Box 41

BOOK 9533 PG 89

This Instrument Prepared By:
JOE VAULX CROCKETT, III, ESQ.
Suite 1050 American Center
3100 West End Avenue
Nashville, Tennessee 37203

QUITCLAIM DEED

Address New Owner:	Send Tax Bills To:	Map/Parcel No.
J. D. Eatherly 1500 Clinton Street Nashville, TN 37203	Same	33/205

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration for this transfer is $10.00.

Affiant

Subscribed and sworn to before me, this the 29th day of November, 1994.

Notary Public

My Commission Expires: May 27, 1997

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid by J. D. Eatherly ("Grantee"), and other good and valuable consideration, the receipt of all of which is hereby acknowledged, the undersigned, Fidelity Service Corporation ("Grantor"), does hereby quitclaim, transfer and convey to J. D. Eatherly all of its right, title and interest in and to the following parcel of real estate located in Davidson County, Tennessee, described as follows:

Approximately 33.5 acres in Davidson County, Tennessee, as described in that Warranty Deed from Old Stone Bank of North Carolina (formerly known as Fidelity Service Corporation) to Tommy Cunningham, et ux of record in Book 8687, page 798, Register's Office for Davidson County, Tennessee, a copy of said Warranty Deed being attached hereto as Exhibit A and incorporated herein by reference, and as further described in Exhibit B, attached hereto and incorporated herein by reference.

This is unimproved property located at Dry Creek Road, Goodlettsville, Tennessee.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of November, 1994.

FIDELITY SERVICE CORPORATION

By:

Title: Vice President

Date: November 28, 1994

13001

IDENTIFICATION REFERENCE

RECORDED 94 NOV 29 PM 2:35

STATE OF NORTH CAROLINA

COUNTY OF Nash

Before me, Julie N Williams, a Notary Public in and for the said County and State, personally appeared Charles R. Andrews, Jr., with whom I am personally acquainted (or proved to be on the basis of satisfactory evidence), and who upon oath acknowledged himself to be Vice President of Fidelity Service Corporation, the within named bargainor, a corporation, and that _____ as such Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by him self as Vice President.

WITNESS my hand and seal in Nash, North Carolina, this the 28th day of November, 1994.

Julie N Williams
Notary Public

My Commission Expires:
4-7-99

OFF REC

BOOK 8687PAGE 798

THIS INSTRUMENT PREPARED BY: Homer R. Ayers, Attorney At Law
Bank of Goodlettsville, Suite 201
112 Long Hollow Pike
Goodlettsville, Tennessee 37072

WARRANTY DEED

ADDRESS NEW OWNERS:	PERSON OR ENTITY RESPONSIBLE FOR PAYMENT OF REAL PROPERTY TAXES:	MAP-PARCEL NOS.
Tommy Cunningham, et ux PO Box 282 Goodlettsville, Tn. 37070-0282	Same as New Owner	Map 33 Parcel 205 ID# GO 20372

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, OLD STONE BANK OF NORTH CAROLINA, (formerly known as Fidelity Service Corporation) hereinafter referred to as the "GRANTOR", has bargained and sold, and by these presents does transfer and convey unto TOMMY CUNNINGHAM and wife, PAT CUNNINGHAM, hereinafter referred to as the "GRANTEES", their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to-wit:

LOT 5, SECTION TWO, RIVERGATE ACRES: A tract of land lying in the City of Goodlettsville, Davidson County, Tennessee, being all of Lot 5 on the Plat of Section Two, Rivergate Acres Limited, as of record in Plat Book 6250, page 206, Register's Office for Davidson County, Tennessee, and being more particularly described as follows:

