.50
DEP. REG. ____