A 95241

Map. 92-16
Par. 86-83
PW

IDENTIFICATION

Nov 4 3 10 PM '70

BOOK 4456 PAGE 939

FELIX Z. WILSON, REGISTER
DAVIDSON COUNTY, TENN.

NOV-4¢ CONV 72,000.00
NOV-4¢ S'TAX TO: A* 187.20
NOV-4¢ PR'FEE A* .50
NOV-4¢ D'DEED A* 9.00 * 196.70

QUITCLAIM DEED

FROM:

OSCAR W. CARTER
THIRD NATIONAL BANK IN NASHVILLE, TRUSTEE,
JOHN M. TUDOR,
ROBERT E. McCLELLAN, and
TOM E. NESBITT (GRANTORS)

TO:

THOMAS WARDLAW STEELE, TRUSTEE

AND

FROM:

THOMAS WARDLAW STEELE, TRUSTEE

TO:

JOHN M. TUDOR,
ROBERT E. McCLELLAN,
TOM E. NESBITT,
WILLIAM B. CRENSHAW, and
PHILLIP P. PORCH (GRANTEES)

WHEREAS the GRANTORS hereinafter named own as tenants in common the following respective undivided interests in the tracts of land hereinafter described:

Oscar W. Carter	10%
Third National Bank in Nashville, Trustee under deed of record in Book 3131, Page 420, R.O.D.C.	25%
John M. Tudor	25%
Robert E. McClellan	20%
Tom E. Nesbitt	20%, and

WHEREAS the following GRANTORS desire to relinquish and sell part or all of their ownership in said property and for said purpose, desire to convey the following respective interests:

Oscar W. Carter	10%
Third National Bank in Nashville, Trustee	25%
John M. Tudor	5%, and

WHEREAS WILLIAM B. CRENSHAW and PHILLIP P. PORCH desire to acquire the aforesaid interests being relinquished, sold and conveyed, resulting in the GRANTEES owning as tenants in common the following respective undivided interests in the aforementioned

This instrument prepared by
JLLETT, STEELE, SANFORD, ROBINSON & MERRITT
L & C Tower, Nashville, Tenn.

property:

John M. Tudor	20%
Robert E. McClellan	20%
Tom E. Nesbitt	20%
William B. Crenshaw	20%
Phillip P. Porch	20%, and

WHEREAS over the past few years numerous transactions and conveyances involving the said property have taken place and it is the desire of all the parties hereto to set forth and express in one instrument the respective interests of each and every tenant in common owning an interest in the said property; and

WHEREAS the 10% interest of OSCAR W. CARTER referred to above was formerly held in the name of OSCAR W. CARTER and wife, EUGENIA UPSHAW CARTER, and was acquired by OSCAR W. CARTER absolutely and in fee simple by Circuit Court Decree No. 52523, recorded in Minute Book 11c, page 1350, and recorded as of record in Book 4238, page 661, Register's Office for Davidson County, Tennessee; and

WHEREAS ROBERT E. McCLELLAN and TOM E. NESBITT for One Dollar ($1.00) each, cash in hand paid, the receipt of which is hereby acknowledged, have agreed to join in the execution of this instrument for the express purpose of facilitating the reconveyance to create a tenancy in common setting forth the respective undivided interests of the GRANTEES hereunder; and

WHEREAS the subject property is presently encumbered by a mortgage in favor of SOUTHERN BAPTIST FOUNDATION, secured by a Deed of Trust of record in Book 3686, page 277, Register's Office for Davidson County, Tennessee, which encumbrance, pursuant

to an agreement dated November 11, 1963, is to be paid by the following in the respective percentages denoted:

John M. Tudor	24.0%
Robert E. McClellan	31.2%
Tom E. Nesbitt	44.8%, and

WHEREAS this instrument shall not affect the liability or obligation of the aforesaid TUDOR, McCLELLAN, and NESBITT on the aforesaid encumbrance, and the aforesaid CRENSHAW and PORCH shall not become obligated or liable for the payment of any part of said encumbrance;

NOW, THEREFORE, FOR AND IN CONSIDERATION of Seventy-Two Thousand Dollars ($72,000.00), cash in hand paid by WILLIAM B. CRENSHAW and PHILLIP P. PORCH, equally, the receipt of which is hereby acknowledged by OSCAR W. CARTER ($18,000.00), by THIRD NATIONAL BANK IN NASHVILLE, TRUSTEE ($45,000.00), and by JOHN M. TUDOR ($9,000.00), in the respective amounts set opposite their respective names and for the express purpose of making a re-conveyance to create a tenancy in common setting forth the respective interests of the GRANTEES hereunder,

We, OSCAR W. CARTER, THIRD NATIONAL BANK IN NASHVILLE, TRUSTEE, JOHN M. TUDOR, ROBERT E. McCLELLAN, and TOM E. NESBITT, GRANTORS, by these presents do hereby quitclaim and convey unto THOMAS WARDLAW STEELE, TRUSTEE, his successors and assigns, the following described tracts or parcels of land, to wit:

Two tracts of land in Davidson County, State of Tennessee, and more particularly described as follows:

TRACT NO. 1: Land in the 9th Ward of the City of Nashville, said County and State, being the easterly 50 feet of the westerly 100 feet of the northerly part of Lot No. 149 on the Plan of the Boyd Home Tract, as of record in Book 21, page 39, Register's Office for said County.

