BOOK 5229 PAGE 992

THIS INSTRUMENT PREPARED BY ROBERT P. THOMAS, ATTORNEY, 21st FLOOR - FIRST AMERICAN CENTER, NASHVILLE, TENNESSEE 37238

WARRANTY DEED

ADDRESS NEW OWNER (S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
Stewart F. Kresge, Trustee (NAME:)	Same (NAME:)	P/O 142
10th Floor Third National Bank Building (STREET ADDRESS OR ROUTE NUMBER)	(STREET ADDRESS)	Par - 26
Nashville, Tennessee 37219 (CITY) (P. O. ZONE) (STATE)	(CITY) (ZONE) (STATE)	

For and in Consideration of the sum of Four Hundred Thousand and no/100 ----------($400,000.00)---------- *DOLLARS*

cash in hand paid, the receipt and sufficiency of which is hereby acknowledged,

400,000.00

DEC-67	CONV		
DEC-67	S'TAX	B* 1,040.00	
DEC-67	PR'FEE	B* .50	
DEC-67	W'DEED	B* 10.00	* 1,050.50

Robert P. Thomas, Trustee, with full power to sell, mortgage, transfer, and convey without joinder of any beneficiary, has ~~bxxx~~ *bargained and sold, and by these presents* does ~~xxx~~ *transfer and convey unto the said* Stewart F. Kresge, Trustee, his successors ~~xxxx~~ *and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to-wit:*

(SEE EXHIBIT A)

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value whichever is greater, for this transfer is $400,000.00

Subscribed and sworn to before me, this the ___ day of ___, 19 77

Affiant

My commission expires: ___ (Affix Seal)

Notary Public

This conveyance is made subject to the following:

1. Metropolitan taxes for 1977, which have been prorated and assumed by Grantee.

2. Easement for flowage for Flatt Creek.

3. Easement for flowage of Harpeth River.

4. Grants of easements for Transmission lines to the United States of America, of record in Book 2249, page 83, and 4278, page 545, Register's Office for Davidson County, Tennessee.

5. Perpetual easements, construction easements and drainage easements as described in the Final Judgment and Decree entered in Civil Action Nos. C-730 and C-731, in the Circuit Court of Davidson County, Tennessee.

6. Title to that portion of the premises embraced within the right of way of any roads or highways.

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IDENTIF. REFERENCE

DEC 6 9 26 AM '77

FELIX Z. [illegible] REGISTER
DAVIDSON CO. [illegible]

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

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, his successors ~~heirs~~ *and assigns, forever.*

And Grantor *do*es *covenant with the said* Grantee, *that* he 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 specified herein.

And Grantor *do*es *further covenant and bind* himself, his ~~successors~~ heirs ~~heirs~~ *and representatives, to warrant and forever defend the title to the said land to the said* Grantee, his successors ~~heirs~~ *and assigns against the lawful claims of all persons whomsoever.*

Witness my *hand this* 5th *day of* December, *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.*

Robert P. Thomas, Trustee

Robert P. Thomas, Trustee

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, Gail K. Parsons, a Notary Public in and for said County and State, the within named Robert P. Thomas, 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 5th day of December, 1977.

Gail K. Parsons, Notary Public

GAIL K. PARSONS NOTARY PUBLIC DAVIDSON COUNTY TENN.

Commission Expires 2/23/80

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.....

EXHIBIT A

DESCRIPTION: BOOK 5229 PAGE 995

Land in Davidson County, Tennessee, being a Plat of the J. C. Davis Property located in the 9th Civil District, according to a survey made by Charles D. Wallace, Surveyor, dated December 5, 1972, Plat December 28, 1972, as follows:

