THIS INSTRUMENT WAS PREPARED BY:

Roy A. Miles, Jr., Attorney
707 Dominion Bank Building
315 Union Street
Nashville, Tennessee 37201

BOOK 7481 PAGE 341

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INSTRUMENT OF AGREEMENT IDENTIFI REFERENCE

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FOR AND IN CONSIDERATION of the sum of Ten ($10.00) DAVIDSON COUNTY, TN Dollars, cash in hand paid, the receipt of which is hereby acknowledged, for the further consideration of love and affection by and between the children of David Newell Pinkerton, Deceased, and wife, Armada Ivy Pinkerton, Deceased, and for the further purpose of clarifying the provisions of the will of Armada Ivy Pinkerton, Deceased, executed January 30, 1979, and recorded in Will Book 152, page 334, Probate office of Davidson County, Tennessee, J.R.P.

We, JASPER W. PINKERTON and ARTHUR S. PINKERTON, being all the devisees and legatees under the said will of Armada Ivy Pinkerton, Deceased, do hereby agree and declare that the portion of the farm property devised to Jasper Pinkerton, referred to as the "Westerly or lower tract" has been surveyed by Charles Hyder, Registered Land Surveyor, and is that tract referred to as "Track 1" on the surveyor's map prepared by said surveyor, and dated December 13, 1986, and is more particularly described as follows:

TRACT ONE:

BEGINNING at a point in the middle of Poplar Creek Road, being the southwest corner of the Kenneth Muskoff property, and running thence with Poplar Creek Road South 67° 15 minutes 45 seconds West 208.32 feet; thence South 73° 31 minutes 30 seconds West 233.80 feet; thence South 81° 13 minutes 44 seconds West 256.19 feet; thence South 84° 22 minutes 9 seconds West 575.48 feet; thence leaving the roadway, North 1° 55 minutes 56 seconds East 686.38 feet to an iron pin; thence North 3° 58 minutes 56 seconds East 98.50 feet to an iron pin; thence North 00° 30 minutes West 369.11 feet to an iron pin; thence North 85° 25 minutes 44 seconds West 29.70 feet to an iron pin; thence South 76° 32 minutes 0 seconds West 132.19 feet to an iron pin; thence North 16° 51 minutes 10 seconds West 2183.81 feet to an iron pin; thence North 84° 53 minutes 24 seconds East 2413.31 feet to an iron pin; thence South 02° 20 minutes 30 seconds West 1575.40 feet to a fence post; thence South 01° 33 minutes 01 seconds East 787.40 feet to a point in the center of a private road; thence, following the center of said private roadway, South 11° 59 minutes 13 seconds West 152.39 feet; thence South 21° 25 minutes 26 seconds West 56.22 feet; thence South 35° 17 minutes 47 seconds West 84.61 feet; thence South 45° 03 minutes 38 seconds West 318.67 feet; thence South 24° 34 minutes 07 seconds East 114.09 feet; thence South 05° 27

minutes 34 seconds West 131.58 feet; thence South 18° 49 minutes 18 seconds East 101.49 to the point of BEGINNING; and containing 136.23 acres.

J.N.P.
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And we, JASPER N. PINKERTON and ARTHUR S. PINKERTON, do hereby further agree and declare that the portion of the farm property devised to Arthur Pinkerton referred to as the "Easterly or upper Tract" has been surveyed by Charles Hyder, Registered Land Surveyor, and is that tract referred to as "Track 2" on the surveyor's map prepared by said surveyor and dated December 13, 1986, and is more particularly described as follows:

TRACT TWO:

BEGINNING at a point in the middle of Poplar Creek Road, being the southwest corner of the Kenneth Muskoff tract, and running thence North 18° 49 minutes 18 seconds West 101.49 feet to a point in the middle of a private roadway; thence with said private roadway North 5° 27 minutes 34 seconds East 131.58 feet; thence North 24° 34 minutes 07 seconds West 114.09 feet; thence North 45° 03 minutes 38 seconds East 318.67 feet; thence North 35° 17 minutes 47 seconds East 84.61 feet; thence North 21° 25 minutes 26 seconds East 56.22 feet; thence North 11° 59 minutes 13 seconds East 152.39 feet; thence, leaving said roadway, North 01° 33 minutes 1 second West 787.40 feet to a fence post; thence North 02° 20 minutes 30 seconds East 1575.40 feet to an iron pin; thence North 01° 20 minutes 27 seconds West 1410.12 feet to an iron pin; thence South 80° 59 minutes 50 seconds East 2795.90 feet to an iron pin; thence South 1° 35 minutes 16 seconds West 869.62 feet to an iron pin; thence South 88° 16 minutes 50 seconds East 716.71 feet to a set rock; thence South 1° 15 minutes 16 seconds East 919.38 feet to an iron pin; thence South 25° 32 minutes 34 seconds East 1170.84 feet to a set rock; thence North 89° 00 minutes 10 seconds West 2446.65 feet to an iron pipe; thence North 86° 00 minutes 00 seconds West 675.87 feet to an iron pipe; thence South 37° 45 minutes West 281.50 feet to an iron pin; thence South 53° 40 minutes 00 seconds West 660 feet to an iron pin; thence South 44° 19 minutes 25 seconds West 661.75 feet to an iron pin; thence South 05° 20 minutes 00 seconds West 291.89 feet to a point in the center of Poplar Creek Road; thence South 67° 15 minutes 45 seconds West 13.64 feet to the BEGINNING, and containing 237.53 acres.

Both tracts or parcels of land are in the Ninth Civil District of Davidson County, Tennessee, and are part of those tracts or parcels of land conveyed to David Newell Pinkerton by deed from William Byrd Pinkerton and others, of record in Book 1040, Page 134, Register's Office for Davidson County, Tennessee, described according to a survey by Charles Hyder, Surveyor, dated December 13, 1986.

IN WITNESS WHEREOF, we have hereunto set our hands on this the 17 day of Feb, 1988.

Jasper N. Pinkerton
JASPER N. PINKERTON

Arthur S. Pinkerton
ARTHUR S. PINKERTON

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, Jerry W. Blair, a Notary Public in and for said County and State, the within named JASPER N. PINKERTON, the within bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, this the 18 day of Feb, 1988.

Jerry W. Blair
NOTARY PUBLIC

My commission expires 5-8-91

JERRY W. BLAIR NOTARY PUBLIC DAVIDSON COUNTY, TENN.

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, Charmaine Jenkins, a Notary Public in and for said County and State, the within named ARTHUR S. PINKERTON, the within bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, this the 24th day of February, 1988.

Charmaine Jenkins
NOTARY PUBLIC

My commission expires 11-12-90

NOTARY PUBLIC DAVIDSON COUNTY, TENN.