WBJGH00121 04/27/88
THIS INSTRUMENT PREPARED BY:
Bass, Berry & Sims (WBJ)
2700 First American Center
Nashville, Tennessee 37238

WARRANTY DEED

BOOK 7543 PAGE 313

ADDRESS NEW OWNERS:	SEND TAX BILLS TO:	MAP-PARCEL NOS.
Charles Binkley and Eatherly Family Holding Company, a Tennessee general partnership c/o R. L. Eatherly 1000 Lebanon Road Nashville, TN 37210	SAME	81-45

FILED MAY 13 9 22 AM '88
DAVIDSON COUNTY, TN
REGISTER

IDENTIFICATION REFERENCE

3.0.2.0.4

FOR AND IN CONSIDERATION of the sum of THIRTY THOUSAND DOLLARS ($30,000) cash in hand paid by the undersigned, Charles Binkley and Eatherly Family Holding Company, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned, Charles W. McDowell, Sr., R. Bryan McDowell, Jr., Robert A. McDowell, Jr., R. Dennis McDowell, R. David McDowell, (the latter three acting both individually and as Co-Executors of the Estate of Marilyn Patricia Cobb McDowell), First American Trust Company, N.A., as Trustee under the Last Will and Testament of Robert A. McDowell, Sr., and First American Trust Company, N.A. and Charles R. Honeycutt, as Co-Trustees of a Trust created by Roscoe B. McDowell, Sr. (the "Grantors"), have bargained and sold, and by these presents do transfer and convey unto the said Charles Binkley and Eatherly Family Holding Company, a Tennessee general partnership, (the "Grantees"), their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to-wit:

> Being a part of Tract 9 on the Map of G. W. Ankenbauer Estates, as divided in Chancery Court under Rule No. 65611, described according to a survey made by Turner Engineering Co., Inc., Consulting Engineers, October 8, 1965 as follows:
>
> BEGINNING at a point on the southwesterly margin of Clarksville Pike, said point being 775 feet northwesterly from the center line of 28th Avenue, North; thence north 55 degrees 50 minutes west 949 feet, and continuing with the same, north 55 degrees 50 minutes west 187.2 feet to the edge of the water of the Cumberland River; thence with the same in a southwesterly direction 970 feet, more or less, to a point in the northern boundary line of the C. A. Waterson property; thence with the same as follows: South 71 degrees 27 minutes east 126.3 feet; thence south 73 degrees 19 minutes east 375.3 feet to a

20 inch elm tree and south 76 degrees 41 minutes east 629.4 feet to an iron pin; thence north 34 degrees 10 minutes east 595.6 feet to the beginning, containing 20.40 acres, more or less.

Included in the above description but excluded from this conveyance are those portions of said property conveyed to the State of Tennessee for a right-of-way for highway purposes by right-of-way deeds of record in Book 5321, Page 964, and Book 5392, Page 32, said Register's Office and that portion of the property conveyed to the Metropolitan Government of Nashville and Davidson County, Tennessee, by deed of record in Book 4845, Page 945, said Register's Office.

Being part of the property conveyed to Roscoe B. McDowell, Sr., Robert A. McDowell, Sr., and Charles W. McDowell, Sr., by deed from Walter Reed Capps, Reese L. Smith, Jr., and Karl E. Haury of record in Book 3948, Page 928, as corrected by Deed of Correction of record in Book 5328, Page 422, Register's Office for Davidson County, Tennessee.

The said Robert A. McDowell, Sr., has since died devising his interest in property to First American Trust Company, N.A., Trustee, formerly First American National Bank of Nashville, by his Last Will and Testament of record in Will Book 130, Page 280, Office of the Probate Court Clerk of Davidson County, Tennessee. Marilyn Patricia Cobb McDowell possessed a testamentary power of appointment over a portion of this trust and exercised said power of appointment in favor of her estate by her Last Will and Testament of record in Will Book 155, page 15, said Probate Court Clerk's Office. The said Roscoe B. McDowell, Sr., has since died devising his interest in the property to First American Trust Company, N.A., and Charles R. Honeycutt, as Co-Trustees under a Trust Agreement, dated April 30, 1984, as amended, by his Last Will and Testament of record in Will Book 153, Page 533, said Probate Court Clerk's Office. By Quitclaim Deed of record in Book 6802, Page 349, the Trustees of the later trust conveyed undivided interests to the following beneficiaries of that Trust: Charles W. McDowell, Sr., R. Bryan McDowell, Jr., R. Dennis McDowell, R. David McDowell, and Robert A. McDowell, Jr.

