Michael J. Philbin)
Successor-Trustee)
)
to .)
)
Allstate Enterprises Mortgage)
Corporation)
104 Wilmot Road, Suite 500)
Deerfield, Illinois 60015)
)
Send Tax Bills To Same)

BOOK 5637 PAGE 349

D E E D

Map 59-16, Parcel 223
13 DA 23100

WHEREAS, Patty M. Polk, an unmarried person, executed a deed of trust on the 5th day of April, 1977, which was recorded in Book 5132, Page 528, Register's Office for Davidson County, Tennessee, conveying to J. J. Foley, Jr., Trustee, the hereinafter described property to secure payment to Allstate Enterprises Mortgage Corporation of a promissory note fully described in said deed of trust; and

WHEREAS, said deed of trust and note were subsequently assumed by Rosey S. Smith in an instrument of record in Book 5235, Page 840, Register's Office for Davidson County, Tennessee; and

WHEREAS, pursuant to the provisions of said deed of trust, the undersigned, Michael J. Philbin, was appointed Successor-Trustee, said appointment being dated the 10th day of June, 1980, and recorded in Book 5611, Page 231, and re-recorded on the 12th day of June, 1980, in Book 5612, Page 230, Register's Office for Davidson County, Tennessee; and

WHEREAS, default occurred in the payment of said note described in and secured by said deed of trust, and in accordance with the terms and provisions thereof, all of said indebtedness was declared due and payable, and the Grantor herein, as Successor-Trustee, was instructed to advertise and sell the property for the satisfaction of said indebtedness; and

WHEREAS, said sale was advertised as directed under the terms of said deed of trust, said advertisement being made for twenty-one (21) days of weekly notices published in the Nashville Record newspaper published and circulated in Davidson County, Tennessee; and pursuant to the said advertisement, said sale was held at the time and place advertised, to-wit: July 29, 1980, at 10:00 A.M. at

at the Court House in Nashville, Tennessee, at public outcry to the highest and best bidder for cash and free from equity of redemption, homestead, dower and all other rights and exemptions of every kind, all of which was expressly waived in said deed of trust; and the Grantee herein, Allstate Enterprises Mortgage Corporation being the highest and best bidder at said sale, with a bid of Twenty-Two Thousand, Six Hundred Twenty-One Dollars and 67/100 ($22,621.67), subject to any and all unpaid taxes which exist as a lien against said property, was duly declared the purchaser at the said sale; and

WHEREAS, this deed is made in accordance with the terms and provisions of said deed of trust and the sale held hereunder, as aforesaid;

NOW, THEREFORE, in consideration of the premises and the further consideration of the sum of Twenty-Two Thousand, Six Hundred Twenty-One Dollars and 67/100 ($22,621.67), paid by Allstate Enterprises Mortgage Corporation, the receipt of which is hereby acknowledged, I, Michael J. Philbin, Successor-Trustee, have this day bargained and sold and by these presents do hereby transfer and convey unto Allstate Enterprises Mortgage Corporation its successors and assigns, the following tract of land in Davidson County, Tennessee, and more particularly described as follows, to-wit:

> Land in Davidson County, Tennessee, being Lot No. 220 on the Plan of Trinity Hills, Section Two, First Addition, of record in Book 4460, pages 45 and 46, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description.
>
> Being the same property conveyed to Patty M. Polk, an unmarried person, by deed of record in Book 5132, Page 526, said Register's Office, and subsequently assumed by Rosey S. Smith by an instrument of record in Book 5235, Page 840, Register's Office for Davidson County, Tennessee.

TO HAVE AND TO HOLD said real estate together with the appurtenances, estate, title and interest thereunto belonging to the said Allstate Enterprises Mortgage Corporation its successors and assigns forever as fully and completely as the successor-trustee can or ought to convey under the power vested in him in

said deed of trust and his appointment as successor-trustee; and said successor-trustee, the Grantor herein, does hereby convey, transfer and assign to Allstate Enterprises Mortgage Corporation, its successors and assigns of the warranties and covenants made in said deed of trust.

This conveyance is made subject to any and all unpaid taxes which exist as a lien against said property.

IN WITNESS WHEREOF, the said Michael J. Philbin, Successor-Trustee, has hereunto set his hand this 11th day of August, 1980.

Michael J. Philbin

MICHAEL J. PHILBIN
Successor-Trustee

RURAL HILL ROAD

N13°07'47"E 495.02'

BOOK 5637 PAGE 705

N12°43'39"E 82.45'

44.05' N87°29'58"E

N3°04'36"E 198.56'

S85°27'32"W 186.73'

S17°35'26"E 236.87'

S12°43'24"W 224.69'

60.0'

Screening Req'd

N80°16'57"W 140.43'

(23) FOREST WILSON PROPERTY

Screening Req'd

S1°04'57"W 102.55'

(34) A. SAUNDERS PROPERTY

S89°51'32"W 215.36'

S1°04'57"W 178.69'

N42°35'27"W 327.11'

S72°24'34"W 233.54'

S17°35'26"E 126.77'

S17°35'26"E 182.76'

N72°24'34"E 153.55'

S72°24'34"W 150.00'

N42°35'27"W 537.0'

S42°35'27"E 537.0'

N17°35'26"W 134.0'

S17°35'26"E 134.0'

S72°24'34"W 140.00'

S17°35'26"E 23.50'

N17°35'26"W 23.50'

