Return to:
THIRD NATIONAL BANK

BOOK 1686 PAGE 734

FORM NO. WD-1

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $420,000.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE 2nd DAY OF March, 1973.

Notary Public

MY COMMISSION EXPIRES: June 20, 1974

(AFFIX SEAL)

WARRANTY DEED

THIS INSTRUMENT WAS PREPARED BY Claude Callicott, Attorney at Law, 513 Nashville Bank & Trust Bldg., Nashville, Tenn. 37201
NAME ADDRESS

ADDRESS NEW OWNER (S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
Marion Thurman, Trustee (NAME)	Same (NAME)	Map 148 Parcels 38 & 42 Map 162 Parcel 15
P. O. Box 2347 (STREET ADDRESS OR ROUTE NUMBER)	(STREET ADDRESS)	
Nashville, Tennessee 37214 (CITY) (STATE) (P. O. ZIP)	(CITY) (STATE) (ZIP)	

FOR AND IN CONSIDERATION of the sum of Four Hundred Twenty Thousand Dollars ($420,000.00) paid by the grantee, Marion Thurman, Trustee, to The University of Tennessee, the receipt of which is hereby acknowledged, The University of Tennessee, a corporation, has bargained and sold and by these presents does transfer and convey unto Marion Thurman, Trustee, his ~~heirs~~ successors /and assigns, all having full power to mortgage, sell, lease, encumber, transfer and convey without joinder of beneficiary, ~~a certain tract or parcel of land~~ land in Davidson County, State of Tennessee, described as follows, to-wit:

A tract of land located in the Fifth Civil District, Nashville, Davidson County, Tennessee, lying between Interstate Highway I-24, Antioch Pike, Blue Hole Road and Haywood Lane, more particularly described as follows:

Beginning at a point in the northeasterly margin of I-24 right-of-way being the southerly corner of Hicks and Gillespie Property and being in the centerline of a drain; thence with the centerline of said drain, north 30° 44' east 120.3 feet to a point; thence north 6° 33' west 89.0 feet to a point; thence north 44° 01' east 132.0 feet to a point; thence north 33° 36' west 135.0 feet to a point; thence north 30° 48' west 101.0 feet to a point; thence north 23° 15' west 103.0 feet to a point; thence north 29° 19' west 102.0 feet to a point; thence north 34° 56' west 99.0 feet to a point; thence north 52° 34' west 104.0 feet to a point; thence north 19° 47' west 100 feet to a point; thence north 17° 26' west 125 feet to a point in the center of Mill Creek; thence upstream with the centerline of Mill Creek north 82° 16' east 263.9 feet to a point; thence south 80° 00' east 295.0 feet to a point; thence south 72° 30' east 105.0 feet to a point; thence south 60° 00' east 130.0 feet to a point; thence south 26° 30' east 135 feet to a point; thence leaving said creek north 58° 31' east 103.3 feet to a point in the southwesterly margin of Antioch Pike; thence with a curve to the right in a southeasterly direction 30 feet from and parallel to the centerline of said pike, said curve having a central angle of 2° 43' 00", a radius of 1,402 feet, 66.47 feet to a point; thence continuing with Antioch Pike south 43° 09' 09" east 1,675.2 feet to a point; thence with a curve to the left having a central angle of 19° 28' 32", a radius of 1,462.00 feet, 494.56 feet to a point, the northerly corner of ~~XXXXXXXXXXXXX~~ Pilgrim Baptist Church Property; thence with the northwesterly margin of said Church property with a

meandering fence south 16° 00' west 189.7 feet to a point in the center of Mill Creek; thence with the center of said creek south 89° 00' east 225.0 feet to a point; thence south 68° 50' east 430 feet to a point; thence south 55° 44' east 102 feet to a point; thence leaving said creek south 70° 21' west with the centerline of Private Road, 815.0 feet to a point in the center of a concrete bridge across Sinking Creek, otherwise known as Whittemore Branch; thence with said branch south 00° 19' west 62.54 feet to a point; thence leaving said branch north 89° 39' west with a fence, 747.82 feet to a point in the northeasterly right-of-way of Interstate Highway I-24; thence with said I-24 right-of-way north 43° 06' west passing a concrete monument at 11.20 feet,a total distance of 1,986.92 feet to the point of beginning, containing 70.45 acres, more or less. The foregoing description is according to a survey by Barge, Waggoner & Sumner, Inc., Engineers, dated February 7, 1973, File No. 5047.

