BOOK 5419 PAGE 202

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THIS INSTRUMENT PREPARED BY JAMES I. WANSE BEAN
ATTORNEY, 21st - FLOOR FIRST AMERICAN CENTER
NASHVILLE, TENNESSEE 37238

# SPECIAL WARRANTY DEED

| (Address New Owner(s) as Follows: | [ Send Tax Bills to: | [ Map & Parcel Number) |
|---|---|---|
| ( MADA, INC. | [ Same | [ Part of Map 163, Parcel 107 ) |
| ( Routes 130 and 206 | [ | [ FB# 2DU21200 ) |
| ( Bordentown, New Jersey 08505 | [ | [ ) |

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 ($10.00) DOLLARS, and other good and valuable consideration, the receipt of which is hereby acknowledged, from MADA, Inc., a New Jersey corporation, hereinafter referred to as "Grantee," to HICKORY HOLLOW MALL, INC., a Georgia corporation, duly authorized to do business in Tennessee, and INTEREAL COMPANY, a Tennessee corporation, together doing business as HICKORY HOLLOW ASSOCIATES, a joint venture, hereinafter referred to as "Grantor."

GRANTOR HAS BARGAINED AND SOLD, and by these presents does transfer and convey unto the said Grantee, its successors and assigns, that certain parcel of land described in Exhibit "A", which is attached hereto and hereby incorporated herein by reference; provided, however, this conveyance is expressly subject to the following:

1. Declaration of Protective Covenants for Hickory Hollow as of record in Book 5125, page 769, Register's Office for Davidson County, Tennessee, as amended by an Amendment to Declaration of Protective Covenants for Hickory Hollow as of record in Book 5189, page 947, said Register's Office, and by a Second Amendment to Declaration of Protective Covenants for Hickory Hollow of record in Book 5337, page 933, said Register's Office.

2. Easements, setback lines, notations and conditions of the Owner's Certificate shown on the plan of Hickory Hollow Mall, Section Ten, a plat of which is of record in Book 5190, page 262, said Register's Office.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value whichever is greater for this transfer is $ 450,000.00

Subscribed and sworn to before me, this the 30th day of March, 19 89

Affiant

My commission expires: 4/18/92 (Affix Seal)

Notary Public

NOTARY PUBLIC AT LARGE STATE OF TEN.

3. 1979 Metropolitan Nashville and Davidson County real property taxes, which have been prorated and will be paid by the Grantor.

TO HAVE AND TO HOLD the said parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, its successors and assigns, forever.

AND GRANTOR DOES COVENANT with the said Grantee that it has good right to convey said land and that the same is unencumbered except as provided herein. The Grantor does further covenant and bind itself, and its successors and legal representatives, to warrant and forever defend the title to the said land to the said Grantee, its successors and assigns, against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise.

THIS DEED is executed, delivered and accepted on condition that on the property conveyed hereby, a restaurant or dinner house,with or without liquor facilities, shall be initially constructed and used. Upon the opening of a dinner house or restaurant upon the property conveyed hereby, this condition shall become null and void.

Grantor hereby agrees that it shall not market and/or sell Parcels B-3 and B-4 of Hickory Hollow and the 1.5,more or less,acre pad site in front of the Hickory Hollow Office Park to a liquor related dinner house until December 31, 1979, unless Grantor first offers to Grantee a right of first refusal to purchase said property as provided for in a certain agreement for Sale of Real Estate, dated February 27, 1979, by and between Grantor and Grantee herein. Reference is here made to said agreement.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by the undersigned duly authorized officers of its Joint Venturers on this 28th day of March, 1979.

HICKORY HOLLOW ASSOCIATES

By: INTEREAL COMPANY, Joint Venturer

By: D. Allen Patton
Vice President

By: HICKORY HOLLOW MALL, INC., Joint Venturer

By: Henry E. Hommel VP.

By: Edgar Wolcott, V.P.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Diane Lewis, a Notary Public of the State and County aforesaid, personally appeared G. Aiken Patten, Jr., with whom I am personally acquainted, and who, upon oath, acknowledged himself to be Vice President of Intereal Company, the within named bargainor, a corporation, and that he as such Vice President, being authorized so to do, executed the foregoing instrument for the purposes 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 30th day of March, 1978.

Diane Lewis
NOTARY PUBLIC

My Commission Expires: 7-18-82

DIANE LEWIS NOTARY PUBLIC DAVIDSON COUNTY, TENN. EXPIRES 7-18-82

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Sue F. Humphrey, a Notary Public of the State and County aforesaid, personally appeared Henry E. Kromer, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be Vice-President of Hickory Hollow Mall, Inc., the within named bargainor, a corporation, and that he as such Vice-President, being authorized so to do, executed the foregoing instrument for the purposes 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 28th day of March, 1978.

