Bar 42

WARRANTY DEED

BOOK 7398 PAGE 71

FROM: William C. Freeman, Trustee for the benefit of HFS Properties, a Tennessee joint venture whose joint venturers are William C. Freeman and Donald M. Matthys

This instrument was prepared by:
B. Riney Green
Farris, Warfield & Kanaday
Seventeenth Floor
Third National Bank Building
Nashville, Tennessee 37219

TO: Murfreesboro BMD, Limited, a Texas limited partnership whose general partner is W. Criswell Freeman

Nov 6 1 31 PM 1987
DAVIDSON COUNTY, TN

IDENTIFICATION REFERENCE

80571

Address New Owner(s) as Follows:

Murfreesboro BMD, Limited
c/o W. Criswell Freeman
2517 Lebanon Road
Nashville, TN 37214

Name and Address of the Person or Entity Responsible for the Payment of Real Property Taxes

Map-Parcel Numbers

1. 95-4-237
2. 95-4-46
3. 95-4-44

Field Book Numbers

Harvey Freeman & Sons, Inc.
2517 Lebanon Road
Nashville, TN 37214

1. 3DZ-4203
2. 3DZ-4185
3. 3DZ-4180

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is Two Hundred Thousand Dollars ($200,000.00).

W. Criswell Freeman

SUBSCRIBED AND SWORN TO before me, this the 6 day of NOVEMBER, 1987.

Hazel M. May
Notary Public

NOTARY PUBLIC AT LARGE

My Commission Expires: Nov. 26, 1989

FOR AND IN CONSIDERATION OF the sum of Two Hundred Thousand Dollars ($200,000.00), the receipt and sufficiency of which are hereby acknowledged, William C. Freeman, Trustee for the benefit of HFS Properties, a Tennessee joint venturer whose joint venturers are William C. Freeman (being the same person as W. Criswell Freeman) and Donald M. Matthys, Grantor, has bargained and sold, and by these presents does transfer and convey unto the said Murfreesboro BMD, Limited, a Texas limited partnership the general partner of which is W. Criswell Freeman,

Grantee(s), its heirs, successors, and assigns, a certain tract or parcel of land, but not any of the improvements thereon, in Davidson County, State of Tennessee, described as follows, to-wit:

TRACT NO. 1: Land in Davidson County, Tennessee, being part of Lot No. 4 of the Map of J.W. Vaughn & Ellis Bros. Subdivision of the Arch Harper Homeplace of record in Book 332, page 173, Register's Office for Davidson County, Tennessee, described according to a copy of a survey by Z. J. Wilkinson, Surveyor, March 18, 1946, and a more recent survey by Ralph W. C. Lambert & Sons, dated July 13, 1975, as amended by Barge, Waggoner, Sumner and Cannon, Inc., dated January 6, 1982, as follows:

Beginning at a point in the southerly margin of the right of way of Lebanon Pike, 54 feet east of the common northerly corner of Lots Nos. 3 and 4, thence South 11° 17' East 236.30 feet (deed shows 236.3 feet) to a point; thence South 78° 35' West parallel to the south margin of Lebanon Pike, 50.64 feet (deed shows 50 feet) to a point; thence North 11° 17' West 236.31 feet (deed shows 236.3) feet to the south margin of said Pike; thence with the margin of same, north 78° 35' East 50.05 feet (deed shows 50 feet) the point of beginning.

Being the same property conveyed to Tennessee Trust Company, Trustee by deed from Brent Hurd, Trustee, with full power to encumber, sell, mortgage, transfer or convey without the joinder of any beneficiary of record in Book 6826, page 310, Register's Office for Davidson County, Tennessee, and by deed from Donelson Development Company, Inc. of record in Book 5839, page 258, Register's Office for Davidson County, Tennessee.

Together with a joint, perpetual ingress and egress easement lying across property to the west of the property described above as shown on the survey made by Barge, Waggoner, Sumner and Cannon dated January 6, 1982, and as set forth in an Easement of record in Book 2496, page 492, Register's Office for Davidson County, Tennessee.

