This Form furnished by Attorneys Title Company, Inc.

BOOK 5798 PAGE 420

Form No. WD-3

**FROM**

Heirs at law of Roberta L. McFarlin

**TO**

Leo E. Harding and wife,
Mildred T. Harding

For draftsman's use

This Instrument Was Prepared By
DENNEY, LACKEY & CHERNAU
218 Third Avenue North
Nashville, Tennessee 37201

| ADDRESS NEW OWNER (S) AS FOLLOWS: | SEND TAX BILLS TO: | MAP-PARCEL NUMBERS |
|---|---|---|
| Leo E. Harding et ux. (NAME) | SAME (NAME) | Map 187 |
| 5115 Brucewood Drive (STREET ADDRESS OR ROUTE NUMBER) | (STREET ADDRESS) | Pt. of Parcel 13 |
| Nashville, Tennessee 37211 (CITY) (STATE) (P. O. ZIP) | (CITY) (STATE) (ZIP) | 5D-20551 |

(FOR REGISTER'S USE)

IDENTIFICATION REFERENCE

SEP 24 3 44 PM '81

FELIX E. ALLISSANDRATI REGISTER DAVIDSON COUNTY, TENN.

RUSH

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

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

$ 15,000.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 24th DAY OF September 19 81

Notary Public

MY COMMISSION EXPIRES Oct. 17, 1982

(AFFIX SEAL)

G61315

**For and in Consideration of** the sum of FIFTEEN THOUSAND AND NO/100ths----------

----------$15,000.00----------**DOLLARS**

cash in hand paid by Leo E. Harding and wife, Mildred T. Harding, the receipt of which is hereby acknowledged, JAMES N. MCFARLIN, individually, and as attorney-in-fact for all other heirs at law of Roberta L. McFarlin, pursuant to the powers granted to him by power of attorney instruments of record in Book 5797, page 829 to 876, inclusive, Register's Office for Davidson County, Tennessee,

CHECK

.....have bargained and sold, and by these presents do transfer and convey unto the said LEO E. HARDING AND WIFE, MILDRED T. HARDING, their .....heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to wit:

Land in the Fifth Civil District of Davidson County, Tennessee, being Tract No. 11 of the division of Roberta L. McFarlin property, not of record, and being described according to a survey of J. Bruce Rainey, Surveyor, No. 823, dated August 28, 1981, as follows:

Beginning at an iron pin set on the southerly margin of Burkitt Road (25 feet south of the centerline) said point of beginning being 2150.73 feet easterly from the northeast corner of the Gordon Wheeler land of record in Book 3705, page 85, Register's Office for Davidson County, Tennessee; thence with said margin South 66° 28' 53" East 36.83 feet to an iron

pin; thence South 61° 52' 13" East 73.28 feet to an iron pin; thence South 59° 38' 38" East 25.74 feet to an iron pin; thence leaving the margin of said Road South 00° 14' 13" West 840.74 feet to an iron pin; thence South 01° 13' 13" West 1304.12 feet to an iron pin in the northerly line of the William Guthrie property of record in Book 4966, page 332, Register's Office for Davidson County, Tennessee, thence along said line North 85° 29' 36" West 45.00 feet to an iron pin; thence North 85° 02' 25" West 133.62 feet to an iron pin; thence North 83° 58' 06" West 96.98 feet to an iron pin; thence leaving Guthrie's line North 05° 01' 42" East 1298.66 feet to an iron pin; thence North 04° 35' 14" East 890.73 feet to the point of beginning, containing 10.04 acres, more or less.



Being part of the same property conveyed to Roberta McFarland by deed from Mrs. B. H. McFarland, widow of B. H. McFarland, deceased, C. J. McFarland, Ben H. McFarland, Jr., Miss Annie Pearl McFarland, Mrs. Lena McFarland Nichols and Mrs. Rebecca McFarland Green of record in Book 1023, page 633, Register's Office for Davidson County, Tennessee, the said Roberta McFarland having since died intestate on January 3, 1980.