This conveyance is expressly subject to the following:

1. A lien for 1988 real property taxes, which have been prorated and are assumed by Grantees.

2. A sewer easement granted the City of Nashville by Earl Hutcheson, et al. by instrument of record in Book 2443, Page 297, said Register's Office.

3. A right-of-way agreement granting a right-of-way and easement for a gas pipeline between Mary Ankenbauer Bess and Nashville Gas & Heating Company of record in Book 1450, Page 518, said Register's Office.

4. An easement for right-of-way of a pipeline granted Colonial Pipeline Company by Roscoe B. McDowell, Sr., et al., of record in Book 4969, Page 567, said Register's Office.

5. A right-of-way easement granted Nashville Gas Company of record in Book 5624, Page 864, said Register's Office.

6. An easement granted to Roscoe B. McDowell, Sr., et al. of record in Book 4238, page 561, said Register's Office.

7. Temporary construction and slope easements set forth in the deeds to the Metropolitan Government of Nashville and Davidson County, Tennessee, and the State of Tennessee of record in Book 4845, Page 945,

Book 5321, Page 964, and Book 5392, Page 32, said Register's Office.

8. The flow and flood of the Cumberland River, a portion of said property lying between the high and low water marks of and in the flood plain of the Cumberland River.

This is unimproved property, known as Clarksville Highway, 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 Grantees, their heirs and assigns, forever.

And Grantors do covenant with the said Grantees that they are lawfully seized and possessed of said land in fee simple; have a good right to convey it, and the same is unencumbered, except as herein set forth.

And Grantors do further covenant and bind themselves, their heirs and representatives, to warrant and forever defend the title to said land to the said Grantees, their heirs and assigns against the lawful claims of all persons whomsoever.

The covenants and warranties of First American Trust Company, N.A., as Trustee and Co-Trustee, of Charles R. Honeycutt, as Co-Trustee, and of Robert A. McDowell, Jr., R. Dennis McDowell, and R. David McDowell, as Co-Executors, made herein are made in as full and ample a manner as they can and should do, but no further or otherwise. Also, Grantors make this conveyance of the property in an "as is" condition with no covenants or warranties regarding the condition of said property, its suitability or fitness for use or development in any manner, or its owner's ability to obtain appropriate governmental permits required in connection therewith.

In addition, Grantors do hereby convey and quitclaim to Grantees all of their right, title, and interest in and to an easement granted to Roscoe B. McDowell, Sr., Robert A. McDowell, Sr., and Charles W. McDowell, Sr. by Grant of Easement of record in Book 4238, Page 561, Register's Office of Davidson County, Tennessee.

Elizabeth Ann McDowell, spouse of Charles W. McDowell, Sr., joins herein for the purpose of consenting to this conveyance and conveying any interest which she may have in said property.

IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed on the dates indicated in the acknowledgments below, to make this conveyance effective on the 10TH day of MAY, 1988.

CHARLES W. MCDOWELL, SR.

ELIZABETH ANN MCDOWELL

R. BRYAN MCDOWELL, JR.

ROBERT A. MCDOWELL, JR.

R. DENNIS MCDOWELL

R. DAVID MCDOWELL

FIRST AMERICAN TRUST COMPANY, N.A., as Trustee under the Last Will and Testament of Robert A. McDowell, Sr.

By: _____
Title SENIOR VICE PRESIDENT

FIRST AMERICAN TRUST COMPANY, N.A., as Co-Trustee under a Trust Agreement created by Roscoe B. McDowell, Sr., dated April 30, 1984, as amended,

By: _____
Title SENIOR VICE PRESIDENT

CHARLES R. HONEYCUTT, as Co-Trustee under a Trust Agreement created by Roscoe B. McDowell, Sr., dated April 30, 1984, as amended

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, Alisa G. McMurtry, a Notary Public in and for said county and state, Charles W. McDowell, Sr., the within named 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 our hands, at office, this 4th day of May, 1988.

Alisa G. McMurtry
Notary Public

My Commission Expires:
March 3, 1992

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, Alisa G. McMurtry, a Notary Public in and for said county and state, Elizabeth Ann McDowell, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS our hands, at office, this 4th day of May, 1988.

Alisa G. McMurtry
Notary Public

My Commission Expires:
March 3, 1992

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, Alisa G. McMurtry, a Notary Public in and for said county and state, R. Bryan McDowell, Jr., the within named 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 our hands, at office, this 6th day of May, 1988.

