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BOOK 1788 PAGE 710 IDENTIF. REFERENCE

FEB 15 10 49 AM '74

FELIX A. ... REGISTER
DAVIDSON COUNTY, TENN.

Project Tenn. R-72.
Parcels Nos. 93-2-(63, 64, 65).

# C L E R K ' S  D E E D.

This Deed by George L. Rooker, Clerk of the Circuit Court in and for the Tenth Judicial Circuit of Tennessee, at Nashville, Davidson County, Tennessee, to The Metropolitan Development and Housing Agency, a public body and a body corporate and politic, organized and existing under the laws of the State of Tennessee, with the principal office and place of business at Nashville, Davidson County, Tennessee,

WITNESSETH: That

FEB15 MISC A* 6.00 * 6.00

WHEREAS, a petition for condemnation was filed in the Circuit Court at Nashville, Tennessee, by The Metropolitan Development and Housing Agency against Public Square East, Inc., and Neely, Harwell & Company, defendants, same being Case No. B-13207 on the Dockets of the Court, to acquire by condemnation proceedings under the eminent domain laws of Tennessee, title in fee simple to the hereinafter described real estate and improvements thereon in the public interest and for the public use; and

WHEREAS, by order duly entered in said condemnation proceedings by said Court on the 11th day of May, 1973, sustaining said petition as a proper condemnation proceeding and adjudging the right of petitioner to acquire title in fee simple to the hereinafter described real estate and improvements thereon, and vesting title in fee simple and free and unincumbered in the petition; and

WHEREAS, a Jury of View was duly summoned by the Sheriff and appointed by the Court to set aside the property by metes and bounds and to assess the damages; and

WHEREAS, the report of the Jury of View was duly confirmed by the Court by an order made and entered in said proceedings on the 8th day of February, 1974; and

WHEREAS, The Metropolitan Development and Housing Agency has paid into the Registry of this Court the sum ofFour Hundred Thirty-six Thousand Seven Hundred Seventy-five and 15/100 ($436,775.15) Dollars, same being the amount of damages assessed by the Jury of View, for the use and benefit of said defendants, and all costs of the proceeding; and

WHEREAS, I was by said order sustaining the condemnation petition authorized and directed to execute and deliver a deed conveying to The Metropolitan Development and Housing Agency all the right, title and interest of said defendants in and to the following described property, situated in the City of Nashville, Davidson County, Tennessee, and more fully described as follows:

Three tracts of land in Davidson County, Tennessee, as follows:

TRACT NO. 1: Being part of Lot No. 173 on the Map of the Original Town of Nashville, not of record, and described as follows:

Beginning at the northeast intersection of the Public Square and Bridge Avenue; thence with the easterly margin of the Public Square, northerly 28 feet more or less to a point; thence easterly to the Cumberland River; thence southerly up said Cumberland River, 40 feet more or less to the margin of Bridge Avenue; thence with the northerly margin of Bridge Avenue, westerly to the beginning.

Being the same property conveyed to Public Square East, Inc., by deed from Coleman A. Harwell, as substitute trustee, of record in Book 3029, page 214, Register's Office for said County.

TRACT NO. 2: Being part of lots Nos. 172 and 173 on the Map of the Original Town of Nashville, not of record, and described as follows:

Beginning at a point in the center line of a party wall separating this property and property formerly owned by the Wilson Estate, as conveyed by deed of record in Book 139, page 616, Register's Office; thence with the north line of what was Wilson's property, east to the Cumberland River; thence down said River, northerly 29 feet to the southeast corner of the property formerly owned by Gardner; thence with the center line of a party wall separating this property and the Gardner property, westerly to the easterly margin of the Public Square; thence with the margin of the Public Square, southerly 29 feet to the point of beginning.

Being the same property conveyed to Public Square East, Inc., by deed from Morton B. Howell, Jr., and Samuel H. Howell, of record in Book 3029, page 249, Register's Office for said County.

TRACT NO. 3: Being part of Lot No. 172 on the Map of of the Original Town of Nashville, not of record, and described as follows:

Beginning at a point on the easterly margin of the Public Square, at the northwest corner of the property that was conveyed to Horatio Berry, by deed of record in Book 62, page 353; thence with the easterly margin of the Public Square northerly 23 feet more or less to what was formerly the property of Daniel F. Carter; thence with his line and with the line of the property that was formerly owned by Watkins, easterly to the Cumberland River; thence southerly up said River 23 feet more or less to said Berry's northeast corner; thence with his northerly line, westerly to the point of beginning.

Being the same property conveyed to Public Square East, Inc., by deed from McEwell Corporation, of record in Book 3029, page 219, Register's Office for said County.

Subject to:

Easement granted United States of America in connection with the Cheatham Lock and Dam Project on the Cumberland River, of record in Book 2271, page 609, Register's Office, known as Tract No. M-1339-E (Affects Tract 1).

Easement granted United States of America in connection with the Cheatham Lock and Dam Project on the Cumberland River, of record, in Book 2243, page 319, said Register's Office, known as Tract No. M-1339-E (Affects Tract 2).

Easement granted United States of America in connection with the Cheatham Lock & Dam Project on the Cumberland River, of record in Book 2243, page 305, said Register's Office, known as Tract No. M-1338-E (Affects Tract 3).

Party wall agreement recorded in Book 62, page 379 and in Book 47, page 125, said Register's Office.

Including all fixtures and improvements thereon.

Designated as Parcels Nos. 93-2-3-(63, 64, 65), (5W-2900, 4910, 9420) in the Central Loop Urban Renewal Project One, Tenn. R-72.

Together with all right, title and interests which the Owners have, or ever may have, in and to any adjoining street or streets, alley or alleys, or any other right-of-way or in any easement to which the above property is dominant or servient.

THEREFORE, in consideration of the premises and of the sum of Four Hundred Thirty-Six Thousand Seven Hundred and Seventy-five and 15/100 ($436,775.15) dollars to me paid by The Metropolitan Development and Housing Agency, I, George L. Rooker, Clerk as aforesaid of said Court, by virtue of the power and authority conferred upon me by said order, do by this deed grant, convey, and confirm unto The Metropolitan Development and Housing Agency, its successors and assigns, forever, all the right, title and interest of said defendants in and to said real estate and improvements thereon, and every part and parcel thereof, with the appurtenances, as an indefeasible inheritance in fee simple forever.

WITNESS my hand and seal of the Court this 15th day of February, 1974.

George L. Rooker
Clerk.

STATE OF TENNESSEE )
COUNTY OF DAVIDSON.)

Personally appeared before me, Dorothy Lackey, a Notary Public duly commissioned, qualified and acting in and for the State and County aforesaid, George L. Rooker, Clerk as aforesaid, with whom and whose official position I am personally acquainted, and who acknowledged the execution of the foregoing deed, on the day it bears date, and for the purposes therein expressed.

WITNESS my hand and seal at office, Nashville, Davidson County, Tennessee, the 15 day of February, 1974.

Dorothy Lackey
Notary Public.

My com. expires:
11-3-76.

This deed drafted by Legal Dept., Metropolitan Development and Housing Agency (Harry G. Nichol).