New Owner:
H H Chitwood etal
934 Stahlman Bldg.
Nashville Tenn

Tax Bill
same

Map. 26-5
Par. 13
Map. 26-9
Par. 38-91-92
PW

DEED OF PARTITION

BOOK 4255 PAGE 989

This instrument made and entered into on this the 30th day of July, 1968, by and between Goodlettsville Plaza Shopping Center Inc., party of the first part and H. H. Chitwood Trustee, party of the second part, both of Davidson County, Tennessee.

W I T N E S S E T H

That, whereas, the said parties to this deed are seized in fee simple of, and have equal shares as tenants in common, in certain lots, pieces or parcels of land lying and being in the tenth civil district of Davidson County, Tennessee, and more particularly described as follows, to wit:

Three tracts or parcels of land in the 10th Civil District of Davidson County, Tennessee described according to a survey thereof made by E. L. Miller and Co. Surveyors, May 12, 1967 and described as follows:
Tract No. 1: Beginning at an iron pin at the southwesterly corner of the intersection of the Old Two Mile Pike and Frances Street thence with the westerly margin of the Old Two Mile Pike South 22° 35' East 645 feet to a point; thence southeasterly with a curve having a radius of 475 feet 24.8 feet to a point; thence South 19° 25' East 137.9 feet to a point; thence southwesterly around a curve with a radius of 184.4 feet 205.2 feet to a point; thence westerly with a curve having a radius of 25 feet 39.3 feet to a point; thence North 45° 38' West 867.8 feet to a point; thence northwesterly with a curve having a radius of 1195.9 feet 51.5 feet to a point; thence North 2° 21' West 284.2 feet to an iron pin on the southerly margin of Frances Street; thence North 88° 15' East 447 feet to the point of beginning and containing 8.35 acres more or less.
Tract No. 2 : Beginning at a point on the line between the Drake property and the Alexander property which said point lies North 89° 30' West 91.1 feet from a concrete monument on the westerly margin of Old Two Mile Pike, North 89° 30' West 760 feet to an iron pin in a rock wall; thence North 2° 21' West 765 feet to a point; thence South 45° 38' East 1099.6 feet to the point of beginning and containing 6.65 acres more or less.
Tract No. 3: Beginning at a point on the westerly margin of the Old Two Mile Pike which said point lies 70.6 feet north of a concrete monument on the westerly margin of said Old Two Mile Pike, Alexander's northeast corner, North 45° 38' West 191.2 feet to a point; thence northerly with a curve having a radius of 25 feet 39.3 feet to a point; thence northeasterly with a curve having a radius of 234.4 feet 128.4 feet to a point on the westerly margin of Old Two Mile Pike; thence with the westerly margin of said Old Two Mile Pike South 22° 24' East 45.6 feet to a point; thence continuing with the westerly margin of said Pike South 13° 52' East 250.3 feet to the point of beginning and containing 0.34 acres more or less.
BEING the same property conveyed to H. H. Chitwood Trustee and Goodlettsville Plaza Shopping Center, Inc. by deed from E. H. Drake and wife, Nelle P. Drake of record in Book 4134, page 154 in the Register's Office for Davidson County, Tennessee.
Land in Davidson County, Tennessee being Lot No. 42 on the Map of Goodlettsville Heights, Section No. 2 as of record on Book 1424, pages 120 and 121, Register's Office for said County, described as follows:
BEGINNING on the northerly margin of Moss Trail Road, at the corner of Lots No, 41 and 42; thence with the line between said two lots, northwestwardly 111.7 feet; thence continuing with said line, westwardly 350 feet; thence north 1° 05' east 112.1 feet; thence South 89° 23' East 467.8 feet to the westerly margin of Two Mile Pike; thence with the same, southwardly 124.6 feet to the beginning of a curve; thence around said curve, with a radius of 30 feet

