Fell 46

The actual consideration or value, whichever is greater, for the transfer is $1,571,741.99.

SPECIAL WARRANTY DEED BOOK 8025 PAGE 304

FROM: Rivergate Acres, Ltd., a Tennessee limited partnership composed of Sam J. Martz and Mary Valda Martz as general partners, Grantor

This instrument was prepared by:
Eva M. Lemeh
Farris, Warfield & Kanaday
Seventeenth Floor
Third National Bank Building
Nashville, Tennessee 37219

TO: Mid-South Bank & Trust Company, Grantee

Address New Owner(s) as Follows:	Name and Address of the Person or Entity Responsible for the Payment of Real Property Taxes	Map-Parcel Numbers
		33-0-123
Mid-South Bank & Trust Company 201 East Main Street Murfreesboro, TN 37130	Same	Field Book Numbers G0-00005

FOR AND IN CONSIDERATION OF the sum of One Dollar ($1.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Rivergate Acres, Ltd., a Tennessee limited partnership composed of Sam J. Martz and Mary Valda Martz as general partners, Grantor, has bargained and sold, and by these presents does transfer and convey unto the said Mid-South Bank & Trust Company, Grantee, its successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to-wit:

> BEGINNING at a point in the Easterly margin of Dickerson Pike at the Southwesterly corner of Goodlettsville Heights, Section 3, of record in Plat Book 1835, page 98, Register's Office for Davidson County, Tennessee; thence leaving Dickerson Pike and with the South boundary line of said Goodlettsville Heights S 89° 37' 13" E, 300.0' to a point; thence leaving Goodlettsville Heights S 18° 07' 13" E, 200.00' to a point; thence S 35° 22' 13" E, 100.00' to a point; thence S 13° 39' 30" W, 110.51' to a point; thence S 28° 22' 16" W, 500.00' to a point; thence S 32° 43' 44" W, 23.07' to a point in the Northerly margin of a proposed collector street; thence with the margin of said street the following calls: with a curve to the right, having a radius of 542.96' and a long chord of 210.50', said chord having a bearing of N 66° 33' 53" W, a distance along the curve of 211.84' to a point; thence N 55° 23' 16" W, 110.20' to a point; thence leaving the margin of said

street N 31° 13' 29" E, 336.85' to a point; thence N 62° 09' 44" W, 200.00' to a point in the Easterly margin of Dickerson Pike; thence with said margin with a curve to the left, having a radius of 2,905.00' and a long chord of 343.28', said chord having a bearing of N 24° 27' 03" E, a distance along the curve of 343.47', to the point of beginning, containing 7.06 acres, more or less.

BEING the same property conveyed to Rivergate Acres, Ltd., a Tennessee limited partnership, by deed of record in Book 6457, page 639, in the Register's Office of Davidson County, Tennessee.

This is improved property, known as 1028-1044 South Dickerson Pike, Goodlettsville, Tennessee 37072.

This conveyance is expressly made subject to the following:

1. Metro taxes for 1989, $19,539.52, Due; Delinquent taxes for 1988, plus penalty and interest, $22,470.45, Due, if paid in December 1989;

2. Goodlettsville City taxes for 1989,$1,180.96, Due; Delinquent Goodlettsville City taxes for 1988, $1,180.96, plus $236.19 penalty and interest, if paid in December 1989, Due;

3. Goodlettsville City taxes for 1987, $1,180.96 Due, plus $377.91 penalty and interest, if paid in December 1989, Due;

4. Goodlettsville City taxes for 1986, $1,180.96, plus $519.62 penalty and interest, if paid in December 1989, Due;

5. Deed of Trust executed by Valda Martz and husband, Sam J. Martz, to Stephen C. Baker, Trustee, of record in Book 7214, page 136, dated March 4, 1987, recorded April 24, 1987, said Register's Office, to secure payment to Union Planters National Bank of indebtedness in the original principal amount of $1,244,725.99 and any other sums which may be and/or become payable under the terms thereof including, but not limited to principal, interest, and service fee. See instrument for complete terms and conditions as well as possible rights and options of the mortgagee, including rights respecting assumption of the debts secured thereby.

An Appointment of Successor Trustee was recorded for the above deed of trust, appointing Craig V. Gabbert, Jr. as Successor Trustee, in Book 7975, page 38, said Register's Office;

6. Judgment granted in the Davidson County General Sessions Court in favor of Nashville Associates, Ltd., d/b/a Comfort Inn and against Sam Martz, individually and d/b/a Action Properties, in the amount of

$7,543.77, a certified copy recorded in Book 7378, page 596, Register's Office for Davidson County, Tennessee;

7. Judgment granted in the Montgomery County General Sessions Court in favor of Cumberland Electric Membership Corporation against Sam and Valda Martz, d/b/a/ Action Properties, in the amount of $500.85, plus costs, a certified copy recorded in the Register's Office for Davidson County, Tennessee;

8. The Plan of record in Book 6250, page 205, said Register's Office, shows an Owner's Certificate, easements, notes and setback lines as more particularly shown thereon;

9. Deed of Dedication to Madison Suburban Utility District of record in Book 6636, page 832, in the Register's Office of Davidson County, Tennessee;

10. Certificate of Limited Partnership for Rivergate Acres, Ltd. of record in Book 6324, page 170, in said Register's Office; and

11. Easements for transmission lines to U.S.A. of record in Book 1153, page 652, Book 3223, page 325, and Book 3223, page 327, all in the Register's Office of Davidson County, 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 Grantee, its successors and assigns, forever.

