4459 09/26 518.70- CHECK

FORM NO. WD-1

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $197,000.00

M. A. Borchert
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 14th DAY OF September 1979

John W. Adams
Notary Public

MY COMMISSION EXPIRES: March 8, 1980
(AFFIX SEAL)

THIS INSTRUMENT WAS PREPARED BY
WILKINS, ADAMS & SPICER, ATTORNEYS
401 Union Street, Nashville, Tennessee 37219

ADDRESS NEW OWNER (S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
M. A. Borchert (NAME)	same (NAME)	40 - 108
P. O. Box 747 (STREET ADDRESS OR ROUTE NUMBER)	(STREET ADDRESS)	
Brentwood, TN 37027 (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~~ I, Noble C. Caudill, II, unmarried

HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO M. A. Borchert

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. 3 on the plan of A Resubdivision, Lot # 1, Caudill Subdivision, of record in Book 5200, page 204, Register's Office for said County.

SAID Lot No. 3 fronts 100.00 feet on the southerly margin of Old Hickory Boulevard and extends back 198.96 feet on the easterly line, which is a twice broken line, and 232.69 feet on the westerly line to a broken line in the rear, measuring 110.81 feet thereon.

Together with a perpetual, non-exclusive easement, appurtenant to said Lot No. 3, over and across the northerly 90 feet on the easterly 50 feet of Reserved Parcel "B" on said plan, for the purpose of providing ingress to and egress from said Lot No. 3 from and to Old Hickory Boulevard by the owner or owners of said Lot No. 3 and his or their licensees and invitees, as shown on said plan.

BEING part of the property conveyed to Noble C. Caudill and Noble C. Caudill, II by deed from Laura A. Parrish and husband, C. N. Parrish, of record in Book 3995, page 269, said Register's Office. Noble C. Caudill subsequently conveyed his interest therein to Noble C. Caudill, II in an instrument of record in Book 4457, page 848, said Register's Office. Also being part of the property conveyed to Noble C. Caudill, II by deed from Mobil Oil Corporation of record in Book 5183, page 88, said Register's Office and by deed from Noble C. Caudill of record in Book 5331, page 541, said Register's Office.

This conveyance is made subject to an unrecorded lease dated April 10, 1978, by and between Noble C. Caudill, II, and Jim Dandy Markets, Inc., as lessor and lessee respectively, the matters shown on said plan of record in Book 5200, page 204, said Register's Office, and an easement of record in Book 4574, page 718, said Register's Office, references to which are hereby made for full particulars.

And I, Noble C. Caudill, II, hereby assign to M. A. Borchert, his heirs and assigns, with covenants of general warranty, the Lessor's interest in that certain Lease of said property dated April 10, 1978, and by and between Noble C. Caudill, II, as Lessor, and Jim Dandy Markets, Inc., a Tennessee corporation, as Lessee.

And I, Noble C. Caudill, II place on all property owned by me within a radius of one-half (1/2) mile from said Lot No. 3 restrictive covenants which run with the land which are for the benefit of the owner or owners of said Lot No. 3 and which prohibit the use of that property for a convenience market (including the sale of petroleum products); but I, Noble C. Caudill, II exclude from these covenants the

Cracker Barrel restaurant, and full service and self service gasoline stations, so long as the petroleum products sold are those of a major brand listed on the New York or American Stock Exchange, and under its name and they do not sell groceries, or any carry out beer or soft drinks, except singles by vending machines, and any property that I may purchase from the date hereof forward in time, as long as property is more than one-half (1/2) mile radius from said Lot No. 3.

unimproved ( )
This is improved (X) property, known as Old Hickory Boulevard, Nashville, Tennessee
(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 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 my hand this 14th day of September, 1979

Noble C. Caudill, II

STATE OF TENNESSEE
Davidson County

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Noble C. Caudill, II

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, this 14th day of September, 1979

John V. Adams
Notary Public

Commission expires March 8, 1980

JOHN V. ADAMS NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

WARRANTY DEED

FROM
NOBLE C. CAUDILL, II

TO
M. A. BORCHERT

F. 54360

IDENTIF. REFERENCE

SEP 26 11 53 AM '79

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

WILKINS, ADAMS & SPICER
ATTORNEYS AT LAW
1100 FIDELITY FEDERAL BUILDING
401 UNION STREET
NASHVILLE, TENNESSEE 37219

Row 1, Box 8 dp

OFFICIAL RECEIPT

FELIX Z. WILSON, II

REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

BOOK 5505 PAGE 201

RECEIVED OF _____

FOR _____

CO - CONVEYANCE
MO - MORTGAGE
WD - WARRANTY DEED
TD - TRUST DEED

CC - CERTIFIED COPY
REL - RELEASE
UCC - UNIFORM COMMERCIAL CODE

MISC - MISCELLANEOUS
CO TX - STATE TAX CONVEY
MO TX - STATE TAX MORT
PRFEE - PROBATE FEE

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL PAID
			197000.00- CO	
			512.20 CO TX	
			.50 PRFEE	
			6.00 WDEED	
			CHECK	518.70-
4459A	09/26/79		BAL	.00

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

F.54360

IDENTIF. REFERENCE

SEP 26 11 53 AM '79

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

No. 714679