Alisa G. McMurtry
Notary Public

My Commission Expires:
March 3, 1992

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, William N. Berry, Jr., a Notary Public in and for said county and state, Robert A. McDowell, Jr., the within named 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 our hands, at office, this 4th day of May, 1988.

William N. Berry, Jr.
Notary Public

My Commission Expires:
September 9, 1989

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, William N. Berry, Jr., a Notary Public in and for said county and state, R. Dennis McDowell, the within named 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 our hands, at office, this 9th day of May, 1988.

William N. Berry, Jr.
Notary Public

My Commission Expires:
September 9, 1989

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, William N. Berry, Jr., a Notary Public in and for said county and state, R. David McDowell, the within named 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 our hands, at office, this 4th day of May, 1988.

William N. Berry, Jr.
Notary Public

My Commission Expires:
September 9, 1989

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Before me, William N. Berry, Jr., a Notary Public of the state and county aforesaid, personally appeared W. A. BYRN, JR., with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be SENIOR VICE PRESIDENT of FIRST AMERICAN TRUST COMPANY, N.A., the within named bargainor, a national banking association, and that he as such SENIOR VICE PRESIDENT, executed the foregoing instrument for the purpose therein contained, by signing the name of the association by himself as SENIOR VICE PRESIDENT.

WITNESS my hand and seal, at office in Nashville, Tennessee this 10th day of May, 1988.

William N. Berry, Jr.
Notary Public

My Commission Expires:
September 9, 1989

STATE OF TENNESSEE)
)
COUNTY OF Wilson)

Personally appeared before me, Joanne Harvey, a Notary Public in and for said county and state, Charles R. Honeycutt, the within named 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 our hands, at office, this 29th day of April, 1988.

Joanne Harvey
Notary Public

My Commission Expires:
3-7-90

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

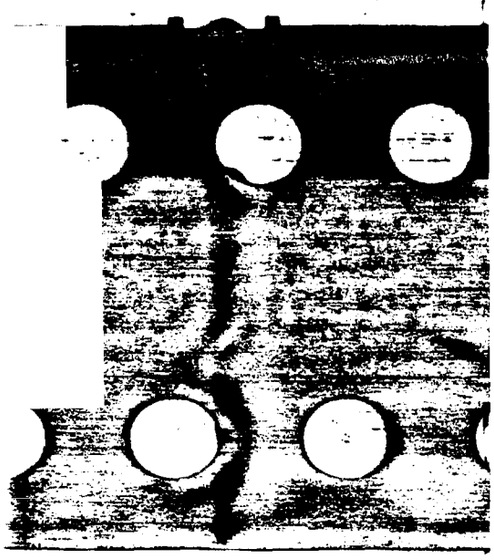
The actual consideration or value, whichever is greater, for this transfer is $30,000.

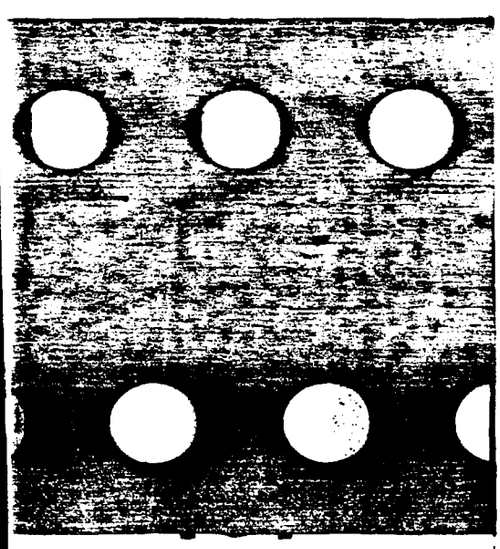
Charles E Brinkley
Affiant

Sworn to and subscribed before me, this 10th day of May, 1988.

William N. Berry, Jr.
Notary Public

My Commission Expires:
September 9, 1988





OFFICIAL RECEIPT

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

RECEIVED OF _____

FOR _____

BOOK 7543 PAGE 320

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

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL

[illegible]AMT	30000.00
[illegible]TX	84.00
[illegible]FEE	0.50
MTGEE	21.00
TOTAL	105.50
CHECK	105.50

05/13/98 01 09:27 0001 6725

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

30204

IDENTIFICATION REFERENCE

MAY 13 9 22 AM '98

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

No. 90952