TRACT NO. II: Land in Davidson County, Tennessee, being the north 200 feet of the east 80 feet of Lot No. 3 and the north 200 feet of the westerly 4 feet of Lot No. 4 on the Map of J. H. Vaughn & Ellis Bros. Subdivision of the Arch Harper Homeplace, as of record in Book 332, pages 172 and 173, said Register's Office, and described according to a survey by Ralph W. C. Lambert & Son, dated October 25, 1975, as amended by Barge, Waggoner, Sumner and Cannon, Inc., dated January 6, 1982 as follows:

Said parts of said lots adjoin and front together 88.47 feet (deed shows 84 feet) on the southerly side of Lebanon Pike and runs

back 200.03 feet (deed shows 200 feet) on the easterly lot line to a line in the rear which measures 90.56 (deed shows 84) feet thereon.

Included in the above described property but hereby expressly excluded therefrom is a portion of a right-of-way for ingress and egress more particularly described in an instrument of record in Book 2496, page 492, said Register's Office. Also conveyed herewith is the right to use said perpetual right-of-way for ingress and egress as set forth in said instrument.

Being the same property conveyed to Tennessee Trust Company, Trustee by deed from Brent Hurd, Trustee, with full power to encumber, sell, mortgage, transfer or convey without the joinder of any beneficiary of record in Book 5826, page 310, Register's Office for Davidson County, Tennessee.

TRACT NO. III: A tract of land in the 3rd, formerly 2nd, Civil District of Davidson County, Tennessee, being the easterly 30 feet of Lot No. 2 and the westerly 70 feet of Lot No. 3 on the Map of J. W. Vaughn and Ellis Bros. Subdivision of the Arch Harper Home Place on the Lebanon Pike, as of record in Book 332, page 172, Register's Office for said County, described as follows:

Beginning at a point on the southerly side of Lebanon Turnpike Road, as widened, 430 feet easterly from the easterly margin of the Merritt Road and running thence north 78° 16' East with the southerly side of the new right of way line of said Turnpike Road 100 feet; thence South 11-1/4° East, parallel with the dividing line between said lots nos. 2 and 3, 428 feet more or less, to a point on the southern line of said lot No. 3; thence north 84° West with said line and the southern line of said lot No. 2, 104.4 feet; thence north 11-1/4° west 394 feet, more or less to the beginning.

Beginning at a point on the southerly side of the Lebanon Turnpike Road, as widened, 430 feet easterly from the easterly margin of the Merritt Road and running thence north 78° 16' East with the southerly side of the new right of way line of said Turnpike Road 100 feet; thence South 11-1/4° East, parallel with the dividing line between said lots nos. 2 and 3, 428 feet, more or less, to a point on the southern line of said lot No. 3; thence north 84° West with said line and the southern line of said lot No. 2, 104.4 feet; thence north 11-1/4° west 394 feet, more or less to the beginning.

Being the same property conveyed to HFS Properties, a Tennessee joint venture by deed from R. T. White, Jr. and Lillian White Castleman of record in Book 5699, page 618, Register's Office for Davidson County, Tennessee.

TRACT NO. IV: Land in Davidson County, Tennessee, being part of Lot No. 4 on the Map of J. W. Vaughn and Ellis Bros. SUbdivision of the Arch Harper Homeplace as of record in Book 332, page 172 and 173, said Register's Office, and being described according to a survey made by Barge, Waggoner, Sumner and Cannon, Inc., dated January 6, 1982, as follows:

Said part of Lot No. 4 begins on the southerly margin of Lebanon Pike 641.2 feet east of the southeasterly corner of the intersection of Lebanon Pike and McGavock Pike; thence North 78° 35' East 96 feet along the southerly margin to the common corner of Lots 4 and 5; thence South 10° 42' East 480.59 feet (476 feet deed) to a point; thence North 83° 58' West 151.85 feet (148.9 feet deed); thence North 10° 20' West 198.75 feet (199.4 feet deed) to a point; thence North 78° 35' East 50.64 feet (50 feet deed) to a point; thence North 11° 17' West 236.3 feet to the point of beginning and containing 1.2 acres, more or less.

