This instrument prepared by: T. C. Summers Company, Inc.
480 Craighead St., #201, Nashville, TN 37204.

This Form furnished by Attorneys Title Company, Inc. Form No. WD-3

FROM
Thomas C. Summers, Trustee

TO
Wayne Oldham, d/b/a WOMCO

For draftsman's use

BOOK 5150 PAGE 972

ADDRESS NEW OWNER (S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
WAYNE OLDHAM (NAME)	SAME (NAME)	102-8 57
316 PHILPOT CT. (STREET ADDRESS OR ROUTE NUMBER)	(STREET ADDRESS)	
NASHVILLE TENN 37217 (CITY) (STATE) (P. O. ZIP)	(CITY) (STATE) (ZIP)	

(FOR REGISTER'S USE)

IDENTIF. REFERENCE

MAY 24 3 39 PM '77

FELIX A. ROLLINS, REGISTER
DAVIDSON COUNTY, TENN.

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

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

$ 125000.00 - H. Summers
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 13 DAY OF May 19 77

Wanda B. Hawkins
Notary Public

MY COMMISSION EXPIRES: 9/24/78

(AFFIX SEAL)

505423

For and in Consideration of the sum of ($125,000.00)

One Hundred Twenty-Five Thousand and No/100 * * * * * * * * * * DOLLARS

Cash in hand paid by Wayne Oldham, d/b/a WOMCO, the receipt of which is hereby acknowledged,

I, Thomas C. Summers, Trustee, with full power to transfer and convey without the joinder of any beneficiary,

MAY24'77	CONV	90,000.00			
MAY24'77	CONV	35,000.00			
MAY24'77	S'TAX		B*	325.00	
MAY24'77	PR'FEE		B*	.50	
MAY24'77	W'DEED		B*	10.00	* 335.50

have bargained and sold, and by these presents do transfer and convey unto the said Wayne Oldham, d/b/a WOMCO, his heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to wit:

TRACT 1:

Land in Davidson County, Tennessee, being Parcel C on the Plan of Horton Heights Section 7, of record in Plat Book 2133, page 25, Register's Office for said County, described as follows:

BEGINNING at an iron pin on the easterly margin of Hillwood Blvd. at a point between Parcel A and Parcel C; thence north 141.3 feet to a point; thence N 70° 18' E 93.8 feet to a point in the westerly margin of a 20 foot alley; thence with said margin of said alley, S 33° 07' E 292.2 feet to a point, the beginning of a curve having a radius of 31.5 feet for a distance of 47.9 feet to a point in the northerly margin of a 20 foot alley; thence along the margin of said alley, 168.0 feet to a point, the beginning of a curve with a radius of 20.0 feet for a distance of 32.4 feet to a point in the southeasterly margin of Hillwood Blvd.; thence with said Hillwood Blvd. 168.4 feet to a point; thence continuing with said Blvd., 143.5 feet to the point of beginning.

TRACT 2:

Land in Davidson County, Tennessee, being part of Parcel A on the Plan of Horton Heights, Section II, of record in Plat Book 1835, page 128, Register's Office for said County, described as follows:

BEGINNING at a concrete monument at the east end of a curve in the southeast corner of the intersection of Charlotte Pike and Hillwood Blvd.; thence in a northeasterly direction along the southerly margin of Charlotte Pike, as widened, and being 40 feet from the centerline, 153 feet to a concrete monument, the beginning of a curve having a radius of 20 feet for a distance of 31.4 feet to a concrete monument in the westerly margin of an alley; thence along west margin of said alley S 48° 32' E 199 feet to a point; thence S 70° 18' W. 91.6 feet to a concrete monument; thence S 47° 40' W 141.3 feet to an iron pin in the easterly margin of Hillwood Blvd., said point being a common point between Parcels A and C; thence in a northwesterly direction and around a curve to the left having a radius of 940.0 feet for a distance of 110.7 feet to a concrete monument; thence continuing in a northwesterly direction along the easterly margin of said Blvd. 9.5 feet to a concrete monument at the beginning of a curve having a radius of 40 feet for a distance of 62.8 feet to a concrete monument and the point of beginning.