Sue F. Humphrey
NOTARY PUBLIC

My Commission Expires: 4/18/82

SUE F. HUMPHREY NOTARY PUBLIC AT LARGE STATE OF TENN.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Sue F. Humphrey, a Notary Public of the State and County aforesaid, personally appeared George Volkert, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be Vice-President of Hickory Hollow Mall, Inc., the within named bargainor, a corporation, and that he as such Vice-President, being authorized so to do, executed the foregoing instrument for the purposes 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 28th day of March, 1978.

Sue F. Humphrey
NOTARY PUBLIC

My Commission Expires: 4/18/82

SUE F. HUMPHREY NOTARY PUBLIC AT LARGE STATE OF TENN.

F. 2 3 4 1 6

IDENTIF. REFERENCE

APR 10 1 42 PM '79

FELIX Z. WILSON II REGISTER DAVIDSON COUNTY, TENN.

EXHIBIT A



PARCEL I:

A parcel of land in the First Civil District, Nashville, Davidson County, Tennessee, being Tract B-5 on the Plan of Hickory Hollow, Section Ten, of record in Book 5190, page 262, Register's Office for Davidson County, Tennessee, more particularly described as follows according to a survey made by Barge, Waggoner, Sumner & Cannon, File No. 4420-19, dated January 17, 1979:

Beginning at a point in the southerly margin of Hickory Hollow Parkway, 824 feet, more or less, from the centerline of Hickory Hollow Lane extended; thence, along said Parkway with a curve to the left having a central angle of 8° 48' 26", a radius of 700 feet and a distance of 107.60 feet to a point; thence, with a curve to the right having a central angle of 23° 08' 52", a radius of 600.00 feet, and a distance of 242.40 feet to a point; thence, leaving Hickory Hollow Parkway, S 25° 06' 26" W, 314.34 feet to a point in the northerly margin of the L & N Railroad; thence, with said railraod with a curve to the right having a central angle of 6° 55' 15", a radius of 2,814.79 feet and a distance of 340.00 feet to a point; thence, leaving the L & N Railroad, N 24° 11' 40" E, 294.12 feet to the point of beginning. Containing 2.48 acres, more or less.

PARCEL II:

A parcel of land in the First Civil District, Nashville, Davidson County, Tennessee, being Tract B-6 on the Plan of Hickory Hollow, Section Ten, of record in Book 5190, page 262, Register's Office for Davidson County, Tennessee, more particularly described as follows according to a survey made by Barge, Waggoner, Sumner & Cannon, File No. 4420-19, dated January 10, 1979:

Beginning at a point in the southerly margin of Hickory Hollow Parkway, 1,174 feet, more or less, from the centerline of Hickory Hollow Lane extended; thence, along said Parkway with a curve to the right having a central angle of 36° 42' 31", a radius of 600 feet and a distance of 384.41 feet to a point; thence, S 25° 15' 11" E, 92.59 feet to a point in the northern margin of the L & N Railroad; thence, with said railroad and a curve to the right having a central angle of 8° 57' 23", a radius of 2,814.79 feet and a distance of 440.00 feet to a point; thence, leaving the L & N Railroad, N 25° 06' 26" E, 314.34 feet to the point of beginning. Containing 1.89 acres, more or less.

Being part of the property conveyed to Hickory Hollow Mall, Inc. (undivided 50% interest) and Intereal Company (undivided 50% interest), doing business as Hickory Hollow Associates, a joint venture, by Warranty Deed from Cousins Properties of Tennessee, Inc. of record in Book 4920, page 916, Register's Office for Davidson County, Tennessee, by quitclaim deed from Cousins Properties of Tennessee, Inc. of record in Book 4920, page 933, Register's Office for Davidson County, Tennessee, and by quitclaim deed from Louisville and Nashville Railroad Company of record in Book 5205, page 190, Register's Office for Davidson County, Tennessee.

**OFFICIAL RECEIPT**
**FELIX Z. WILSON, II**
**REGISTER OF DAVIDSON COUNTY**
**NASHVILLE, TENNESSEE**

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RECEIVED OF _____

FOR _____

| | | |
|---|---|---|
| CO - CONVEYANCE | CC - CERTIFIED COPY | MS - MISCELLANEOUS |
| MO - MORTGAGE | MR - RELEASE | ST - STATE TAX CONVEY. |
| WD - WARRANTY DEED | UC - UNIFORM COMMERCIAL CODE | ST - STATE TAX MORT. |
| TD - TRUST & DEED | | PF - PROBATE FEES |

| DATE | SYMBOL | VALUATION | TAX AND FEES | TOTAL PAID |
|---|---|---|---|---|
| | | | 450000.00- CO | |
| | | | 1170.00 CO TX | |
| | | | .50 PRFEE | |
| | | | 8.00 WDEED | |
| | | | CHECK 1178.50- | |
| 5067A04/10/79 | | | BAL .00 | |

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

F. 23416

T
IDENTIF. REFERENCE

APR 10 1 4 PM '79

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

No. 676455