This Instrument Prepared By:

David G. Gray, Attorney
1133 Stahlman Building
Nashville, Tennessee 37201

mail to Trust Dept
First American National Bank
Nashville Tenn 37237

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AGREEMENT AND QUITCLAIM DEED

This Agreement is effective May 16, 1978, and is entered into by and between First American National Bank of Nashville, Tennessee, in its capacity as Executor and Trustee under the Will of Charles A. Petre, deceased, Frances Ferguson Petre, Penelope Petre Treanor, James E. Petre, II, Charles A. Petre, Jr., Donald Randolph Petre and William Robert Petre, all individuals residing in Nashville, Tennessee, witnesseth:

WHEREAS, Charles A. Petre died in Davidson County, Tennessee, on May 5, 1978, leaving a Last Will and Testament dated June 7, 1963, and a Codicil thereto dated January 28, 1974, of record in Will Book 123, page 436, County Court Clerk's Office for Davidson County, Tennessee, and

WHEREAS, the First American National Bank of Nashville, Tennessee, is the nominated Executor and Trustee under said Will and Codicil and has qualified as said Executor; the said Frances Ferguson Petre is the decedent's widow and a beneficiary under said Will, and the remaining parties are the decedent's children and are also beneficiaries, especially under the Codicil dated June 7, 1963, and

WHEREAS, the parties are uncertain whether the said Charles A. Petre, Sr., intended to devise the real estate at Clarksville Highway, Nashville, Davidson County, Tennessee, on which the business enterprise belonging to the decedent, generally known as Tootie's Bar-B-Q to the James E. Petre, II, Donald R. Petre, Penelope Petre Treanor, Charles A. Petre, Jr., and William R. Petre; that is, whether the gift of Tootie's Bar-B-Q under the Codicil was intended to include the real estate on which said business is located and

WHEREAS, the parties desire to settle for all time their respective rights and interests in and to said real estate and business under the decedent's Last Will and Testament and Codicil.

NOW THEREFORE for and in consideration of $10.00 and other good and valuable considerations receipt of which is hereby acknowledged First American National Bank of Nashville, Tennessee, in its capacity as Executor and Trustee under the Last Will and Testament and Codicil No. 1 of Charles A. Petre, Sr., deceased, but in no other capacity and no otherwise and Frances Ferguson Petre do hereby sell, transfer, convey and quitclaim all their respective rights, title and interest to the following described real estate in undivided shares as follows: to James E. Petre, II, forty-five per cent (45%); to Donald R. Petre, twenty-five per cent (25%); to Penelope Petre Treanor, ten per cent (10%); to Charles A. Petre, Jr., ten per cent (10%); and to William R. Petre, ten per cent (10%). The land herein conveyed is described as follows to wit:

> Land in the 14th, formerly the 24th Civil District of Davidson County, Tennessee, being Lot No. 8 on the Plan of the Subdivision of the lands of the heirs of Charles P. Zimmerle, Deceased, as of record in Plan Book 3, page 28, Chancery Court at Nashville, described as follows:
>
> BEGINNING on the southerly margin of Highway No. 112 at the corner of Lots Nos. 8 and 9; thence with the line between said two lots, South 30° 10' West 821.5 feet; thence North 2° 5' East 743.3 feet to the center of Gray Point Road; thence with the center of said road and the dividing line between Lots Nos. 7 and 8, North 44° East 162.8 feet to the southerly margin of said Highway; thence with the southerly margin of said Highway, eastwardly 298.5 feet to the beginning, containing 3.74 acres, more or less.
>
> BEING the same property conveyed to Charles A. Petre, Sr., by deed from Milton S. Evans and wife, Jewell R. Boyte Evans, of record in Book 3538, page 385, Register's Office for Davidson County, Tennessee. The said Charles A. Petre, Sr., having since died. SAID property devised to First American National Bank as Trustee and Executor under the will of Charles A. Petre, of record in Will Book 123, page 436, Office of the County Court Clerk of Davidson County, Tennessee.

This is improved property known as Clarksville Highway, Nashville, Tennessee.

There is also conveyed herewith in the same proportions all of the right, title and interest of the said First American National Bank of Nashville, Tennessee, in its capacity as Executor and Trustee as aforesaid and of Frances Ferguson Petre of all of their respective rights, title and interest in and to the business known as Tootie's Bar-B-Q.

James E. Petre, II, Donald R. Petre, Penelope Petre Treanor, Charles A. Petre, Jr., and William R. Petre join herein to signify their respective agreement as hereinabove set forth.

WITNESS our hands at Nashville, Tennessee, this 2nd day of August, 1978.

Frances Ferguson Petre
Frances Ferguson Petre

Penelope Petre Treanor
Penelope Petre Treanor

James E. Petre, II
James E. Petre, II

Charles A. Petre, Jr.
Charles A. Petre, Jr.

Donald R. Petre
Donald Randolph Petre

William Robert Petre
William Robert Petre

First American National Bank, Executor
and Trustee U/W Charles A. Petre
By:

E Sparks ER
Vice-President

STATE OF TENNESSEE)
)
Davidson County)

Personally appeared before me, Susan Rossi, a Notary Public in and for said County and State, the within named Frances Ferguson Petre, Penelope Petre Treanor, Charles A. Petre, Jr., James E. Petre, II, Donald Randolph Petre and William Robert Petre the bargainors, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 2nd day of August, 1978.

Susan Rossi
Notary Public

Commission Expires 2/14/79

SUSAN ROSSI NOTARY PUBLIC DAVIDSON COUNTY TENN.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Susan Rossi, a Notary Public of the State and County aforesaid, personally appeared John E. Sparks, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be Vice-president of the First American National Bank of Nashville, Tennessee, the within named bargainor, a corporation, and that he as such Vice-president, being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself as Vice-president.

Witness my hand and seal, at office in Nashville, Tennessee, this 2nd day of August, 1978.

Susan Rossi
Notary Public

Commission expires 2/14/79.

SUSAN ROSSI NOTARY PUBLIC DAVIDSON COUNTY TENN.

I hereby swear or affirm that the actual consideration or true value for this transfer, whichever is greater, is $25,000.00. Affiant

Subscribed and sworn to before me this 2ND day of August 19 78

Edsel Ford Holman, Jr.

Expiration 11-8-80

NOTARY PUBLIC DAVIDSON COUNTY, TN.

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION ~~OR TRUE VALUE, WHICHEVER IS GREATER~~, FOR THIS TRANSFER IS
$ 1000
First American Nat'l Bank by Ford Holman A.T.O.
Affiant
SUBSCRIBED AND SWORN TO BEFORE ME, THIS
THE 2nd DAY OF August 19 78.
Deputy Register

Mail Tax notices to:
James E Peters III
5787 Clarksville Hwy
Joelton TN 37080
140 5510
Map 29 168

E 80375

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IDENTIF. REFERENCE

AUG 2 12 18 PM '78

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

AUG-2 MISC B* 8.00 * 8.00