Beginning on the southerly margin of Hayes Street, 50 feet easterly from the easterly margin of 20th Avenue North, formerly Boyd Avenue, being the northeast corner of L. T. Webb's Lot; thence with the southerly margin of Hayes Street, easterly 50 feet; thence southerly parallel with 20th Avenue North 172 feet, more or less, to the northerly margin of an alley, the center line of which is midway between Hayes Street and West End Avenue; thence with the northerly margin of said alley, westerly 50 feet to said Webb's southeast corner; thence with his easterly line, northerly 172 feet, more or less, to the beginning.

Being the same real property conveyed to Oscar W. Carter and wife, Eugenia Upshaw Carter, by deed from Mary Catherine Long, et al., of record in Book 1646, page 497, Register's Office for Davidson County, Tennessee.

TRACT NO. 2: Being part of Lot No. 154 on the Plan of the Boyd Home Tract, as of record in Book 21, page 39, Register's Office for said County.

Beginning on the northerly margin of Hayes Street at a point 150 feet east of the easterly margin of 20th Avenue North, said point being the southeast corner of the property conveyed to E. Y. Napier by deed from Ora Lee Oliphant, of record in Book 1341, page 665, said Register's Office; thence with the northerly margin of said Street eastwardly 50 feet; thence northwardly 175 feet, more or less, to the southerly margin of an alley; thence with said alley westwardly 50 feet to Napier's northeast corner; thence with Napier's easterly line, southwardly 175 feet to the beginning.

Being the same real property conveyed to Oscar W. Carter, as Oscar Willis Carter, by deed from Christopher C. McClure, et al., of record in Book 2085, page 552, Register's Office for Davidson County, Tennessee.

Both tracts being the same real property in which a 25% interest in the premises was conveyed to John M. Tudor and a 12.6% interest conveyed to Robert E. McClellan, by deed from Oscar W. Carter and wife, dated January 21, 1958, and recorded in Book 2736, page 306, Register's Office for Davidson County, Tennessee, and a 1/4 interest conveyed to Third National Bank in Nashville, Trustee, by deed from Oscar W. Carter and wife, of record in Book 3131, page 470, Register's Office for Davidson County, Tennessee, and a 20% interest conveyed to Tom E. Nesbitt and an additional 7.4% interest conveyed to Robert E. McClellan, by deed from Oscar W. Carter and wife, dated November 11, 1963, and recorded in Book 3649, page 326, Register's Office for Davidson County, Tennessee, and being part of the same real property in which the remaining interest of Oscar W. Carter and wife, Eugenia Upshaw Carter, was vested in the name of Oscar W. Carter, absolutely and in fee simple, by a decree dated May 2, 1968, of record in Book 4238, page 661, Register's Office for Davidson County, Tennessee.

Said property is conveyed subject to such limitations, restrictions, and encumbrances as may affect the premises.

And now, I, the said THOMAS WARDLAW STEELE, TRUSTEE, for the express purpose of carrying out the intent of this conveyance, as above set out, do hereby quitclaim and convey unto JOHN M. TUDOR, ROBERT E. McCLELLAN, TOM E. NESBITT, WILLIAM B. CRENSHAW, and PHILLIP P. PORCH, GRANTEES, their heirs and assigns, the same property hereinabove described and set forth, to which reference is here made, and said property is conveyed subject to the same limitations, restrictions, and encumbrances as may affect the premises, as above set forth.

IN WITNESS WHEREOF, we have hereunto set our hands on this 3 day of November, 1970.

Oscar W. Carter

Oscar W. Carter

THIRD NATIONAL BANK IN NASHVILLE, TRUSTEE

By

Executive Vice President (Title)

John M. Tudor

Robert E. McClellan

Tom E. Nesbitt

Thomas Wardlaw Steele, Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Mrs. Eunice Lee Caudle, a Notary Public in and for said County and State, the within named OSCAR W. CARTER, JOHN M. TUDOR, ROBERT E. McCLELLAN, and TOM E. NESBITT, 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 2nd day of November, 1970.

Mrs. Eunice Lee Caudle
Notary Public

My commission expires: 12-6-71

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Tom Shields, a Notary Public in and for said County and State, the within named THOMAS WARDLAW STEELE, TRUSTEE, the bargainor, with whom I am personally acquainted, and who acknowledged that he, as Trustee, executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, this 30th day of November, 1970.

Tom Shields
Notary Public

My commission expires: January 30, 1974

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, _____, a Notary Public of the State and County aforesaid, personally appeared _____, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the _____ of the THIRD NATIONAL BANK IN NASHVILLE, TRUSTEE, the within named bargainor, a corporation, and that he as such _____, being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself as _____.

WITNESS my hand and seal, at office in Nashville, Tennessee, this 3 day of _____, 1970.

_____
Notary Public

My commission expires: _____

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $72,000.00.

Tom Shields
Affiant

Subscribed and sworn to before me this the 3d. day of December, 1970.

Eleanor J. Jackson
Notary Public

My commission expires: 1/30/74