Being the same property conveyed to Tennessee Trust Co., Trustee for HFS Properties by deed from Marie Baker Tanner (now (Gray) and husband, Charles L. Gray of record in Book 5700, page 527, Register's Office for Davidson County, Tennessee.

Together with a joint, perpetual ingress and egress easement lying across property to the west of the property described above as shown on the survey made by Barge, Waggoner, Sumner and Cannon dated January 6, 1982, and as set forth in an Easement of record in Book 2496, page 492, said Register's Office, and in a deed from Donelson Development Company to Robert E. Baker, Trustee, of record in Book 3945, page 210, Register's Office for Davidson County, Tennessee.

This is improved property, known as 2517 Lebanon Road, Nashville, Tennessee.

This conveyance is expressly made subject to the following:

1. The Plan of record in Book 332, page 173, and Register's Office, shows no easements and setback lines.

2. Permanent easement and joint right of way along the easterly line of Tract 2 and westerly line Tract 1 and other rights as set out in instrument between E. E. Anderson and wife, and Trustee's of McWhirtersville Lodge #375, Free and Accepted Masons and Helen Roberts Gayden of record in Book 2496, page 492, said Register's Office.

3. A 20 foot easement for Sanitary Sewers and/or Storm Drainage granted to Metro of record in Book 4278, page 168, said Register's Office.

4. Trust Agreement between Tennessee Trust Company and HFS Properties, a Tennessee joint venture of record in Book 5826, page 312, said Register's Office, dated December 2, 1981.

5. Restrictions that the sale of alcoholic beverages shall be permitted on this property as shown of record in Book 2741, page 2, said Register's Office.

6. The survey of the premises made by Barge, Waggoner, Sumner and Cannon, Inc., dated November 18, 1980, revised January 6, 1982, and revised February 5, 1982, recites that the westerly property line of Tract No. 2 is to be adjusted by mutual agreement of the present owners.

7. Reservation of water tap easement and easement for water line along the easterly boundary in favor of Donelson Development Company, of record in Book 3945, page 210, said Register's Office, and a 15 foot easement for ingress and egress with the northerly boundary of same being located approximately 236.30 feet south of the northerly boundary of the premises.

8. Joint right of way of ingress and egress along the rear 200 feet of the westerly side line of the premises and extending 9 feet along said line, as of record in Book 2496, page 492, said Register's Office, and the obligation to pay 1/4 of the maintenance thereof, as set forth in the Deed of Record in Book 3945, page 210, said Register's Office.

9. The survey of the premises made by Barge, Waggoner, Sumner, Cannon, Inc. dated February 19, 1980, revised January 6, 1982, revised February 5, 1982, shows a one story block building encroaching the easement for ingress and egress along the westerly line.

10. A 20 foot temporary construction easement and a 10 foot permanent easement for Sanitary Sewers and/or Storm Drainage granted to Metro of record in Book 4281, page 243, and Book 4281, page 240, said Register's Office.

11. Easement to Metro for Sanitary Sewers and/or Storm Drainage joined in by Donelson Development Company, Inc., of record in Book 4298, page 508, said Register's Office.

12. Easement for ingress and egress across the southerly 16 feet of the premises as set out in Deed from Elbridge E. Anderson and wife, to Donelson Development Company, Inc., a Tennessee Corporation on April 29, 1969, in Book 2903, page 509, Register's Office for Davidson County, Tennessee.

13. Memorandum of Lease between R. T. White, Jr. and Lillian White Castleman and Harvey Freeman & Sons, Inc., of record in

Book 5699, page 615, said Register's Office, dated January 2, 1981.

