132-16-122

aej

WARRANTY DEED

BOOK 5818 PAGE 390

THIS INDENTURE, Made and entered into this 10th day of Sept., 1981 by and between DERYCK CLAY and wife, SUSAN S. CLAY, residents of the State of California, Party of the First Part, and TENNESSEE RACQUETBALL INVESTORS, LTD., a California Partnership, Party of the Second Part,

WITNESSETH:

That for and in consideration of Ten Dollars ($10.00) cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, the said Party of the First Part has bargained and sold and does hereby bargain sell, convey and confirm unto the said Party of the Second Part, the following described real estate, situated and being in Nashville, County of Davidson, State of Tennessee, to-wit:

> Being the Lot 2 of the Fletcher and Layne Subdivision as of record in Book 4460, Page 119, Register's Office of Davidson County, Tennessee more particularly described as follows:
>
> Beginning with a point in the westerly margin of Trousdale Drive at the common corners of Lots No. 1 and 2, thence with said margin south 39 degrees 47 minutes west 725.38 feet to a point being the southeast corner of said lot; thence north 29 degrees, 25 minutes east along a line measuring 454.41 feet; thence north 34 degrees 44 minutes east along a line measuring 226.77 feet; thence north 36 degrees 39 minutes east 52.58 feet to a point being the common rear corners of Lots No. 1 and 2; thence with the line between said two lots in an easterly direction 104.66 feet to the beginning.
>
> LESS AND EXCEPT that portion of the above described property which lies south of the south line of the 150 foot TVA easement shown on the above referred to plat of the Fletcher and Layne Subdivision.
>
> Being the same property conveyed by Warranty Deed dated August 10, 1978 by and between Joe C. Davis and L. C. Anderson, Jr. (grantors) and Deryck Clay (grantee) which deed was filed of record in the Register's Office of Davidson County, Tennessee on August 24, 1978, in Book 5329, Page 381, in said Register's Office.

Title to the above-described real property is vested in Deryck Clay. Susan S. Clay, wife of Deryck Clay, joins herein for the purpose of conveying any and all interest she may have by reason of her marriage to said Deryck Clay.

TO HAVE AND TO HOLD the aforesaid real estate, together with all appurtenances and hereditaments thereunto belonging or in anywise appertaining unto the said Party of the Second Part, its successors and assigns in fee simple forever.

And the said Party of the First Part does hereby covenant with the said Party of the Second Part that it is lawfully seized in fee of the aforedescribed real estate; that it has a good right to sell and convey the same; that the same is unencumbered, except for the following: 1981 City of Nashville and Davidson County taxes, and this conveyance is made subject to a Deed of Trust of record in the Register's Office of Davidson County, Tennessee, and recorded in Book 5329, Page 384 in said Register's Office, and subject to the terms and conditions of agreements of record in Book 5115, Page 28, Book 5695, Page 470, and Book 5695, Page 473 in said Register's Office. This conveyance is also made subject to subdivision restrictions, building lines and easements of record in Book 4460, Page 119, and easement of record in Book 1237, Page 371, in the office of the Register of Davidson County, Tennessee, and that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons.

WITNESS the signature of said Party of the First Part the day and year first above written.

Deryck Clay

Deryck Clay, Grantor

Susan S. Clay by Deryck Clay her attny in fact

Susan S. Clay, Grantor

G.6 7 8 8 0

MAIL ENV.

IDENTIF. REFERENCE

Nov 12 2 59 PM '81

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

STATE OF CALIFORNIA
COUNTY OF Santa Clara

BEFORE ME, the undersigned Notary Public in the State and County aforesaid, personally appeared DERYCK CLAY, to me known to be the person described in and who executed the foregoing instrument, and acknoweldged that he executed the same for the purposes therein contained.

WITNESS my hand and Official Seal at office this 10th day of September, 1981.

B. B. Whitmore
NOTARY PUBLIC

My Commission Expires:
May 3, 1982

OFFICIAL SEAL
B. B. WHITMORE
NOTARY PUBLIC — CALIFORNIA
PRINCIPAL OFFICE IN THE
COUNTY OF SANTA CLARA
Comm. Exp. May 3, 1982

STATE OF CALIFORNIA
COUNTY OF Santa Clara

BEFORE ME, the undersigned Notary Public in the State and County aforesaid, personally appeared DERYCK CLAY, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he is the Attorney-in-Fact for SUSAN. S. CLAY, and that he, being so authorized, executed the same for the purposes therein contained.

WITNESS my hand and Official Seal at office this 10th day of September, 1981.

B. B. Whitmore
NOTARY PUBLIC

My Commission Expires:
May 3, 1982

Property address:
4366 Trousdale Drive
Nashville, Tennessee

Mail tax bils to: (Person or Agency resonsible for payment of taxes)
Tennessee Raquetball Investors
177 Park Center Plaza
San Jose, California
ATTN: H. ARMSTRONG
This instrument prepared by:
David H. Katz, Attorney
1700, One Commerce Square
Memphis, Tennessee 38103

| | |
|---|---|
| State tax | $ |
| Register's fee | .50 |
| Recording fee | |
| Total | |

T.G.#

Return to:
David H. Katz

I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $550,000.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Harvey L. Armstrong by DHK
Affiant

Subscribed and sworn to before me this 10th day of ~~August~~ September, 1981.

Alison Markham
Notary Public

My Commission Expires Nov. 20, 1984

Commission expires:

7819 - 1/2% 1039.50 - CHECK

**OFFICIAL RECEIPT**

**FELIX Z. WILSON, II**

**REGISTER OF DAVIDSON COUNTY**

**NASHVILLE, TENNESSEE**

RECEIVED OF _____

FOR BOOK 5818 PAGE 393

| | | |
|---|---|---|
| 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 |
|---|---|---|---|---|
| | | | 550000.00- CO | |
| | | | 1430.00 CO TX | |
| | | | .50 PRFEE: | |
| | | | 9.00 WDEED. | |
| | | | CHECK 1439.50- | |
| | | | 7819A11/12/81 BAL .00 | |

RECEIPT IS ~~NOT~~ VALID UNTIL CHECK IS PAID BY BANK

G. 67880

IDENTIF. REFERENCE

Nov 12 2 59 PM '81

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN

No. 852937