S17°25'55"E 40.00'

Service Space

EXISTING BUILDING

BEN FRANKLIN STORE

PROPOSED BUILDING (1)

SUPER X

13280 Sq Ft

KROGER

30975 SQUARE FEET

45' SD DOCK

83'

177'

175'

180'

KROGER CUBE SIGN

N59°57'05"E 372.82'

ACE HARDWARE PROPERTY

390 PARKING SPACES

OUT PARCEL (2) PROPOSED BLDG. SEE UNIT # 1

26' COMMON ACCESS EASTMENT

PROPOSED BUILDING

109.53'

140.0'

COMMERCE UNION BANK

150.00'

NEW 15' JOINT ACCESS EASEMENT

E 208 L

L 147.16

E 147.99

L 59.14

E 1.16

BELL ROAD

MURFREESBORO ROAD

82.79

S42°35'27"E

NOTES:

1. Boundary Data Shown Taken From Recorded Map.
2. Contours Based On Data Furnished By Owner.
3. Areas Not To Be Used For Parking Or Access To Parking Shown Thus. ▨
4. Each Site To Be Served By Sanitary Sewers & Public Water.
5. Area Required For Permanent Landscaping Shown Thus.

NOTE No. 1

THIS AREA SHALL NOT CONTAIN EITHER A THEATER, BOWLING ALLEY, NIGHT CLUBS OR HEALTH SPA. TOTAL SQUARE FOOTAGE OF BUILDING SHALL BE LIMITED TO NO MORE THAN ONE FOURTH OF THE GROUND AREA, WITH SELF-SUPPORTING PARKING; WILL BE NO MORE THAN ONE STORY IN HEIGHT (16 FT.); AND WILL CONFORM TO THE GENERAL ARCHITECTURAL DESIGN OF THE SHOPPING CENTER.

SITE CALCULATIONS ~ PRIEST LAKE PLAZA

SITE NO.	TYPE OF USE	TRACT AREA	BLDG. AREA	RATIO	PARKING	LANDSCAPE	LOAD. BERTH
(1)	General Retail		20,900 Sq. Ft.		68 Req'd		1
(2)	General Retail		6,000 Sq. Ft.		18 Req'd		0
TOTALS		159647 Sq. Ft. or 3.665 Ac.	26,900 Sq. Ft.	0.153	82 Req'd 92 Shown	1100 Sq. Ft. Req'd	1

PROPERTY TITLE REFERENCE

Being Lot No. 4 On The Plan Of Priest Lake Plaza Shopping Center, Recorded Deed Bk. 5200 Pg. 30 R.O.D.C. Tenn. & Being Same Property Conveyed To Bell Road Investments Limited By Deed Book 4898 Page 462 R.O.D.C. Tenn. & Also Being Metro Tax Parcel No. 250 On Map 149.

Approved April 3, 1980

EXHIBIT E

AMENDMENT TO COMMERCIAL P.U.D.

PRIEST LAKE PLAZA SHOPPING CENTER

BELL ROAD & MURFREESBORO ROAD

NASHVILLE, TENNESSEE

RAGAN · SMITH · MURPHY & ASSOCIATES, INC.

LAND DEVELOPMENT CONSULTANTS

410 RUSSELL STREET

NASHVILLE, TENNESSEE 37206

SCALE: 1" = 50'

50 25 0 50 100 150

MK	DATE	BY	CHANGE
REVISIONS			

DRAWN BY	APPROVED BY	WORK ORDER	JOB NO.
R.H. FUGUA	J.L. MURPHY		80-004
DATE FEB. 19, 1980		SHEET 1 OF 1	

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, Sherry A. Essary a Notary Public in and for said County and State, the within named Michael J. Philbin, Successor-Trustee, 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 11th day of August, 1980.

Sherry A. Essary
NOTARY PUBLIC

My Commission Expires: Oct. 18, 1981

THIS INSTRUMENT PREPARED BY
Michael J. Philbin
ADAMS, TAYLOR, PHILBIN, PIGUE
& MARCHETTI
300 James Robertson Parkway
Nashville, Tennessee 37201

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is Twenty-Two Thousand, Six Hundred Twenty-One Dollars and 67/100 ($22,621.67).

Michael J. Philbin
AFFIANT

Sworn to and subscribed before me this this 11th day of August, 1980.

Sherry A. Essary
NOTARY PUBLIC

My Commission Expires: Oct. 18, 1981

G 0 2 4 9 5

IDENTIF. REFERENCE

AUG 14 3 32 PM '80

FELIX Z. WILSON JR. REGISTER
DAVIDSON COUNTY, TENN.

OFFICIAL RECEIPT

FELIX Z. WILSON, II

REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____ BOOK 5637 PAGE 353

FOR _____

CO - CONVEYANCE	CC - CERTIFIED COPY	MISC - MISCELLANEOUS
MO - MORTGAGE	REL - RELEASE	CO TX - STATE TAX CONVEY
WD - WARRANTY DEED	UCC - UNIFORM COMMERCIAL CODE	MO TX - STATE TAX MORT
TD - TRUST DEED		PRFEE - PROBATE FEE

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL PAID

22621.67- CO
58.76 CO TX
.50 PRFEE
12.00 WDEED
CHECK 71.26-
5740A08/14/80 BAL .00

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

60.24.95

IDENTIF. REFERENCE

AUG 14 3 32 PM '80

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

No. 773814