BOOK 5116 PAGE 79

2DA51327

TENNESSEE WARRANTY DEED

WARRANTY DEED

This Indenture, Made this 31st day of December, A.D. 19 76, between

HENRY HUDSON and wife, RUTH C. HUDSON

of Davidson County in the State of Tennessee, parties of the first part, and

CHARLES W. MARS and wife, RUBY G. MARS

of Anderson County, Tennessee, parties of the second part.

Witnesseth: That the said parties of the first part, for and in consideration of the sum of One ($1.00) Dollar and other good and valuable considerations,

to them in hand paid by the said parties of the second part, the receipt of which is hereby acknowledged, and the further consideration of the assumption by the parties of the second part of all the remaining obligations and liabilities of the parties of the first part under that certain deed of trust of record in Book 4168, page 229, Register's Office of Davidson County, Tennessee, payable to Provident Life and Accident Insurance Company, Chattanooga, Tennessee,

have granted, bargained, sold and conveyed, and do hereby grant, bargain, sell, and convey unto the said parties of the second part, the following described premises, to wit: XXXXXXXXXXXXXXX

Situated in the Second Civil District of Davidson County, Tennessee, described according to a survey made by George Anton and Howard W. Anderson, March 27, 1967, as follows:

Beginning at a point on the northerly margin of Murfreesboro Road, as widened, said point being 139 feet southeasterly from the easterly right-of-way of the spur tract of the L. & N. Railroad; thence north 34° 18' east 300 feet to an iron pin; thence south 55° 44' east 158.27 feet to the westerly margin of McGavock Pike; thence with the same south 4° 45' west 121.49 feet; thence north 85° 15' west 90 feet to an iron pin; thence south 34° 16' west 149.65 feet to the northerly margin of Murfreesboro Road, as widened, thence with the same northwesterly 140 feet to the beginning.

Together with a 30-foot right-of-way for vehicle and pedestrian traffic lying adjacent to and south and east of the above-described property, described as follows:

Beginning at a point on the northerly margin of Murfreesboro Road at the southeast corner of the above-described property; thence north 34° 16' east 149.65

I, or we, hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $ 1,00 and more, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale. Affiant

Subscribed and sworn to before me this the 29 day of January, 1977.

My commission expires 8/20/79 Notary Public

This instrument prepared by Philip A. Condra Address Town Hall Building, Oak Ridge, Tn.

Name of person or agency responsible for the payment of the real property taxes.

Name Charles W. Mars and wife, Ruby G. Mars. Address 200 Elza Drive, Oak Ridge, Tn.

feet and south 85° 15' east 90 feet to the beginning, said right-of-way being 30 feet in width.

Being part of the same property conveyed to Henry Hudson and wife, Ruth Hudson, by deed from Casel Properties, a limited partnership, of record in Book 4563, page 938, in the Register's Office for said County.

The above described property is subject to the reservations of title listed on Exhibit A attached hereto and made a part hereof.

with the hereditaments and appurtenances thereto appertaining, hereby releasing all claims to homestead and dower therein. To have and to hold the said premises to the said part ies of the second part, their heirs and assigns forever.

And the said part ies of the first part, for themselves and for their heirs, executors and administrators, do hereby covenant with the said part ies of the second part, heirs and assigns, that they are lawfully seized in fee-simple of the premises above conveyed, and they have full power, authority and right to convey the same; that said premises are free from all encumbrances; except as hereinabove provided and current taxes which are prorated as of the date of this deed.

and that the grantors will forever warrant and defend the said premises and the title thereto against the lawful claims of all persons whomsoever.

In Witness Whereof the said part ies of the first part ha ve hereunto set their hand S and seal S the day and year first above written.

Henry Hudson (L. S.)
HENRY HUDSON

Signed, sealed and delivered in presence of: _____ (L. S.)

Ruth C Hudson (L. S.)
RUTH C. HUDSON

_____ (L. S.)

STATE OF TENNESSEE
Madison County } ss.

Personally appeared before me, Philip H. Condra, a Notary Public in and for said County, the within named bargainors HENRY HUDSON and wife, RUTH C. HUDSON

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 office this 29th day of January, A.D. 1979

My Commission Expires 8/7/80, 1979 Philip H. Condra Notary Public

NOTARY PUBLIC

Legibility of Printing or Writing on this Document Unsatisfactory When Received.

EXHIBIT A

1. Metropolitan Government taxes for 1976:

$5,413.20 (2DA51327)

2. Lack of direct access to the controlled access highway on a portion of the Murfreesboro Raod frontage, as such right of access has been vested in the State of Tennessee by decree entered in Minute Book 9, page 29, Fifth Circuit Court of Davidson County, in the cause of State of Tennessee v. Loula May Smith, et al, a certified copy of which is of record in Book 4037, page 973, Register's Office for Davidson County, Tennessee.

3. Deed of trust executed by Henry Hudson and wife, Ruth C. Hudson, to J. Robert Cannon, Trustee, of record in Book 4168, page 229, said Register's Office, to secure First American National Bank of Nashville the payment of a note in the original principal amount of $180,000.00. By instrument of record in Book 4208, page 819, said Register's Office, the said deed of trust was assigned to Provident Life & Accident Insurance Company, Chattanooga, Tennessee.

4. Financing statement of record in Book 4208, page 818, said Register's Office, in favor of Provident Life & Accident Insurance Company, covering all chattels located on said real property, further securing the indebtedness evidenced by the deed of trust shown in No. 4 above. By continuation statement of record in Book 4663, page 50, said Register's Office, dated December 1, 1972, filed for record December 8, 1972, the lien of the said financing statement was continued.

5. Deed of trust from Henry Hudson and wife, Ruth Hudson, to William N. Dearborn, Trustee, dated April 29, 1975, of record in Book 4908, page 466, said Register's Office, to secure an indebtedness evidenced by a promissory note of even date in the original principal amount of $600,000.00, payable to Commerce Union Bank. This deed of trust was amended by instrument dated June 19, 1975, of record in Book 4928, page 487, said Register's Office.

D89840

IDENTIF. REFERENCE

FEB 17 11 57 AM '77

FELIX [illegible] REGISTER
DAVIDSON COUNTY, TENN.

FEB17F CONV 90,000.00
FEB17F CONV 90,000.00
FEB17F S'TAX B* [illegible].00
FEB17F PR'FEE B* .50
FEB17F W'DEED B* 6.00 * 474.50