(6)

BOOK 5260 PAGE 938

WARRANTY DEED

THIS INSTRUMENT WAS PREPARED BY

DEARBORN & EWING, ATTORNEYS, NASHVILLE, TENNESSEE

ADDRESS NEW OWNER(S) AS FOLLOWS	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
Arby's, Inc.	same	
(NAME) 4944 Belmont Ave.	(NAME)	120
(STREET ADDRESS OR ROUTE NUMBER) Youngstown, Ohio 44505	(STREET ADDRESS)	pan p/o 11 & 12 2d
(CITY) (STATE) (P. O. ZIP)	(CITY) (STATE) (ZIP)	

FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, WE, Nashville Consolidated Warehouses, Inc.

HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO Arby's, Inc.

HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN Davidson COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS: TO-WIT:

Land in Davidson County, Tennessee, being Lot No. 1 on the Plan of Stardust Commercial Park, Section One, of record in Book 5190, page 66, Register's Office for said County, and being more particularly described according to a survey dated February 23, 1978, No. 5566-02, by Barge, Waggoner, Sumner and Cannon, Surveyors, as follows:

Beginning at a point on the north margin of Murfreesboro Pike, 415 ± feet northwest of the centerline of Jupiter Drive; thence, with Murfreesboro Pike, N 48° 49' W, 200 feet to a point; thence, leaving Murfreesboro Pike, N 45° 41' E. 220 feet to a point; thence, S 48° 49' E. 200 feet to a point; thence S 45° 41' W, 220 feet to the point of beginning, containing 43,864 square feet or 1.01 acres, more or less.

Being a part of the same property conveyed to Nashville Consolidated Warehouses, Inc., by deeds from Evelene Uthman Southall and Ollie L. Smith, Trustee, of record in Book 5136, page 980 and Book 5136, page 984, Register's Office for Davidson County, Tennessee.

The above described property is conveyed subject to the following:

1. 1978 Metropolitan Government Taxes - a lien, but not yet due and payable.

2. A 30-foot Joint Access and Common Driveway Easement established by instrument of record in Book 5260, page 929, Register's Office for Davidson County, Tennessee.

3. Restrictions contained in owner's certificate, a 25' building setback line from Murfreesboro Pike, an easement of varying width for public utilities and drainage containing a 15-inch sanitary sewer line and a 72-inch storm drain, and such other easements and restrictions all as shown on the plan of Stardust Commercial Park Section One of record in Book 5190, page 66, said Register's Office.

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

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns, forever, and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs, successors, assigns and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness _____ hand _____ this 9th day of March, 19 78

NASHVILLE CONSOLIDATED WAREHOUSES, INC.
BY: Henry Hudson
Henry Hudson, President

Form 3

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__.

Commission Expires: _____

_____
Notary Public

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Before me, Betty K. Powers, a Notary Public within and for the State and County aforesaid, personally appeared Henry Hudson and _____, with whom I am personally acquainted and who upon (his oath, ~~their several oaths~~) acknowledged (himself, ~~themselves~~) to be the President and _____ respectively of the Nashville Consolidated Warehouses, Inc. the within named bargainor, a corporation, and that (he, ~~they~~) as such President and _____, being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by the said Henry Hudson as such President, and attesting the same by the said _____ as such _____.

WITNESS my hand and official seal at office at Nashville, Tennessee on this 9 day of March, 1978

My Commission Expires: 7-26-80

Betty K. Powers
Notary Public

BETTY K. POWERS NOTARY PUBLIC DAVIDSON COUNTY, TENN.

WARRANTY DEED

FROM
Nashville Consolidated Warehouses, Inc.

TO
Arby's, Inc.

E 54107

IDENTIF. REFERENCE

MAR 10 9 57 AM '78

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

RETURN TO: Dearborn & Ewing
ATTORNEYS
NASHVILLE, TENN.

MAR 10 78	CONV	90,000.00			
MAR 10 78	CONV	90,000.00			
MAR 10 78	CONV	20,000.00			
MAR 10 78	S'TAX		B*	520.00	
MAR 10 78	PR'FEE		B*	.50	
MAR 10 78	W'DEED		B*	4.00	* 524.50

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this conveyance is $ 200,000.00

Brent L. Gibb
Affiant

Subscribed and

My Commission Exp

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 200,000.00
Affiant
SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 10th DAY OF March 1978.
Deputy Register

Notary Public