Prepared by:
Carole Chitwood Smith, Attorney at Law
934 Stahlman Building
Nashville, Tennessee 37201

southwestwardly 47.12 feet to the northerly margin of Moss Trail Road; thence with the same, southwestwardly 33.2 feet to the beginning.
BEING the same property conveyed to H. H. Chitwood Trustee and Goodlettsville Plaza Shopping Center, Inc. by deed from James T. Alexander and wife Louise Bills Alexander of record in Book 4146, page 615 in the Register's Office for Davidson County, Tennessee.
INCLUDED IN THE FOREGOING DESCRIPTION BUT SPECIFICALLY EXCLUDED FROM THIS CONVEYANCE is the following described parcel of property, to wit: BEGINNING at a point in James T. Alexander's southeast property corner, said point being also in Charles Babb's northeast property corner; thence running northwest 110 feet, more or less, along Alexander's southerly boundary line to a point; thence running northeast 55 feet more or less, to a point; thence running northwest 122 feet, more or less, to a point on Alexander's northerly boundary line; thence running easterly 165 feet more or less, along Alexander's northerly boundary line to a point; thence running southeast 130 feet, more or less along Alexander's easterly boundary line to a point; thence running southwest 70 feet more or less, around a curve to the right and back to the point of beginning; containing 0.46 acres.

Now, therefore, to the end and intent that a perfect partition may be had and made by and between the said parties hereto of the said lots, pieces or parcels of land, the said party of the first part and the said party of the second part, by their own mutual consent and agreement, have and do hereby make partition of the same in the manner following: The said party of the first part shall have for his part and portion of said lots, pieces or parcels of land, the property described as follows to wit:

A tract or parcel of land in the 10th Civil District of Davidson County, Tennessee, described according to a survey thereof made May 12, 1967 by E. L. Miller and Co., Surveyors, and described as follows:
BEGINNING at a point on the line between the Drake property and the Alexander property which said point lies North 89° 30' West 91.1 feet from a concrete monument on the westerly margin of Old Two Mile Pike, North 89° 30' West 760 feet to an iron pin in a rock wall; thence North 2° 21' West 765 feet to a point; thence South 45° 38' East 1099.6 feet to the point of beginning and containing 6.65 acres more or less.
BEING part of the same property conveyed to H. H. Chitwood Trustee and Goodlettsville Plaza Shopping Center, Inc. by deed from E. H. Drake and wife, Nelle P. Drake of record in Book 4134, page 154 in the Register's Office for Davidson County, Tennessee.

Land in Davidson County, Tennessee being Lot No. 42 on the Map of Goodlettsville Heights, Section No. 2, as of record in Book 1424, pages 120 and 121, Register's Office for said County, described as follows:
BEGINNING on the northerly margin of Moss Trail Road, at the corner of Lots No. 41 and 42; thence with the line between said two lots, northwestwardly 111.7 feet; thence continuing with said line, westwardly 350 feet; thence North 1° 05' East 112.1 feet; thence South 89° 23' East 467.8 feet to the westerly margin of Two Mile Pike; thence with the same, southwardly 124.6 feet to the beginning of a curve; thence around said curve, with a radius of 30 feet, southwestwardly 47.12 feet to the northerly margin of Moss Trail Road; thence with the same, southwestwardly 33.2 feet to the beginning.
BEING the same property conveyed to H. H. Chitwood Trustee and Goodlettsville Plaza Shopping Center, Inc., by deed from James T. Alexander and wife, Louise Bills Alexander of record in Book 4146, page 615 in the Register's Office for Davidson County, Tennessee.
INCLUDED IN THE FOREGOING DESCRIPTION BUT SPECIFICALLY EXCLUDED FROM THIS CONVEYANCE is the following described parcel of property, to wit: BEGINNING at a point in James T. Alexander's southeast property corner, said point being also in Charles Babb's northeast property corner; thence running northwest 110 feet, more or less, along Alexander's southerly boundary line to a point; thence running northeast 55 feet more or less, to a point; thence running northwest 122 feet more or less, to a point on Alexander's northerly boundary line; thence running easterly 165 feet

more or less, along Alexander's northerly boundary line to a point; thence running southeast 130 feet, more or less along Alexander's easterly boundary line to a point; thence running southwest 70 feet more or less, around a curve to the right and back to the point of beginning; containing 0.46 acres.,

in severalty, and divided from the portion of said party of the second part, which said property going to party of the first part is hereinafter referred to as "property passing to party of the first part." And the said party of the second part shall have for his portion of the said lots, pieces or parcels of land, the property described as follows to Wit:

Two tracts or parcels of land in the 10th Civil District of Davidson County, Tennessee, described according to a survey made thereof May 12, 1967 by E. L. Miller and Co., Surveyors, and described as follows:
Tract No. 1: BEGINNING at an iron pin at the southwesterly corner of the intersection of the old Two Mile Pike and Frances Street thence with the westerly margin of the Old Two Mile Pike South 22° 35' East 645 feet to a point; thence southeasterly with a curve having a radius of 475 feet 24.8 feet to a point; thence South 19° 25' East 137.9 feet to a point; thence southwesterly around a curve with a radius of 184.4 feet 205.2 feet to a point; thence westerly with a curve having a radius of 25 feet 39.3 feet to a point; thence North 45° 38' West 867.8 feet to a point; thence northwesterly with a curve having a radius of 1195.9 feet 51.5 feet to a point; thence North 2° 21' West 284.2 feet to an iron pin on the southerly margin of Frances Street; thence North 88° 15' East 447 feet to the point of beginning and containing 8.35 acres more or less.
Tract No. 2: BEGINNING at a point on the westerly margin of the Old Two Mile Pike which said point lies 70.6 feet north of a concrete monument on the westerly margin of said Old Two Mile Pike, Alexander's northeast corner, North 45° 38' West 191.2 feet to a point; thence northerly with a curve having a radius of 25 feet 39.3 feet to a point; thence northeasterly with a curve having a radius of 234.4 feet 124.8 feet to a point on the westerly margin of Old Two Mile Pike; thence with the westerly margin of said Old Two Mile Pike South 22° 24' East 45.6 feet to a point; thence continuing with the westerly margin of said pike south 13° 52' East 250.3 feet to the point of beginning and containing 0.34 acres more or less.
BEING part of the same property conveyed to H. H. Chitwood Trustee and Goodlettsville Plaza Shopping Center, Inc., by deed from E. H. Drake and wife, Nelle P. Drake of record in Book 4134, page 154 in the Register's Office for Davidson County, Tennessee.,

in severalty, and divided from the portion of said party of the first part, which said property going to party of the second part is hereinafter referred to as "property passing to party of the second part".

And the said party of the first part, in consideration of the provisions contained in this deed, doth grant unto the said party of the second part, with special warranty, all his right, title, interest and equity in and to the "property passing to party of the second part", as hereinabove set out and described. And the said party of the second part, in consideration of the provisions contained in this deed, doth grant unto the said party of the first part, with special warranty, all his right, title, interest and equity in and to the "property passing

to party of the first part".

The parties hereto do mutually covenant that they are lawfully seized and possessed of said real estate described herein, that they have a good and lawful right to partition the same and that the same is unencumbered except (leases on 2 portions thereof to Mobil Oil Co. and Phillips Petroleum Co.), the current taxes on all of said property and an installment deed note held by E. H. Drake and wife, Nelle P. Drake, on which there remains an unpaid principal balance of $90,000.00, payable $10,000.00 per annum, due on the 17th day of May of each year, with interest at 6% per annum, which note is secured by installment deed against a parcel passing herein to party of the second part, containing 8.35 acres and referred to above as Tract No. 1. Party of the first part covenants and agrees that party of the first part will remain liable for the payment of one half of the said encumbrance evidenced by said $90,000.00 note, which one half of said indebtedness said party of the first part covenants and agrees to pay as same matures and for which party of the first part covenants and agrees to pledge security, belonging to party of the first part, to secure payment of $45,000.00 of said indebtedness, which security shall be acceptable to the holder of said $90,000.00 note. The parties hereto covenant and agree one to the other to defend title to that portion which is being set aside to the other against the lawful claims of all persons whomsoever.

In testimony whereof the said parties have hereunto set their signatures on the day and date first written above.

GOODLETTSVILLE PLAZA SHOPPING CENTER, INC.
Goodlettsville Plaza Shopping Center Inc,
By H. A. Swift Pres,

PARTY OF THE FIRST PART

H. H. Chitwood Trustee

PARTY OF THE SECOND PART

STATE OF TENNESSEE
DAVIDSON COUNTY

Personally appeared before me, _____, a Notary Public in and for said County and State, the within named H. H. Chitwood Trustee, the bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 30th day of July, 1968.

Notary Public

My commission expires Nov 24, 1971.

STATE OF TENNESSEE
DAVIDSON COUNTY

Before me, a Notary Public within and for the State and County aforesaid, personally appeared H. A. Swift, with whom I am personally acquainted and who upon his oath acknowledged himself to be the president of Goodlettsville Plaza Shopping Center, Inc., the within named bargainor, a corporation, and that he as such president, being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by the said H. A. Swift as such president.

Witness my hand and official seal at Nashville, Tennessee, this 30th day of July, 1968.

Notary Public

My commission expires Nov 24, 1971.

A 07320

IDENTIF. REFERENCE

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FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

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