INCLUDED in the above description, BUT EXPRESSLY EXCLUDED THEREFROM is that portion of the above described property conveyed to S. H. Bracey, by deed from Thomas C. Summers, Trustee, of record in Book 2397, page 519, Register's Office for Davidson County, Tennessee, described as follows:

Land in the Eighth Civil District of Davidson County, Tennessee, being part of Parcel "A" on the Plan of record in Book 1835, page 128, Register's Office for said County, and more particularly described on a survey thereof made April, 1955, by W. W. Turner Engineering Company, as follows:

STARTING with a concrete monument at the east end of the return at the southeast corner of the intersection of the Charlotte Pike and Hillwood Boulevard, and running thence the following courses and distances; thence in a northeasterly direction along the southerly margin of Charlotte Pike as widened and being 40 feet from the center line of paving and parallel therewith 153 feet to a concrete monument at the west end of the return; thence around the return to the right said return having a radius of 20 feet, for a distance of 31.4 feet to a concrete monument in the westerly margin of an alley; thence along the west margin of said alley and in a southeasterly direction 140.0 feet to an iron pin; thence S. 41° 35' W 220.5 feet to an iron pin in the easterly margin of Hillwood Boulevard, said point being the common point between Parcels "A" and "C"; thence in a

Description Continued: (Page #3)

northwesterly direction and around a curve to the left, said curve having a radius of 940.0 feet for a distance of 110.7 feet to a concrete monument at the end of the curve; thence continuing in a northwesterly direction along the easterly margin of said Boulevard 9.5 feet to a concrete monument at the beginning of a return; thence around a return to the right, said return having a radius of 40.0 feet for a distance of 62.8 feet to a concrete monument and the point of beginning.

BEING part of the same property conveyed to W. L. Hailey, by deed from Leslie Marshall, Clerk & Master, of record in Book 1905, page 17, Register's Office for Davidson County, Tennessee, and vested in Thomas C. Summers, Trustee, by instrument of record in Book 2240, page 593, Register's Office for Davidson County, Tennessee.

This conveyance is subject to easements, setback lines, and conditions of owner's certificate, etc., of record in Book 2133, page 25, and in Book 1835, page 128; and Metro Sewer easement of record in Book 4337, page 144, Register's Office for Davidson County, Tennessee.

This conveyance is subject to the following conditions:

(1) Subject property in its entirety is restricted against package liquor or beer sales for off-site consumption until May 1, year 2027.

(2) It is understood and agreed that, after Wendy's is approved and constructed, which will sell no alcholic beverages, subject property is restricted against on-site alcohol sales, except for a national chain operation which has at least 50 bonafide operating units, with a cost of $250,000.00 per unit (total value - land, building and equipment) and a total cost of not less than $13 million.

(3) In the event purchaser, or his heirs or assigns, desires to use any of subject property not used by Wendy's operation for another business, written permission must first be obtained from Seller or his agent, T. C. Summers Company, Inc., or its authorized agent, unless the new business is a national chain operation which has at least 50 bonafide operating units, with a cost of $250,000.00 per unit (total value - land, building, and equipment) and a total cost of not less than $13 million.

Form No. WD3a

BOOK 5150 PAGE 975

This is unimproved (X) improved ( ) property, known as _____ (House Number) (Street) P. O. Address: (City or Town) (Postal Zone)

To Have and to Hold the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Wayne Oldham, d/b/a WOMCO, His heirs and assigns, forever.

And I do covenant with the said Wayne Oldham, d/b/a WOMCO, that I am lawfully seized and possessed of said land in fee simple; have a good right to convey it, and the same is unencumbered., except 1977 taxes, which are assumed by the grantee.

And I, Thomas C. Summers, Trustee, do further covenant and bind myself, my successors ~~heirs~~ and representatives, to warrant and forever defend the title to the said land to the said Wayne Oldham, d/b/a WOMCO, his heirs and assigns against the lawful claims of all persons whomsoever.

Witness my hand this 13th day of May, 19 77, the corporate party, if any, having caused its name to be signed hereto by its duly authorized officers on said day and date.

Thomas C. Summers, Trustee

Form No. WD3b

BOOK 5150 PAGE 976

STATE OF TENNESSEE
Davidson County.

Personally appeared before me, Verna B. Curley, a Notary Public in and for said County and State, the within named Thomas C. Summers, 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 13th day of May, 19 77

Verna B. Curley, Notary Public

Commission Expires 9/24/80

STATE OF
County of

Personally appeared before me, _____, a Notary Public in and for said County and State, the within named _____

the bargainor, with whom I am personally acquainted, and who acknowledged that _____ executed the within instrument for the purposes therein contained.

Witness my hand and official seal at _____, this _____ day of _____, 19____.

_____, Notary Public

Commission Expires _____

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 _____ self to be _____ of the _____, 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 _____ self as _____.

Witness my hand and seal, at office in _____, this _____ day of _____, 19____.

_____, Notary Public.

Commission expires _____.