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BOOK 5360 PAGE 11

IDENTIF. REFERENCE

Nov 3 3 35 PM '78

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $2,482,800.00.

Affiant

Subscribed and sworn to before me, this 31st day of October, 1978.

Notary Public

My commission expires 1-20-79.

This instrument prepared by:
GULLETT, STEELE, SANFORD & ROBINSON
230 Fourth Ave., N., Nashville, TN 37219

Address new owners as follows:
William C. Freeman, Trustee
2519 Lebanon Road
Nashville, Tennessee 37214

Send Tax Bills to:
Home Federal Savings
& Loan Association
230 Fourth Avenue North
Nashville, Tenn. 37219

Map-Parcel Numbers
147-8
53

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, I, J. R. FREEMAN, SUBSTITUTE TRUSTEE FOR HILLTOP HOUSE LIMITED, hereinafter called the Grantor, has bargained and sold, and by these presents do transfer and convey unto WILLIAM C. FREEMAN, TRUSTEE FOR HILLTOP HOUSE, A JOINT VENTURE, hereinafter called the Grantees, their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

One tract of land in the 5th Civil District of Davidson County, Tennessee, being a combination of Phase One of the proposed Hilltop House apartment complex and a 50 foot access right-of-way from the Hilltop Apartment Complex to Nolensville Road and being more fully described as follows:

Beginning at an iron pin which is North 3 deg.53'6" East a distance of 60.7 feet from a concrete monument in the southwest corner of the herein described tract, said corner being the same southwest corner of a tract of land "Reserved for Future Development" on the recorded plan of Beverly Heights, Section One, in Book 2331, page 26, said Register's Office, and proceeding as follows:

With the westerly boundary of the "Reserved for Future Development" tract, North 3 deg.53'6" East a distance of 357.3 feet to a corner post; thence, leaving said "Reserved for Future Development" tract, North 85 deg.00'24" West a distance of 436.82 feet to an iron pin; thence, North 4 deg.40'37" East a distance of 213.07 feet to an iron pin; thence South 87 deg.11'40" East a distance of 70.85 feet to a corner post; thence, North 0 deg.38'21" East a distance of 313.13 feet to an iron pin; the northwest corner of Phase One; thence, South 89 deg.21'39" East a distance of 415.00 feet to an iron pin; thence, North 71 deg.10' 54" East a distance of 129.87 feet to an iron pin;

thence, South 22 deg.13'00" East a distance of 100.00 feet to an iron pin; thence, North 73 deg.38'00" East a distance of 170.00 feet to an iron pin, the northeast corner of Phase One and the westerly boundary of Beverly Heights, Section One, as of record in Book 2331, page 26, said Register's Office; thence, south 3 deg.02'15" East a distance of 326.65 feet to a concrete monument; thence, South 30 deg. 44'00" West a distance of 132.64 feet to a concrete monument; thence, South 1 deg.14'22" East a distance of 507.20 feet to a concrete monument; thence, South 86 deg.40'01" West a distance of 384.76 feet to a concrete monument in a southwest corner of the herein described tract, said corner being the same southwest corner of a tract of land "Reserved for Future Development" on the recorded Plan of Beverly Heights, Section One, of record in Book 2331, page 26, said Register's Office; thence, South 59 deg.20'31" West a distance of 236.35 feet to an iron pin; thence, with a 319.13 foot radius curve to the left a distance of 226.88 feet to an iron pin; thence, South 18 deg.36'31" West a distance of 33.15 feet to an iron pin; thence, with a 25.00 foot radius curve to the left a distance of 30.78 feet to an iron pin in the northeasterly margin of Nolensville Road, said iron pin being in a northwesterly direction of 433.52 feet, more or less, from the centerline of Haywood Lane; thence, with the northeasterly margin of Nolensville Road in a northwesterly direction with a 2679.5 foot radius curve to the left a distance of 70.39 feet to an iron pin; thence, leaving the northeasterly margin of Nolensville Road, North 18 deg.36'31" East a distance of 34.17 feet to an iron pin; thence, with a 369.13 foot radius curve to the right a distance of 262.42 feet to an iron pin; thence North 59 deg.20'31" East a distance of 270.77 feet to an iron pin in the westerly boundary of Phase One as described in Call 1, which is the point of beginning and containing 13.621 acres as per survey by Turner Engineering Company, dated April 13, 1971.

Being the same property conveyed to Robert L. Freeman, Trustee by deed from Carson C. Driver, Jr. and wife, Doris B. Driver of record in Book 4616, page 321, said Register's Office, the said Robert L. Freeman having since died and J. R. Freeman having been appointed Substitute Trustee by instrument of record in Book 4711, page 164, said Register's Office.

This is improved property, known as 4646 Nolensville Road
(House Number) (Street)

Nashville, Tennessee 37211
(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 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.

The property is encumbered by a Deed of Trust to Charles Nelson, Jr., Trustee, of record in Book 4510, page 494, said Register's Office, securing a promissory note payable to Home Federal Savings & Loan Association of Nashville and having an unpaid principal balance of One Million Seven Hundred One, One Hundred Fifty Seven Thousand and 92/100 ($1,701,157.92) Dollars, the "First Note", and a Vendor's Lien retained in the deed from Carson C. Driver, Jr., and wife, Doris B. Driver to Robert L. Freeman, Trustee of record in Book 4610, page 321, said Register's Office, and having an unpaid principal balance of Two Hundred Ninety Four Thousand One Hundred Twenty and 75/100 ($294,120.75) Dollars, the "Vendor's Lien" which the Grantee specifically does not agree to assume nor take the property subject to the encumbrances. Grantor shall continue to take all payments on said note when due and Grantee shall have the right to such payments in the event of default by the Grantor, in which event said payment shall be credited to the payment of the note or notes, secured by this instrument.

WITNESS our hands effective the first day of October, 1978.

J. R. FREEMAN, SUBSTITUTE TRUSTEE
FOR HILLTOP HOUSE LIMITED

By: J. R. Freeman, Substitute Tr.
J. R. Freeman, Substitute Trustee

NOV-3 78 CONV * 3482 800.00
NOV-3 78 S'TAX B* 6,455.28
NOV-3 78 PR'FEE B* .50
NOV-3 78 W'DEED B* 6.00 * 6,461.78

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Geoffry C. Mitchell, a Notary Public in and for said County and State, the within named J. R. Freeman, Substitute Trustee for Hilltop House Limited, 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, on this the 31st day of October, 1978.

Geoffry C. Mitchell
Notary Public

My Commission Expires:
8-7-80

GEOFFRY C. MITCHELL NOTARY PUBLIC DAVIDSON COUNTY, TENN.