95473

IDENTIF. & REFERENCE

-A

This Instrument prepared by:
Stokes & Bartholomew, P.A.
424 Church Street
Suite 2800
Nashville, Tennessee 37219

93 DEC 10 AM 9:39

REGISTER
DAVIDSON COUNTY, TN.

BOOK 9182 PAGE 789

| ADDRESS NEW OWNER: | SEND TAX BILL TO: | MAP-PARCEL |
|---|---|---|
| B & P Developments, Inc.<br>120 Donelson Pike<br>Suite 101<br>Nashville, TN 37214 | Same | Map 108<br>Parcel 222 |

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 ($10.00) DOLLARS cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, THIRD NATIONAL BANK IN NASHVILLE, a national banking association (the "Grantor"), has bargained and sold, and by these presents does transfer and convey unto the said B & P DEVELOPMENTS, INC., a Tennessee corporation (the "Grantee"), Grantee's successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

Being a certain parcel of land located in the 2nd Civil District (13th Councilmanic District) of Nashville-Davidson County, Tennessee shown on the Plat of Harborview Subdivision, Phase I-A, Section 6, of record in Plat Book 7900 page 645 Register's Office for Davidson County, Tennessee; and being further described as follows:

Beginning at an iron rod located in the easterly boundary line of East Lake-Section 4 as recorded in Book 5800, page 245, Register's Office for Davidson County, Tennessee; said iron rod being the southeast corner of Lot #54 of East Lake Section 4; said iron rod also being the northeast corner of Lot #160 of Harborview Phase 1A-Section 2 revised as recorded in Book 6200, page 817, said Register's Office; thence, with the said boundary line of East Lake-Section 4 N 27°21'06" W, 107.39 feet to an iron rod; thence, N 28°17'53" W, 50.01 feet to an iron rod; thence, N 27°21'06" W, 114.75 feet to an iron rod; thence, N 08°35'01" E, 54.16 feet to an iron rod; thence, N 40°56'15" W, 129.30 feet to an old iron rod; thence, N 42°24'33" W, 25.29 feet to an old iron rod; said iron rod being the southeast corner of Lot #80 of Quail Valley Section 4 as recorded in Book 5200, page 521, said Register's Office; thence, leaving the said boundary line of East Lake-Section 4 and along the easterly boundary line of Quail Valley-Section 4 N 54°27'16" E, 157.65 feet to a point located inside the margin of Quail View Drive; thence, S 83°03'48" E, 86.19 feet to an iron rod; thence, N 10°35'57" E, 116.08 feet to an old iron rod; thence, N 10°56'08" E, 115.88 feet to an old iron rod; said iron rod being the common rear property corner of Lot #93 and Lot #94 of Trailwood-Section 5 as recorded in Book 6900, page 479, said Register's Office; thence, along the southerly boundary line of said Trailwood-Section 5, S 73°32'10" E, 1,205.31 feet to an old iron rod; said iron rod being the northwest corner of the Marialice B. Baker property as recorded in Book 7130, page 671, said Register's Office; thence, leaving the said boundary of Trailwood-Section 5 and along Baker's westerly boundary line S 07°09'43" W, 108.12 feet to an old iron rod; said iron rod being the most northeast corner of Harborview Phase 1A-Section 2 as recorded in Book 6900, page 757, said Register's Office;

thence, leaving the said boundary line of Baker and along the northerly boundary line of said Harborview Phase 1A-Section 2, S 74°59'55" W, 46.35 feet to an old iron rod; thence, N 64°32'09" W, 112.58 feet to an old iron rod; thence, S 86°39'28" W, 112.47 feet to an old iron rod; thence, S 63°42'24" W, 120.45 feet to an old iron rod; thence, S 84°44'28" W, 143.47 feet to an old iron rod; thence, S 46°19'44" W, 161.86 feet to an old iron rod situated in the westerly margin of Harborwood Circle; said iron rod being also located in the northerly boundary line of the aforementioned Harborview Phase 1A-Section 2 revised; thence, leaving the said boundary line of Harborview Phase 1A-Section 2 and along the said boundary line of Section 2 Revised in a northwesterly direction with a curve to the left having a radius of 227.00 feet a distance of 48.57 feet (chord=N 49°51'32" W, 48.47') to an iron rod; thence, S 34°00'43" W, 100.00 feet to an iron rod; thence, N 80°54'38" W, 146.25 feet to an iron rod; thence, S 84°55'38" W, 111.67 feet to an iron rod; thence, N 12°02'25" W, 110.00 feet to an iron rod; thence, in a southwesterly direction with a curve to the left having a radius of 570.28 feet, a distance of 15.00 feet (Chord=S 77°12'23" W, 15.00') to an iron rod; thence, S 13°32'50" E, 110.00 feet to an iron rod; thence, S 66°59'49" W, 209.72 feet to the POINT OF BEGINNING.

Containing 11.61 Acres (505,539 SF).

Being part of the same property conveyed to Third National Bank in Nashville by Warranty Deed of record in Book 8068, page 732, said Register's Office.

This conveyance of the Property, and all covenants and warranties contained herein, are made expressly subject to those matters set forth in Exhibit A which is attached hereto and incorporated herein by reference.