BEGINNING at an existing iron pin on the south right-of-way line of Dry Creek Road, 521 feet, more or less, measured along said south right-of-way line, from the east right-of-way line of Dickerson Pike (U. S. Highway 41 and 31W), said iron pin also marks the northwest corner of said Lot 5; thence, with the south right-of-way line of said Dry Creek Road, easterly along a curve to the left, having a delta angle of 29 deg. 33 min. 52 sec., a radius of 602.96 feet, and a chord of North 89 deg. 36 min. 30 sec. East 307.68 feet, an arc distance of 311.13 feet to an iron pin set at the point of tangency; thence, continuing with the south right-of-way line of said Dry Creek Road, North 74 deg. 49 min. 34 sec. East a distance of 782.94 feet to an iron pin set at the point of curvature of the following tangent curve; thence, continuing with the south right-of-way line of said Dry Creek Road, northeasterly along a curve to the left, having a delta angel of 16 deg. 12 min. 09 sec., a radius of 984.93 feet, and a chord of North 66 deg. 43 min. 29 sec. East 277.60 feet, an arc distance of 278.52 feet to an iron pin set at the point of tangency; thence, continuing with the south right of way line of said Dry Creek Road, North 58 deg. 37 min. 25 sec. East a distance of 46.64 feet to an existing iron pin at the northernmost corner common to Lot 5 and Lot 7 of said Section Two, Rivergate Acres; thence, with the west line of said Lot 7, South 10 deg. 30 min. 00 sec. West a distance of 248.99 feet to an iron pin set; thence continuing with the west line of said Lot 7, South 24 deg. 03 min. 15 sec. East a distance of 411.53 feet to an existing iron pin on the northwest right-of-way line of a 50 foot wide access road adjoining Interstate 65; thence with the northwest right-of-way line of said access road, South 38 deg. 33 min. 31 sec. West a distance of 480.83 feet to an iron pin set at the northeast corner of the land of Space Port U.S.A., Inc. as of record in Deed Book 8277, page 667, Register's Office for Davidson County, Tennessee; thence with the north line of said Space Port land, South 76 deg. 48 min. 13 sec. West a distance of 344.77 feet to an existing iron pin; thence continuing with the north line of said Space Port land, South 76 deg. 29 min. 47 sec. West a distance of 462.67 feet to an existing iron pin marking the northwest corner of said Space Port land; thence with the west line of said Space Port land, South 16 deg. 22 min. 12 sec. East a distance of 515.79 feet to an existing iron pin on the northwest right-of-way line of said Interstate 65 (controlled access); thence with the northwest right-of-way line of said Interstate 65, South 41 deg. 48 min. 57 sec. West a distance of 84.38 feet to an existing P.K. nail at the east corner of the land of Sam Martz, et ux, as of record in Deed Book 6457, page 639, Register's Office for Davidson County, Tennessee, said P.K. nail also being in the center of Dry Creek; thence with the northeast line of said Martz land and with the center of said Dry Creek the following 9 calls: North 53 deg.

EXHIBIT A

54 min. 56 sec. West a distance of 41.76 feet to an existing P.K. nail; North 60 deg. 36 min. 09 sec. West a distance of 214.13 feet to an existing P.K. nail; North 25 deg. 01 min. 16 sec. West a distance of 68.76 feet to an existing P.K. nail; North 4 deg. 41 min. 46 sec. East a distance of 51.13 feet to an existing P.K. nail; North 32 deg. 10 min. 10 sec. West a distance of 221.42 feet to an existing P.K. nail; North 40 deg. 41 min. 51 sec. West a distance of 414.70 feet to an existing P.K. nail; North 52 deg. 40 min. 08 sec. West a distance of 104.35 feet to an existing P.K. nail; North 33 deg. 37 min. 08 sec. West a distance of 108.75 feet to an existing P.K. nail; North 1 deg. 37 min. 47 sec. East a distance of 46.48 feet to an existing P.K. nail at the southeast corner of Lot 3 on the final plat of Section One, Rivergate Acres Limited, as of record in Plat Book 6250, page 205, Register's Office for Davidson County, Tennessee; thence leaving the northeast line of said Martz land and the center of said Dry Creek, and with the east line of said Lot 3, North 32 deg. 38 min. 07 sec. East a distance of 540.10 feet to the point of beginning, containing 1,482,279 square feet or 33.569 acres, more or less.

The above description was prepared using a survey titled "Boundary Survey Lot 5 and Lot 6 Rivergate Acres" by Ragan-Smith-Associates, Inc. dated June 19, 1992, Job No. 92-039, work order 3868, and certified by Marshall H. Ragan, Tennessee RLS 332.

BEING a part of the same property conveyed to Fidelity Service Corporation, by deed from Michael J. Vaughn, an individual, and The Woods Children's Trust, of record in Book 7584, page 23, Register's Office for Davidson County, Tennessee. Fidelity Service Corporation is now known as Old Stone Bank of North Carolina.

This is unimproved property known as Lot #5, Section Two, Rivergate Acres, Goodlettsville, TN 37072.

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 the GRANTOR does covenant with the said GRANTEES, that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it and warrants that the same is unencumbered, except as follows:

1. Taxes for the year 1992, which are a lien but not yet due and payable, and which have been prorated between the parties and will be paid in full by the GRANTOR, when due.
2. Subject to the Plan of record in Book 6250, page 206, said Register's Office.
3. Subject to an Easement for transmission line granted to United States of America of record in Book 1153, page 652, Book 3223, page 325 and Book 3223, page 327, said Register's Office.
4. Subject to an Easement for sanitary sewers of record in Book 4472, page 271, Book 4805, page 797 and Book 5083, page 272, said Register's Office.
5. Subject to a Non-exclusive Easement for ingress and egress executed by Neely Mortgage co. to Sam Martz, et ux, Valda Martz, of record in Book 6448, page 60, said Register's Office.

And the GRANTOR, does further covenant and itself, its successors and assigns, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever.

WITNESS our hands on this the 24th day of July, 1992.

