BOOK 9099 PAGE 792

ADDRESS OF NEW OWNER:

Century Land Company - Tennessee
2600 Cross Country Drive
Suite 323
Columbus, Georgia 31907

SEND TAX BILLS TO:

same

MAP AND PARCEL:

Map 163
Parcels 266, 266A 267

THIS INSTRUMENT WAS PREPARED BY:

DAVID G. ROGERS, Mooreland Mansion, Suite 200
7100 Executive Center Drive, P.O. Box 1588
Brentwood, TN 37024-1588

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

| | | |
|---|---|---|
| IN THE MATTER OF: | ) | |
| | ) | |
| EMERSON BRAXTON SMITH, JR. | ) | CASE NO. 392-03424 |
| | ) | CHAPTER 7 |
| | ) | JUDGE PAINE |
| Debtor. | ) | |

93 SEP 24 AM 10:49
REGISTER
DAVIDSON COUNTY, TN.

IDENTIF. & REFERENCE
66371

TRUSTEE'S DEED

For and in consideration of the sum of Five Million and No/100 Dollars ($5,000,000.00), receipt of which is hereby acknowledged, I, DAVID G. ROGERS, Trustee in Bankruptcy for EMERSON BRAXTON SMITH, JR., do hereby bargain, sell, and convey to CENTURY LAND COMPANY - TENNESSEE the following described real property in Davidson County, Tennessee:

Described in Exhibit "A" attached hereto and made a part hereof.

Together with the appurtenances and all the estate which the aforesaid EMERSON BRAXTON SMITH, JR. had at the time of the filing of the petition in bankruptcy in the Middle District of Tennessee, Bankruptcy Case No. 392-03424, and all the estate therein which DAVID G. ROGERS, Trustee, has or has power to convey or dispose of as such Trustee, but no further or otherwise.

IN WITNESS WHEREOF, I, DAVID G. ROGERS, have set my hand on the 24th day of September, 1993.

David G. Rogers, Trustee
David G. Rogers, Trustee

STATE OF TENNESSEE )

COUNTY OF DAVIDSON )

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Personally appeared before me, Carole M. Marson, a Notary Public of this county, DAVID G. ROGERS, Trustee, the within named bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 24th day of September, 1993.

Carol M. Marson
Notary Public

My Commission Expires:

1-23-94

STATE OF TENNESSEE )

COUNTY OF DAVIDSON )

The actual consideration or value, whichever is greater, for this transfer is $5,000,000.00.

David G. Rogers, Trustee

Sworn to and subscribed before me

on this 24th day of September,

1993.

Carol M. Marson
Notary Public

My Commission Expires:

1-23-94

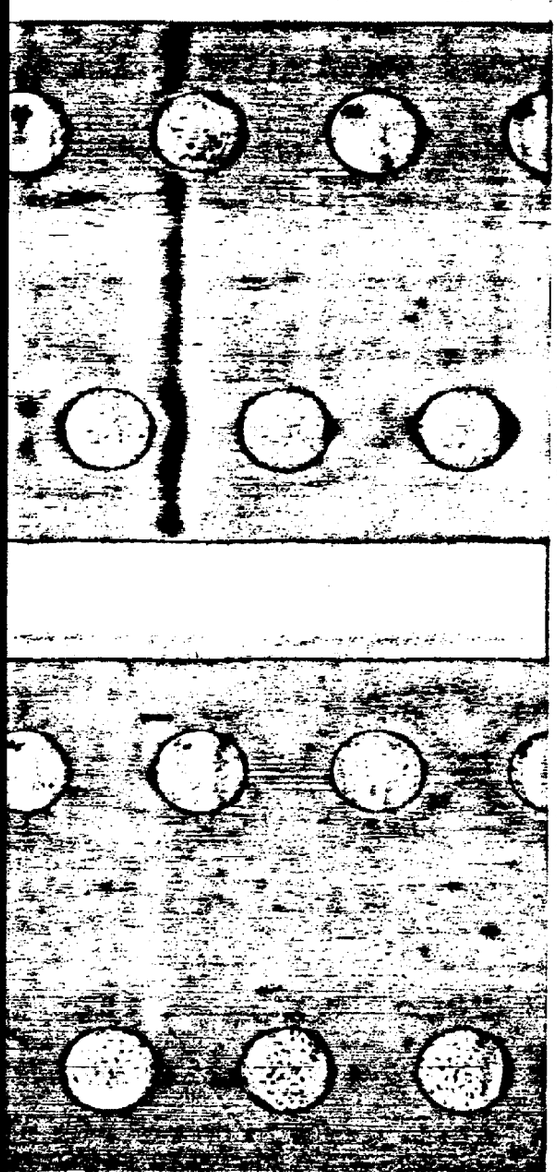
EXHIBIT "A" - Legal Description

Being a parcel of land in Nashville, First Civil District, Twenty-ninth Councilmanic District, Davidson County, Tennessee, located on the southerly side of Hickory Hollow Parkway, north of the CSX Transportation Railroad and east of Bell Road, being Lots No. B-2 and B-5 as shown on the plan of Section Eighteen, Hickory Hollow Mall as of record in Book 6200, Page 307 and Lot No. B-6 as shown on the plan of Revised Section Ten, Hickory Hollow Mall as of record in Book 5210, Page 336, Register's Office for Davidson County, Tennessee, and being more particularly described according to a survey made by Wendell H. Talley, Sr., Registered Land Surveyor No. 785, last revised September 23, 1993, File No. 9018-05, as follows:

BEGINNING at a point in the southerly margin of Hickory Hollow Parkway, said point being S 43° 08' 11" E, 581 feet, more or less, from the centerline of Bell Road; THENCE, with said margin the following calls: S 43° 08' 11" E, 389.26 feet to a point; with a curve to the left 512.80 feet to a point, said curve having a central angle of 41° 58' 23", a radius of 700.00 feet, a tangent of 268.52 feet and a chord of S 64° 07' 23" E, 501.41 feet; with a curve to the right 626.81 feet to a point, said curve having a central angle of 59° 51' 23", a radius of 600.00 feet, a tangent of 345.41 feet and a chord of S 55° 10' 53" E, 598.70 feet; S 25° 15' 11" E, 92.57 feet to a point in the northerly margin of the CSX Transportation Railroad; THENCE, with said margin with a curve to the right 1,307.90 feet to a point, said curve having a central angle of 26° 37' 21", a radius of 2,814.79 feet, a tangent of 665.97 feet and a chord of N 71° 37' 31" W, 1,296.16 feet; THENCE, continuing with said margin N 58° 18' 50" W, 406.03 feet to a point; THENCE, leaving said margin N 46° 52' 15" E, 448.46 feet to the point of beginning. Containing 484,150 square feet or 11.11 acres, more or less.

Being the same property conveyed to E.B. Smith, Jr. by deeds of record in Book 6280, page 495, Book 6458, page 492, Book 6283, page 403, Book 6646, page 927, and Book 6458, page 504, Register's Office for Davidson County, Tennessee. E.B. Smith, Jr. being one and the same person as Emerson Braxton Smith, Jr.

9091 09/24 0101 03CHECK 18513.00



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

RECEIVED OF _____

FOR _____

BOOK 9099 PAGE 795

| | | |
|---|---|---|
| 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 5000000.00 | |
| | | | CON TX 18500.00 | |
| | | | PRFEE 1.00 | |
| | | | MDEED 12.00 | |
| | | | TOTAL 18513.00 | |
| | | | CHECK 18513.00 | |
| 09/24/93 | 01 | | 10:50 0001 9091 | |

**RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK**

66371
IDENTIF. & REFERENCE

93 SEP 24 AM 10:49
FELIX Z. WILSON, II REGISTER
DAVIDSON COUNTY, TN.

**No.** 701473