And Grantor does covenant with the said Grantee that Grantor is lawfully seized and possessed of said land in fee simple and has a good right to convey it. And Grantor does further covenant and bind Grantor, its successors and assigns, to warrant and forever defend the title to the said land to the said Grantee, its successors and assigns against the lawful claims of all persons whomsoever claiming by, through or under Grantor, but not further or otherwise, except as to those matters set forth above to which this conveyance is expressly made subject.

IDENTIFICATION REFERENCE

96147

JAN 12 3 54 PM '96

FELIX Z. WILSON, REGISTER
DAVIDSON COUNTY, TN

Witness her hand this 15th day of December, 1989.

RIVERGATE ACRES, LTD., a
Tennessee limited partnership

By: Sam J. Martz
Sam J. Martz,
general partner

By: Mary Valda Martz
Mary Valda Martz,
general partner

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Deborah A. Hughes, a Notary Public of said County and State, personally appeared Sam J. Martz, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be a general partner of RIVERGATE ACRES, LTD., the within named bargainor, a partnership, and that he as such general partner executed the foregoing instrument for the purposes therein contained, by signing the name of the partnership by himself as general partner.

Witness my hand and seal, at Office, this 15th day of December, 1989.

Deborah A. Hughes
Notary Public

My Commission Expires: May 8, 1991

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Deborah A. Hughes, a Notary Public of said County and State, personally appeared Mary Valda Martz, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be a general partner of RIVERGATE ACRES, LTD., the within named bargainor, a partnership, and that she as such general partner executed the foregoing instrument for the purposes therein contained, by signing the name of the partnership by herself as general partner.

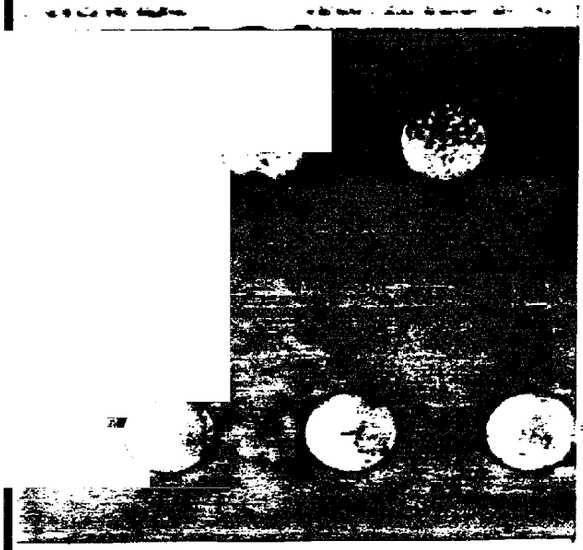
Witness my hand and seal, at Office, this 15th day of December, 1989.

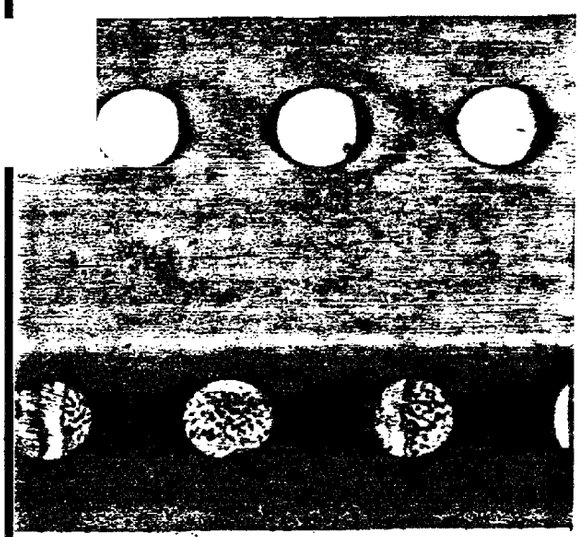
Deborah A. Hughes
Notary Public

My Commission Expires: May 8, 1991

3859 02/12 0101 03CHECK 5199.61

3206Z/12-13-89





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

RECEIVED OF _____

FOR _____

BOOK 8025 PAGE 308

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
			CAMT 1571741.99	
			CON TX	5186.61
			PRFEE	1.00
			WDEED	12.00
			TOTAL	5199.61
			CHECK	5199.61
01/12/90	01		15:55 0001 2859	

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

9.6: 1: 4 %.

IDENTIFI REFERENCE

JAN 12 3 54 PM '90

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

No. 283973