14. Memorandum of Ground Lease, dated as of March 29, 1984 by and between William C. Freeman, Trustee for the benefit of HFS Properties, a Tennessee joint venture, as Lessor, and Mary C. Freeman, as Lessee.

15. Master Lease Agreement between Mary C. Freeman as Lessor and Harvey Freeman & Sons, Inc., as Lessee, pertaining to the improvements located on the premises described herein, dated March 30, 1984.

16. Deed of Trust from Mary C. Freeman, as Grantor, Warren H. Wild, Jr., as Trustee, and HFS Properties, a Tennessee joint venture as Beneficiary, dated March 30, 1984, pertaining to the improvements located on the premises described herein.

17. The lien for 1987 taxes which have been prorated and will be paid by Grantee.

None of the improvements located on said tract or parcel are transferred hereby. All of the improvements located on said tract or parcel were conveyed on March 29, 1984 by Grantor to Mary C. Freeman by that certain Conveyance document executed by Grantor.

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

And Grantor does covenant with the said Grantee(s) that Grantor is lawfully seized and possessed of said land in fee simple; has a good right to convey it, and the same is unencumbered and unrestricted except as to those matters set forth above to which this conveyance is expressly made subject.

And Grantor does further covenant and bind Grantor, its heirs, successors, and assigns, to warrant and forever defend the title to the said land to the said Grantee(s), its heirs, successors, and assigns against the lawful claims of all persons whomsoever except as to those matters set forth above to which this conveyance is expressly made subject.

IN WITNESS WHEREOF, said Grantor has executed this Warranty Deed this 6 day of NOVEMBER, 1987.

WILLIAM C. FREEMAN,
Trustee for HFS Properties, a
Tennessee joint venture

HFS PROPERTIES, a Tennessee
joint venture

By: _____
William C. Freeman, joint
venturer

By: _____
Donald M. Matthys, joint
venturer

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Hazel M. May, Notary Public of said State and County, William C. Freeman, with whom I am personally acquainted and who acknowledged that he/she executed the within instrument for the purposes therein contained, and who further acknowledged that he/she is the Trustee of the maker or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

Witness my hand, at office, this 6th day of October, 1987.

Hazel M. May
Notary Public

My Commission Expires: Nov. 26, 1989

NOTARY PUBLIC AT LARGE

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Hazel M. May, Notary Public of said State and County, William C. Freeman, with whom I am personally acquainted and who acknowledged that he/she executed the within instrument for the purposes therein contained, and who further acknowledged that he/she is the Joint Venturer of the maker or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

Witness my hand, at office, this 6th day of October, 1987.

Hazel M. May
Notary Public

My Commission Expires: November 26, 1989

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Hazel M. May, Notary Public of said State and County, Donald M. Matthys, with whom I am personally acquainted and who acknowledged that he/she executed the within instrument for the purposes therein contained, and who further acknowledged that he/she is the Joint Venturer of the maker or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

Witness my hand, at office, this 6th day of October, 1987.

Hazel M. May
Notary Public

My Commission Expires: November 26, 1989

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, _____, Notary Public of said State and County, _____, with whom I am personally acquainted and who acknowledged that he/she executed the within instrument for the purposes therein contained, and who further acknowledged that he/she is the _____ of the maker or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

Witness my hand, at office, this _____ day of _____, 1987.

_____
Notary Public

My Commission Expires: _____

5564G/08-21-87

OFFICIAL RECEIPT

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

RECEIVED OF _____

FOR _____

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

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL

200000.00- CAMT.
560.00 CSTAX
.50 PRFEE
24.00 WDEED
CHECK 584.50-
0328A11/06/87 BAL .00

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

8 0 5 7 8

IDENTIFICATION REFERENCE

Nov 6 1 31 PM '87

FELIX Z. WILSON, II REGISTER DAVIDSON COUNTY, TN

No. 33588