Beginning at a point in the south margin of U.S. Highway 70S, said point being the southwest corner of Sawyer Brown Road and U.S. Highway 70S; thence with the westerly margin of Sawyer Brown Road, S 17° 46' W 20.00 feet to a point; thence S 21° 20' E 95.00 feet to a point; thence S 04° 47' W 38.55 feet to a point; thence N 62° 09' E 32.00 feet to a point; thence N 66° 09' E 9.02 feet to a point; thence S 15° 29' W 17.65 feet to a point; thence S 15° 32' W 102.35 feet to a point; thence leaving Sawyer Brown Road, N 74° 23' W 140.16 feet to a point; thence S 67° 56' W 112.05 feet to a point; thence S 76° 00' W 376.63 feet to a point; thence S 81° 35' W 312.12 feet to a point; thence N 85° 06' W 217.10 feet to a point; thence N 86° 49' W 200.00 feet to a point; thence N 87° 23' W 430.00 feet to a point; thence S 74° 19' W 361.04 feet to a point; thence S 39° 43' W 361.60 feet to a point; thence S 17° 36' W 412.61 feet to a point; thence S 50° 36' W 270.0 feet to a point, said point being approximately the low water line of the Harpeth River; thence with the said line of Harpeth River N 33° 0' 14" W 656.53 feet to a point; thence N 00° 07' W 1441.60 feet to a point; thence N 57° 30' E 96.70 feet to a point; thence S 14° 24' E 419.70 feet to a point; thence S 06° 21' E 220.24 feet to a point; thence S 12° 56' E 103.16 feet to a point; thence S 19° 36' E 321.63 feet to a point; thence S 24° 16' E 305.00 feet to a point; thence N 56° 10' E 595.80 feet to a point; thence N 37° 16' E 869.28 feet to a point; said point being the southerly margin of U.S. Highway 70S; thence with the southerly margin of U.S. Highway 70S, S 72° 14' E 1589.70 feet to the point of beginning, and containing 43.158 acres, more or less.

Being the same property conveyed to Robert P. Thomas, Trustee, by Installment Deeds of record in Book 4856, page 159, and in Book 4856, page 163, Register's Office for Davidson County, Tennessee.

Included in the above description containing 43.158 acres, but expressly excluded from this conveyance, are the following tracts of land:

Tract I:

A tract of land in the Second, formerly the Ninth, Civil District of Davidson County, Tennessee, being Lot No. 2, Section Two, Bellevue Village Subdivision, as of record in Plat Book 5200, page 11, Register's Office for Davidson County, Tennessee, being more fully described as follows:

Beginning at a concrete monument set on the southerly right-of-way line of Memphis-Bristol Highway, U.S. 70S, at a point that is 1113.44 feet west of the westerly margin of Sawyer Brown Road; thence S 12° 20' 35" W, a distance of 699.42' to an iron pin in the center of a gravel road; thence N 86° 48' 15" W, a distance of 113.00 feet to an iron pin set by others in center of said road; thence N 87° 18' 35" W, a distance of 429.81 feet to an iron pin set by others in center of said road; thence N 36° 51' 38" W, a distance of 331.61 feet to an iron pin set in a fence; thence N 37° 08' 03" E, a distance of

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450.00 feet to an iron pin set in a fence; thence S 72° 14' 00" E, a distance of 227.34 feet to an iron pin; thence N 17° 46' 00" E, a distance of 220.00 feet to a concrete monument set on the southerly margin of U.S. 70S; thence S 72° 14' 00" E, a distance of 352.00 feet to the point of beginning and containing 10.66 acres.

Being part of the same property conveyed to Robert P. Thomas, Trustee, by Deeds in Book 4856, pages 159 through 164, Register's Office for Davidson County, Tennessee, and later conveyed to Service Merchandise Company, Inc. by deed of record in Book 5228, page 278, said Register's Office.

Tract II:

A tract of land in the Ninth Civil District of Davidson County, Tennessee, being Lot No. 1, Section One, Bellevue Village Subdivision, as of record in Plat Book 4955, page 19, Register's Office for Davidson County, Tennessee, being more particularly described as follows:

Beginning at a point on the southerly margin of U.S. 70S (Memphis-Bristol Highway), said point being N 72° 14' W, a distance of 195.52 feet from the westerly margin of Sawyer Brown Road (as measured along said margin of U.S. 70S); thence leaving said margin S 17° 46' W, a distance of 229.0 feet to an iron pin; thence N 72° 14' W, a distance of 125.0 feet to an iron pin; thence N 17° 46' E, a distance of 229.0 feet to a point on the southerly margin of aforementioned U.S. 70S; thence with said margin of U.S. 70S, S 72° 14' E, a distance of 125.0 feet to the point of beginning and containing 0.66 acres, more or less.

Being a portion of the same property conveyed to Robert P. Thomas, Trustee, as of record in Deed Book 4856, page 159, Register's Office for Davidson County, Tennessee, and later conveyed to Ellis A. Maloof and Donald L. Plunkett by deed of record in Book 5054, page 728, Register's Office for Davidson County, Tennessee.

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