This instrument prepared by Porch, Peeler, Williams, Thomason & Bradley, Attorneys, 102 South Court Square, Waverly, Tennessee 37185. The name and address of the new owners and to whom the tax statement should be sent are Robert J. Huber, P.O. Box 608, Waverly TN 37185. The property is identified on the records of the Tax Assessor as to Tract I Map 86, Parcel 92 and as to Tract II Map 86, Parcel 191.

BOOK 8401 PAGE 911

I hereby swear, or affirm, that the actual consideration for this transfer, or value of the property transferred, whichever is greater, is $600,000.00, which amount is equal to or greater than the amount which the property would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me this the 3rd day of July, 1991.

Notary Public

My Commission Expires:

6-12-94

SANDRA H. DREADEN NOTARY PUBLIC AT LARGE ILLINOIS

# T R U S T E E ' S  D E E D

This instrument made and entered into on this the 3rd day of July, 1991, by and between ROBERT I. THOMASON, JR. ESQUIRE, TRUSTEE, Party of the First Part, and ROBERT J. HUBER, Party of the Second Part:

## W I T N E S S E T H:

WHEREAS, by deed of record in Trust Deed Book 8015, page 388, Register's Office of Davidson County, Tennessee, NASHVILLE ASSOCIATES LIMITED PARTNERSHIP, a Missouri partnership, conveyed to ROBERT I. THOMASON, JR., ESQUIRE, Trustee, the hereinafter described real estate to secure an indebtedness in the original amount as stated therein by mortgaging the real estate described therein; and

WHEREAS, default was made in the payment of the said

Register's Office for Davidson County, Tennessee, South 85° 34' East, 738.42 feet;

Thence, with the westerly line of Jackson's Retreat, Phase I, Section 2 of record in Book 5200, pages 334 and 335, Register's Office for Davidson County, Tennessee, South 04° 01' 53" West, 64.00 feet;

Thence, with the westerly line of Jackson's Retreat, Phase II, as of record in Book 5200, page 673, Register's Office for Davidson County, Tennessee, South 05° 13' 29" East, 309.05 feet;

Thence, continuing with said westerly line of said Jackson's Retreat, Phase II, South 66° 27' 22" East, 400.00 feet;

Thence, continuing with said westerly line of said Jackson's Retreat, Phase II, and a portion of the westerly line of the property conveyed to Randall Phillips Builders, Inc., by Deed of record in Book 5584, page 274, Register's Office for Davidson County, Tennessee, South 23° 42' East, 335.00 feet;

Thence, with said westerly line of the property conveyed to Randall Phillips Builders, Inc., the following calls: South 18° 18' West, 180.00 feet; North 71° 42' West, 50.00 feet; South 18° 18' West 147.82 feet to the center of Dry Fork Creek;

Thence, with the center of Dry Fork Creek and a portion of the northerly line of the property conveyed to John W. Hayes, Sr., et ux, by Deed of record in Book 4990, page 458, Register's Office for Davidson County, Tennessee, the following calls: South 83° 51' West, 128.09 feet; North 44° 06' West, 163.20 feet; North 60°, 21' West, 329.3 feet; North 85° 49' West, 114.7 feet; South 56° 36' West, 59.3 feet; North 75° 40' West, 66.8 feet; south 81° 30' West, 245.4 feet to the point of beginning. Containing 21.54 acres, more or less.

**TRACT 2:**

BEING a parcel of land in the Second Civil District of Nashville, Davidson County, Tennessee, located on the southwest quadrant of the intersection of Hermitage Woods Drive and Rockwood Drive, and being part of the property conveyed to First American National Bank by deed of record in Book 5086, page 959, Register's Office for Davidson County, Tennessee, and being more particularly described according to survey of Barge, Waggoner, Sumner & Cannon dated March 12, 1985, as follows:

BEGINNING at a point in the westerly margin of Hermitage Woods, Drive, said point being southerly 210.75 feet from the southerly margin of Rockwood Drive;

Thence, leaving said westerly margin of Hermitage Woods Drive with the northerly line of a portion of Hermitage Woods, Phase 2A, of

record in Book 4860, pages 62, 63 and 64, Register's Office for Davidson County, Tennessee, North 45° 27' 29" West, 279.39 feet to a monument;

Thence, with a portion of the easterly line of the property conveyed to Henry L. Haynes by deed of record in Book 3908, page 55, Register's Office for Davidson County, Tennessee, and the easterly line of the property conveyed to John W. Hayes, Sr., et ux, by deed of record in Book 4990, page 458, Register's Office for Davidson County, Tennessee, North 05° 05' East 672.70 feet to the center of Dry Fork Creek;