This is unimproved property known as Harborwood Circle, Nashville, Tennessee 37214.

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, and Grantee's successors and assigns forever.

And Grantor covenants with the said Grantee that it is lawfully seized and possessed of the Property in fee simple, has a good right to convey it, and the same is free from all encumbrances made or suffered by Grantor except to the extent otherwise set forth herein.

And Grantor does further covenant and bind itself, and its successors and assigns, to warrant and forever defend the title to the Property to the said Grantee, Grantee's successors and assigns, against the lawful claims of all persons claiming by, through or under the Grantor, but not further or otherwise.

IN WITNESS WHEREOF, the Grantor has caused this Special Warranty Deed to be executed this 22 day of NOVEMBER, 1993.

THIRD NATIONAL BANK IN NASHVILLE

By: _____

Its: _____

By: W. Casey Reed

Its: VICE PRESIDENT

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, the undersigned, a Notary Public of said county and state, Lynn Vandergriff and W Casey Reed, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the within instrument for the purposes therein contained, and who further acknowledged that they are the Vice Pres. and Vice Pres., respectively, of Third National Bank in Nashville, the maker or a constituent of the maker and are authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

Witness my hand, at office, this 22nd day of November, 1993.

Darlene T. Marsh

Notary Public

My Commission Expires:
5/28/95

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration or value, whichever is greater, for this transfer is $117,500.00.

David H. Parker

Affiant

Subscribed and sworn to before me this 22nd day of November, 1993.

Darlene T Marsh

Notary Public

My Commission Expires:
5/28/95

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EXHIBIT A



1. Taxes for 1993, which have been pro-rated and assumed by the Grantee.

2. All matters shown on the Plans of record in Book 6900, page 583, Book 6900, pages 756-758, Book 6900, pages 577-581, Book 6200, page 783, Book 6200, page 817, Book 7900, page 386, Book 7900, page 485, and Book 7900, page 645, Register's Office for Davidson County, Tennessee.

3. Declaration of Covenants, Conditions and Restrictions, including but not limited to assessments, charges and liens, of record in Book 7471, page 26, as amended by First Amendment of record in Book 7646, page 142, Second Amendment of record in Book 7646, page 147, Third Amendment of record in Book 7646, page 149, re-recorded in Book 7647, page 648, Fourth Amendment of record in Book 7732, page 749, Fifth Amendment of record in Book 8263, page 534, Sixth Amendment of record in Book 8271, page 863, Seventh Amendment of record in Book 8297, page 380, Eighth Amendment of record in Book 8634, page 19, Ninth Amendment of record in Book 8856, page 361, and Tenth Amendment of record in Book [illegible], page [illegible], said Register's Office.

4. Easements for sanitary sewers and/or storm drainage of record in Book 5856, pages 80 and 84, and deeds of conveyance of water and sewer lines of record in Book 6147, pages 886 and 893, said Register's Office.

5. Unrecorded easement for sanitary sewers dated June 19, 1980, and referred to in deed of record in Book 5658, page 984, said Register's Office.

6. Right-of-way of any road, street or highway encompassed with the boundaries of the property.

7. Storm Water Detention Agreement of record in Book 7390, page 270, said Register's Office.

8. Unrecorded easements, if any, on, above or below the surface; and any discrepancies or conflicts in boundary lines or shortage in area or encroachments, which a correct survey or an inspection of the premises would disclose.

9. Temporary non-exclusive right-of-way and access easements, rights and covenants contained in Book 8068, page 723, said Register's Office.

10. Corporate Charter of Harborview at Cheswicke Homeowners' Association of record in Book 7522, page 339, amended in Book 8263, page 554, said Register's Office.

11. Conveyance of common area to Harborview at Cheswicke Homeowners' Association of record in Book 8297, page 376, said Register's Office.

12. All matters shown on the Boundary Survey of a Portion of the Third National Bank Property, dated September 15, 1993, revised October 26, 1993, by Charles M. Moran, Tennessee Registered Land Surveyor No. 970, Resource Development Company, Inc., 527 8th Avenue, South, Nashville, TN 37203, and Surveyor's Report dated September 15, 1993.

2625 12/10 0101 03CHECK 451.

**OFFICIAL RECEIPT**

**FELIX Z. WILSON, II**

**REGISTER OF DAVIDSON COUNTY**
**NASHVILLE, TENNESSEE**

**RECEIVED OF** _____

**FOR** _____

BOOK 9182 PAGE 793

| | | |
|---|---|---|
| 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 | |
| | | | | 117500.00 |
| | | | CON TX | 434.75 |
| | | | PRFEE | 1.00 |
| | | | TDEED | 16.00 |
| | | | ERR | CO |
| | | | TDEED | 16.00- |
| | | | WDEED | 16.00 |
| | | | TOTAL | 451.75 |
| | | | CHECK | 451.75 |
| | | 12/10/93 | 01 | 09:40 0001 2625 |

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

95473
IDENTIF. # REFERENCE

93 DEC 10 AM 9:39
REGISTER
FELIX Z. WILSON, II
DAVIDSON COUNTY, TN.

**No.** 732645