Being the same property conveyed to The University of Tennessee, pursuant to a charitable remainder unitrust agreement, by deed from J. E. Moss and wife, Ann Thalmann Moss, of record in Book 4582, page 143, Register's Office of Davidson County, Tennessee.

This conveyance is made subject to the following:

1. The property herein conveyed is exempt from taxation for the year 1973 up to the date of this conveyance but it is taxable to the grantee from the date of this transfer to the end of the taxable year pursuant to § 67-511, Tennessee Code Annotated.

2. Lack of direct access to Interstate Highway No. I-24, from the premises in question, such right of access having been granted to the State of Tennessee, by decree in the cause of Herbert M. Bates, Commissioner, Department of Highways and Public Works of the State of Tennessee, vs J. E. Moss and wife, Dorothy Hill Moss, No. 55786, First Circuit Court for Davidson County, Tennessee, a certified copy of the decree in said cause appearing in Book 3159, page 371, Register's Office of Davidson County, Tennessee. The foregoing decree in addition sets forth the following matters: "It is further ordered, adjudged and decreed that the said parcel of land shall be used for the construction of a controlled access highway and the appropriation of the same in fee simple by this condemnation proceeding shall include all right of ingress and egress to, from and across the same to and from abutting lands. However, the respondents, their heirs and assigns will have access to a frontage road only which will be constructed within the southwest margin of the above tract of land and will extend from centerline Station 325+55 to centerline Station 350+75

of the proposed Interstate Highway, Project F.A.H.S. No. I-501, plans therefor kept and maintained in the Office of the Department of Highways and Public Works, Nashville, Tennessee." Attention is called to the fact that the frontage road last mentioned, being along the southwest margin of the property vested in the State of Tennessee as above cited, in no manner benefits the property in question.

3. Easement for sanitary sewer was granted in the deed of record in Book 3247, page 552, and recited in the deed of record in Book 4582, page 143, all of record in the Register's Office of Davidson County, Tennessee, and described as follows: "Also in consideration of this purchase to be given a ten (10) foot easement for a sewer extending from the southwest corner of Tract No. 2 along the Interstate Highway in a southeasterly direction ten (10) feet beyond the center line of sewer line as laid under the Interstate Highway, a distance of approximately 75 feet."

4. Easement for constructing and maintaining sanitary sewers was granted First Suburban Water Utility District of Davidson County, Tennessee (Radnor Water District), as set out in instrument of record in Book 4264, page 907, Register's Office of Davidson County, Tennessee.

5. Easement for constructing and maintaining sanitary sewers was granted First Suburban Water Utility District of Davidson County, Tennessee (Radnor Water District), as set out in instruments of record in Book 4653, page 748, Register's Office for Davidson County, Tennessee.

6. Easement for a private road along the easterly portion of the southerly line of premises, an easement for an existing 24 inch sewer which extends generally northwardly and southwardly across the entire property (not of record), and the particular location of those sewer easements which are of record, all as depicted on the survey by Barge, Waggoner & Sumner,Inc., Engineers, dated February 7, 1973, File No. 5047.

7. Any applicable zoning regulations.

To have and to hold the said tract or parcel of land with the appurtenances, estate, title and interest thereto belonging to the said grantee, Marion Thurman, Trustee, his heirs, assigns and successors forever. The University of Tennessee covenants with the

said grantee that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it and the same is unencumbered except as hereinabove stated with respect to 1973 taxes, lack of direct access to Interstate Highway No. I-24, the easements above specified and applicable zoning regulations.

The University of Tennessee further covenants and binds itself to warrant and forever defend the title to the said land to the said grantee, his heirs, assigns and successors, against the lawful claims of all persons whomsoever.

Executed this 28th day of February, 1973.

THE UNIVERSITY OF TENNESSEE

Attest:

By W. H. Read
Vice-President

John W. Barwick
Secretary

STATE OF TENNESSEE §
§ MISC
COUNTY OF KNOX §

A* 8.00 * 8.00

Before me, Agneta H. Drew, a Notary Public in and for the State and County aforesaid, appeared W. H. Read, to me personally known who, being by me duly sworn, did say that he is Vice-President of The University of Tennessee, the within named bargainor, a corporation, and that the seal affixed to the foregoing instrument is the seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Trustees and the said W. H. Read acknowledged said instrument to be the free act and deed of said corporation.

In witness whereof I have hereunto set my hand and official seal on the day and year above written.

Agneta H. Drew
Notary Public

My Commission expires:

July 22, 1973

B 97257

IDENTIF. REFERENCE

MAR 6 3 32 PM '73

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.