This instrument prepared by:
John C. Callison
403 Kirkland Hall
Vanderbilt University
Nashville, Tennessee 37240

BOOK 5274 PAGE 767

Address New Owner as follows:	Send Tax Bills to:	Map-Parcel Number
Shoney's Inc. 1727 Elm Hill Pike Nashville, Tennessee	Same	107-1 15

DEED

THIS DEED, made and entered into this 12th day of April, 1978, by and between THE VANDERBILT UNIVERSITY, hereinafter referred to as "Vanderbilt," and SHONEY'S, INC., hereinafter referred to as "Shoney's," all of Davidson County, Tennessee.

APR 18 MISC B* 6.00 * 6.00

W I T N E S S E T H:

THAT WHEREAS, said Vanderbilt heretofore executed to Shoney's a certain deed dated February 15, 1978, and recorded in Book 5253 on page 271, in the office of the Register of Deeds of Davidson County; and

WHEREAS, by mistake said deed contained an error in the description of the land; and

WHEREAS, said Shoney's has requested Vanderbilt to correct said error and said Vanderbilt has agreed so to do; and

WHEREAS, the correct description intended to be inserted in said former deed is that hereinafter set out;

NOW, THEREFORE, said Vanderbilt, for the purpose of correcting said error and in consideration of the sum of ten dollars, to it in hand paid, has

bargained and sold and by these presents does bargain, sell and convey unto said Shoney's, its successors and assigns, a certain tract or parcel of land described as follows:

> Land in the 3rd Civil District of Nashville, Davidson County, Tennessee, and being shown as Lot No. 46 on the Plan of Metropolitan Industrial Park, Section 38, a plat of which is recorded in Book 4595, page 165, Register's Office for Davidson County, Tennessee, and more particularly described as:
>
> Beginning at a concrete monument on the northerly margin of Elm Hill Pike at the east end of the return radius of Elm Hill Tree Drive; thence westerly around a curve to the right with a radius of 50 feet, a central angle of 95° 18', a distance of 83.17 feet to a concrete monument in the easterly margin of Elm Tree Drive; thence with the easterly margin of Elm Tree Drive along a curve to the right having a central angle of 15° 00' and a radius of 473.08 feet, a distance of 123.81 feet to a concrete monument; thence continuing along said easterly margin North 11° 00' West 212.82 feet to a concrete monument; thence North 79° 00' East 182.43 feet to a concrete monument; thence South 51° 32' East 271.62 feet to a concrete monument in the northerly margin of the Elm Hill Pike; thence with the northerly margin of Elm Hill Pike along a curve concave southwesterly having a radius of 914.93 feet and a central angle of 20° 14' 14", a distance of 323.16 feet to the point of beginning, containing 2.14 acres, more or less.
>
> Being the same property conveyed to The Vanderbilt University by Warranty Deed from Mildred P. Green of record in Book 5211, page 688, Register's Office for Davidson County, Tennessee.
>
> This conveyance is made subject to restrictive covenants of record in Book 4214, page 851, and in Book 4711, page 156, Register's Office for Davidson County, Tennessee; owner's certificate, a 50-foot setback line from Elm Hill Pike, and a 30-foot setback line from Elm Tree Drive, as shown on plan of record in Book 4595, page 165, Register's Office for Davidson County, Tennessee.

TO HAVE AND TO HOLD said land, together with all privileges and appurtenances thereunto belonging to said Shoney's, and its successors and assigns in fee simple forever.

And said Vanderbilt covenants that it was seized and possessed of said land in fee simple, had a good right to convey it. And said Vanderbilt does further covenant and bind itself, its successors and representatives, to warrant and forever defend the title to the said land to the said Shoney's, its successors and assigns, against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF, witness my hand and the Seal of Vanderbilt University the day and year first above written.

THE VANDERBILT UNIVERSITY

By: _____ JCC
Emmett B. Fields
President

ATTEST:

_____
Harold F. Miller, Jr.

Treasurer

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, Betty H. Gilbert, a Notary Public within and for the State and County aforesaid, the within named Emmett B. Fields, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the President of The Vanderbilt University the within named bargainor, a corporation, and that he as such President is authorized to execute the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself as President.

WITNESS my hand and official seal at Nashville, Tennessee, this the 12th day of April, 1978

_____
Notary Public

My commission expires My Commission Expires Dec. 11, 1978

VANDERBILT UNIVERSITY
NASHVILLE, TENNESSEE

IDENTIF. REFERENCE

APR 18 3 15 PM '78

FEE $ REGISTER
DAVIDSON COUNTY, TENN.

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