Together with a Ten (10) foot wide easement along the southerly margin of Burkitt Road on Tract No. 10 extending from a line ten feet west of and perpendicular to the easterly end of the existing Metro water line to the common property line between Tracts 10 and 11 for the installation and upkeep of an underground water line for the benefit of said Tract 11, as well as Tract 12, in said division of the Roberta L. McFarlin land on Burkitt Road, said easement to terminate for Tract 11 within sixty (60) days after said Metro water line is extended along Burkitt Road to a point where Metro water service is available to said Tract 11.

This conveyance is made subject to a 10 foot wide easement along the southerly margin of and all of the frontage of this tract on Burkitt Road for the installation and upkeep of an underground water line for the benefit of Tract No. 12 in said division of the Roberta L. McFarlin land on Burkitt Road, said easement to terminate within sixty (60) days after said Metro water line is extended along Burkitt Road to a point where Metro water service is available to said Tract No. 12.

Roberta L. McFarlin and Roberta McFarland are one and the same person.

The heirs at law of Roberta L. McFarlin are James N. McFarlin, Benajah H. McFarlin, Jr., William Turner McFarlin, Ellen M. Jennings, Mary Lou Holmes, Roberta Green Cothran, Allen J. Green, Jr., Ben L. Green, J. T. Williams, Mrs. John H. Payne, Jr., Charlotte McFarlin Suffredini, Mrs. Clyde Martin, N. E. McFarlin, Jr., Mrs. Richard C. Smith, Christine M. Bess, John W. McFarlin, Carolyn B. Brown, David L. Ballew, Jrs. Billy McClain, Mrs. T. J. Evans, Mrs. Edward Harding, Berry D. Nichols, Jr., Rebecca Thompson, Robert Allen Nichols and Herbert Nichols.

This conveyance is made subject to the following restrictive covenants, which shall expire on September 30, 2001, and which shall be covenants running with the land applicable to all twelve (12) tracts of land fronting on Burkitt Road and being a division of Roberta L. McFarlin property as shown on said survey of J. Bruce Rainey dated August 28, 1981, the same to inure to the benefit of all grantees, their heirs and assigns of said tracts:
1. No trailer or mobile home, basement house, garage, barn or other building may be used as temporary or permanent living quarters.
2. No commercial swine or poultry may be kept on property.
3. No storage of junk cars, storage of building materials or any other offensive or unsightly storage may be placed on tracts.
The titleholders of any of said tracts shall have the right to enforce or compel compliance with said covenants, or prevent the violation of any of them, by action of law or equity, including injunctive relief.

This is unimproved property, known as _____ Burkitt Road, Nashville, Tennessee.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said LEO E. HARDING AND WIFE, MILDRED T. HARDING, their heirs and assigns, forever.

And we do covenant with the said LEO E. HARDING AND WIFE, MILDRED T. HARDING 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.

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 LEO E. HARDING AND WIFE, MILDRED T. HARDING, their heirs and assigns against the lawful claims of all persons whomsoever.

WITNESS my hand this 2nd day of September, 1981.

Form No. WD3b

BOOK 5798 PAGE 422

James N. McFarlin

James N. McFarlin, Individually

All other heirs at law of Roberta L. McFarlin

By: James N. McFarlin
James N. McFarlin, Attorney-in-fact

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

On this 24th day of September, 1981, before me personally appeared James N. McFarlin, to me known to be the person who executed the foregoing instrument in behalf of the heirs at law of Roberta L. McFarlin, and acknowledged that he executed the same as the free act and deed of said heirs.

WITNESS my hand and official seal at Nashville, Tennessee, this 24th day of September, 1981.

Notary Public

My Commission expires:
October 9, 1982

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named James N. McFarlin, 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 24th day of September, 1981.

Notary Public

My Commission expires:
October 9, 1982

**OFFICIAL RECEIPT**

**FELIX Z. WILSON, II**

REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____ BOOK 5798 PAGE 423

| | | |
|---|---|---|
| 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 |
|---|---|---|---|---|
| | | | 15000.00- CO | |
| | | | 39.00 CO TX | |
| | | | .50 PRFEE | |
| | | | 9.00 WDEED | |
| | | | CHECK | 48.50- |
| | | | 9753A09/24/81 SAL | .00 |

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

G 6 1 3 1 5

IDENTIF. REFERENCE

SEP 24 3 44 PM '81

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

**No.** 845184