Thence, with said center of Dry Fork Creek and a portion of the southerly line of the property conveyed to Randall Phillips Builders, Inc. by Deed of record in Book 5584, page 274, Register's Office for Davidson County, Tennessee, South 70° 38' East, 101.11 feet;

Thence, with a portion of the westerly line of said Randall Phillips Builders, Inc. property South 06° 39' 17" East, 290.00 feet;

Thence, with the southerly margin of Rockwood Drive as shown on the Plan of Hermitage Woods Phase 1, of record in Book 4460, page 82, Register's Office for Davidson County, Tennessee, with a curve to the left 386.41 feet, said curve having a central angle of 30° 10' 26", a radius of 733.73 feet, a tangent of 197.80 feet and a chord of South 19° 01' 30" East, 381.96 feet;

Thence with a curve to the right 37.46 feet, said curve having a central angel of 85° 50' 44", a radius of 25.00 feet, a tangent of 23.25 feet and a chord of South 08° 48' 30" West, 34.05 feet;

Thence, with the westerly margin of Hermitage Woods Drive, South 51° 44' West, 2.00 feet;

Thence, continuing with said westerly margin of Hermitage Woods Drive with a curve to the left 185.50 feet to the point of beginning, said curve having a central angle of 31° 48' 28", a radius of 334.15 feet and a tangent of 95.21 feet and a chord of South 35° 39' 46" West, 183.13 feet. Containing 3.32 acres, more or less.

BEING the same property conveyed to Nashville Associates Limited Partnership, a Missouri partnership by deed from Robert J. Huber, by deed of record in Book 8015 , page 382, Register's Office of Davidson County, Tennessee.

This conveyance is made subject to the following: (a) Matters set forth on the Survey of Barge, Waggoner, Sumner & Cannon, File No. 4439-05, dated March 12, 1985, revised December 14, 1989; (b) Easement for flow of Dry Fork Creek; (c) Cross Easement Agreement dated June 10, 1987, by and between TennSouth Properties, Ltd., and Robert J. Huber; (d) Declaration of Covenants, Conditions and

Restrictions as set forth in Deed Book 5741, page 360, Register's Office of Davidson County, Tennessee, pertaining to Tract 2 only; (e) Articles of Incorporation of Jackson's Retreat Homeowners' Association of record in Book 5745, page 285, Register's Office of Davidson County, Tennessee, pertaining to Tract 2 only; and (f) lack of access to Tract 2.

This conveyance is subject to the lien of any unpaid taxes and assessments, and all restrictions, covenants, easements and other matters of record.

TO HAVE AND TO HOLD the aforesaid real estate, together with all improvements thereon, to the Party of the Second Part, his heirs and assigns, in fee simple, forever, and in bar of the right and equity of redemption.

And the Party of the First part, as Trustee, does hereby transfer, assign and set over to the Party of the Second Part, all of the covenants and warranties contained in the aforesaid Deed of Trust, and does hereby warrant the title as fully as he is authorized to do as Trustee, but not further or otherwise.

Witness the signature of the Party of the First Part on this the day and date first above written.

32328

STATE OF TENNESSEE )
)
COUNTY OF HUMPHREYS )

Robert I. Thomason, Jr., Esquire,
Trustee

Personally appeared before me, a Notary Public in and for said County and State, the within named ROBERT I. THOMASON, JR., ESQUIRE, TRUSTEE, the bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Waverly, Tennessee, this 3rd day of July, 1991.

Notary Public

My Commission Expires:

6-12-94

SANDRA H. DREADEN NOTARY PUBLIC AT LARGE STATE OF TENNESSEE

RECEIVED FOR RECORD
JUL 22 9 20 AM '91
MAIL ENV.
STATE OF TENNESSEE
07/22 01045 CHECK 2236.00



**OFFICIAL RECEIPT**

FELIX Z. WILSON, II

REGISTER OF DAVIDSON COUNTY

NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

BOOK 8401 PAGE 916

| | | |
|---|---|---|
| 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 |
|---|---|---|---|---|
| | | | | CAMT 600000.00 |
| | | | | CON TX 2220.00 |
| | | | | PRFEE 1.00 |
| | | | | WDEED 15.00 |
| | | | | TOTAL 2236.00 |
| | | | | CHECK 2236.00 |
| 07/22/91 | 01 | | | 09:21 0001 3416 |

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

323228

IDENTIFICATION REFERENCE

JUL 22 9 20 AM '91

FELIX Z. WILSON, II
REGISTER
DAVIDSON COUNTY, TN

No. 442403