MAP 108-1
Par - P/O 61

The actual Consideration or value whichever is greater for this transfer is $108,461.50

William Albert Smith

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Subscribed and sworn to before me this day of 30th. Dec. 1977 Patrick Kendall

NOTARY PUBLIC DAVIDSON CO.

My Commission Expires March 8, 1980

WARRANTY DEED

BOOK 5255 PAGE 189

THIS INDENTURE, made and entered into this, the 30th day of December, 1977, by and between William Albert Smith and wife, Mattie Pearl Moreland Smith, (Grantors), and Lexie Howard, Alabama Dairy Queen, Inc. and OWC, Ltd., their heirs and assigns, (Grantees)

W I T N E S S E T H :

THAT FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS (10.00), cash in hand paid, and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the Grantors have this day bargained and sold, and do by these presents grant, bargain, sell and convey unto Lexie Howard, his heirs and assigns, a twenty-nine and five-tenths percent (29.5%) undivided interest; unto Alabama Dairy Queen, Inc., its successors and assigns, a thirty-eight percent (38%) undivided interest; and unto OWC, Ltd., its successors and assigns, a thirty-two and five-tenths percent (32.5%) undivided interest in and to the following described premises lying and being in the Third Civil District of Davidson County, Tennessee, being more particularly described as follows:

BEGINNING at a point in the easterly right-of-way of Donelson Pike said point being southerly along said right-of-way 502.61 feet more or less from a concrete monument in the Northwest corner of the Albert Smith and wife's property and the Southwest corner of the L.G. Right property; thence leaving the easterly right-of-way of Donelson Pike North 86° 06' East 200.0 feet to a point; thence South 3° 54' East a distance of 168.67 feet more or less to a point in the northerly right-of-way of a proposed road having a right-of-way width of 60.0 feet; thence with said right-of-way and with a curve to the left having a radius of 984.93 feet a distance of 175.93 feet to a radius turnout point; thence with the radius turnout and with a curve to the right having a radius of 25.0 feet a distance of 39.27 feet to the radius turnout point in the easterly right-of-way of Donelson Pike; thence with said right-of-way North 3° 54' West a distance of 128.0 feet to the point of beginning and containing 0.720 acres more or less.

Prepared by Smith & Howard
Fulton Hall Bank
Atlanta Ga.

TOGETHER WITH a right-of-way easement to construct, operate and maintain a septic tank, and/or drain field, and/or sewer line together with the right and privilege to inspect, maintain and/or replace such septic tank, and/or drain field, and/or sewer line in, to, upon and under the following described lands of Grantors, situated in the Third Civil District of Davidson County, Tennessee, being more fully described as follows:

BEGINNING at a concrete monument at the Southeast corner of the Albert Smith property said monument being S 79° 45' 38" East 571.76 feet from the Easterly right-of-way of Donelson Pike and running thence N 79° 45' 38" West 24.49 feet to apoint in the East margin of a proposed sicty (60) foot street as of record in Book 4350, Page 89 R.O.D.C.; thence N 6° 06' East 23.27 feet to a point at the Northeast corner of said proposed sixty (60) foot street; thence along the Northerly margin of the proposed street around a curve to the left having a radius of 984.93 feet a distance of 359.83 feet thence leaving the margin of said proposed street N 3° 54' East 88.09 feet to a point; thence S 79° 45' 38" East 391.20 feet to a point in the Easterly boundary line of the Albert Smith property thence continuing along the Easterly boundary of the Albert Smith property S 5° 39' 32" West 150.0 feet to the point of beginning containing 0.864 acres (37,636 square feet) more or less.

TO HAVE AND TO HOLD the aforedescribed real estate together with the appurtenances and hereditaments thereunto belonging, or in any wise pertaining to Lexie Howard, Alabama Dairy Queen, Inc. and OWC, Ltd., their heirs, successors and assigns, in fee simple forever, with whom Grantors covenant that they are lawfully seized in of the above-described real estate, that they have a good right to sell and convey the same, that the same is unencumbered, and that the title and quiet possession thereto they will warrant and forever defend against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands on this, the 30th day of December, 1977.

William Albert Smith
WILLIAM ALBERT SMITH

Mattie Pearl Moreland Smith
MATTIE PEARL MORELAND SMITH

Personally appeared before me Patrick Lee Smith, a Norary Public for the State of Tennessee, thefollowing, named William Albert Smith and wife Mattie Pearl Moreland Smith, the Grantors, and who acknowledged that they have executed this instrument for the purposes contained.

WITNESS my hand and official seal, at Nashville Tennessee this the 31st. day of December, 1977

Patrick Lee Smith
Notary Public

My Commission Expires March 8, 1980

PATRICK LEE SMITH NOTARY PUBLIC DAVIDSON COUNTY

BOOK 5255 PAGE 191

Send tax notices to: OWC, LTD.
2625 Cumberland Parkway, N.W.
Suite 100
Atlanta, Georgia 30339

[illegible] LOAN [illegible]
[illegible] DEED [illegible]
[illegible] TAX [illegible]
[illegible] STATE [illegible]
[illegible] RECORDED [illegible]

5549

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