A28095

This instrument prepared by
Lawrence Dortch, Attorney
1200 American Trust Building
Nashville, Tennessee 37201

T
IDENTIF. REFERENCE

JAN 24 2 20 PM '69
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

BOOK 4304 PAGE 735

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $ 131,000.00.

J. K. Schulman Jr.
Affiant

Subscribed and sworn to before me, this the 3 day of January, 1969.

Notary Public

My commission expires:
(Affix seal) My Commission Expires April 21, 1971

| Address New Owner(s) as follows: | Send Tax Bills to: | Map-Parcel Numbers |
|---|---|---|
| Eugene Pargh et al<br>1720 West End Bldg (Suite 309)<br>Nashville, Tenn.<br>37203 | Same | Map 134<br>P/o Par. 70 |

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable consideration, receipt of which is hereby acknowledged, I, Ervin M. Entrekin, Trustee, with full power to sell and convey without the joinder of any beneficiary, have this day bargained and sold and do hereby transfer and convey unto Joe Kraft and I. R. Schulman, Trustees under Trust Instrument dated March 1, 1967, with full power to sell, convey or encumber without the joinder of any beneficiary, Eugene Pargh, Gerald Averbuch and Blossom Averbuch, their successors, heirs and assigns, a tract or parcel of land located in the Fifth Civil District of Davidson County, Tennessee, in the following percentages: a one-half undivided interest to Joe Kraft and I. R. Schulman, Trustees under Trust Instrument dated March 1, 1967; a one-fourth undivided interest to Eugene Pargh; a one-sixth undivided interest to Gerald Averbuch; and a one-twelfth undivided interest to Blossom Averbuch. Said individuals are to own and hold their respective interests as tenants in common and said tract or parcel of land is more particularly described as follows and in accordance with a survey prepared by George Anton of record in Book 4060, page 81, Register's Office for Davidson County, Tennessee:

| | | | | | |
|---|---|---|---|---|---|
| [illegible] | CONV | 90,000.00 | | | |
| [illegible] | CONV | 42,000.00 | | | |
| [illegible] | TAX | | B* | 343.20 | |
| [illegible] | FEE | | B* | .50 | |
| [illegible] | W'DEED | | B* | 4.50 | * 348.20 |

Land in Davidson County, Tennessee, being lot No. 2 on the plan of Harding Place Park, as of record in book 4060, page 81, Register's Office for said County, described as follows:

Beginning on the northerly margin of Harding Place at the corner of lots Nos. 1 and 2; thence with the line between said two lots, north 5° 15' east 194.08 feet, and continuing in the same direction, in all 214.08 feet to a monument; thence north 89° 00' west 260 feet; thence north 1° 00' east 257.6 feet; thence north 87° 47' west 346.58 feet; thence south 2° 13' west 100 feet; thence south 10° 29' east 248.77 feet; thence south 26° 38' west 210 feet; thence south 78° 47' east 67.55 feet; thence north 74° 13' east 263.2 feet; thence south 81° 11' east 171.35 feet to the northerly margin of Harding Place; thence with the same, easterly 146.67 feet to the beginning.

Being part of the real property conveyed to Ervin M. Entrekin, Trustee, by deed from R. C. Flowers, Trustee, et al., of record in Book 4127, page 477, said Register's Office.

This property is unimproved.

TO HAVE AND TO HOLD the said tract or parcel of land with the improvements and appurtenances thereunto belonging to the said grantees, their successors, heirs and assigns forever.

And I covenant with the said grantees that I am lawfully seized and possessed of said land in fee simple, have a good right to convey it, and that it is unencumbered except for utility and other easements of record, setback restrictions of record, lack of direct access to Harding Place as described in deed of record in book 4189, page 759, Register's Office for Davidson County, Tennessee.

And I do covenant and bind myself and my successors to forever warrant and defend the title, in my capacity as Trustee, to the said property to the said grantees, their successors, heirs and assigns, against the lawful claims of all persons whomsoever.

Grantor does hereby ~~restrict~~ that portion of the remainder of his trust property described in deed of record in book 4127, page 477, Register's Office for Davidson County, Tennessee, ~~being~~ that is ~~part of the property~~

located on the north side of Harding Place proposed and between Interstate 24 and Antioch Pike from being used in the operation of a motel, motor inn, motor lodge, or any similar type of operation for a period of twenty years.

Grantees are hereby restricted from using any of the property hereinabove conveyed to them for use by a service station owned, leased, or operated by an oil company, whether a major oil company or an independent company. Such restriction shall be in effect for twenty years from date, but such restriction may be amended or removed by agreement between the owners of Lots 1 and 2 on the Plan of Harding Place Park, of record in book 4060, page 81, R.O.D.C. Tennessee.

Executed this 3rd day of January, 1969.

Ervin M. Entrekin, trustee
Ervin M. Entrekin, Trustee

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Personally appeared before me, Raymond H. Farmer, a Notary Public in and for said County and State, the within named Ervin M. Entrekin, 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 January, 1969.

Raymond H. Farmer
Notary Public

My commission expires: My Commission Expires April 21, 1971