"GRANTOR" "GRANTEES"

Old Stone Bank of North Carolina

BY: _____
STEVE YOUNG, SENIOR VICE-PRESIDENT

_____
TOMMY CUNNINGHAM

_____
PAT CUNNINGHAM

OFF REC

BOOK 8687PAGE 800

STATE OF NORTH CAROLINA)
COUNTY OF Guilford)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared STEVE YOUNG, with whom I am personally acquainted and who acknowledged himself to be the Senior Vice-President of Old Stone Bank of North Carolina, the bargainor, and as such Senior Vice-President, being authorized so to do, executed the within instrument for the purposes therein contained by signing the name of Old Stone Bank of North Carolina by himself as Senior Vice-President.

WITNESS my hand and official seal, this the 24th day of July, 1992.

NOTARY PUBLIC
DAVIDSON COUNTY, NC
Commission expires Sept. 25, 1995

NOTARY PUBLIC

My Commission Expires: Sept 25 1995

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, OLD TOMMY CUNNINGHAM and wife, PAT CUNNINGHAM, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this the 24th day of July, 1992.

NOTARY PUBLIC

My Commission Expires: 12/29/93

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $104,000.00.

Affiant

Sworn to and subscribed before me, this the 24th day of July, 1992.

NOTARY PUBLIC

My Commission Expires: 12/29/93

0456 07/30 0101 03CHECK 397.80

3 1 9 2 6

IDENTIF. TREFERENCE

JUL 30 8 50 AM '92

FEE [illegible] TENNESSEE
DAVIDSON COUNTY TN.

8445 11/30 0101 03CHECK 24.00

Land lying in the Second Civil District, Eleventh Councilmanic District of Goodlettsville, Davidson County, Tennessee, further described as Lot 5, according to a survey by James M. Overfelt, R.L.S. Tennessee #1634, of Gresham, Smith and Partners, 3310 West End Avenue, Nashville, TN 37203, dated November 11, 1994, described as being located on the southerly side of Dry Creek Road, East of Dickerson Pike and being more particularly described as follows:

BEGINNING at an old iron rod in the southerly margin of Dry Creek Road (a 60-foot right-of-way); said iron rod being the northwest corner of the herein described tract and being 532.00 feet, more or less, from the easterly margin of Dickerson Road as measured along the southerly margin of Dry Creek Road; thence with the southerly margin of Dry Creek Road with a curve to the left having a central angle of 29 deg. 33' 52", a radius of 602.96 feet, an arc length of 311.13 feet, and a chord bearing and distance of North 89 deg. 36' 30" East, 307.69 feet to a new iron rod; thence North 74 deg. 49' 34" East, 782.96 feet to a new iron rod; thence with a curve to the left having a central angle of 16 deg. 12' 09", a radius of 984.93 feet, an arc length of 278.53 feet, and a chord bearing and distance of North 66 deg. 43' 29.5" East, 277.60 feet to a new iron rod; thence North 58 deg. 37' 25" East, 46.77 feet to an old iron rod, being the northwest corner of Lot 7, Rivergate Acres Limited, Section Two; thence leaving said southerly margin of Dry Creek Road with the westerly line of said Lot 7 South 10 deg. 29' 42" West, 249.05 feet to an old iron rod; thence south 24 deg. 01' 23" East, 411.38 feet to an old iron rod lying on the westerly margin of a 50-foot wide access road; thence leaving said Lot 7 with said access road south 38 deg. 40' 23" West, 479.45 feet to an old iron rod, lying on the northwesterly line of Spaceport U.S.A., Inc., a Florida Corporation of record in Deed Book 8277, page 667, Register's Office for Davidson County, Tennessee; thence leaving said access road with said Spaceport North 76 deg. 44' 46" East, 344.64 feet to an old iron rod; thence north 76 deg. 19' 11" East, 463.31 feet to an old iron rod; thence south 16 deg. 21' 43" East, 515.79 feet to a new iron rod lying on the westerly margin of Interstate 65, Federal Aid Project #I-65-3(15)88, 1963; thence leaving said Spaceport with said westerly margin of Interstate 65 South 41 deg. 49' 26" West, 84.38 feet to a corner in Sam Tinnin's easterly line as of record in Deed Book 8991, page 331, R.O.D.C., Tennessee, said corner lying at the center of Dry Creek; thence leaving said Interstate 65 with said Tinnin and Dry Creek North 53 deg. 54' 27" West, 41.76 feet; thence north 60 deg. 35' 40" West, 214.13 feet; thence north 25 deg. 00' 47" West, 68.76 feet; thence north 04 deg. 42' 15" East, 51.13 feet; thence north 32 deg. 06' 33" West, 221.18 feet to an old T-Post; thence North 40 deg. 41' 17" West, 414.70 feet; thence north 52 deg. 39' 54" West, 104.30 feet to an old T-Post; thence north 34 deg. 30' 38" West, 106.36 feet; thence north 01 deg. 32' 05" East, 49.48 feet to the southerly line of Lot 3, Section One, Rivergate Acres of record in Plat Book 6250, page 205, R.O.D.C., Tennessee; thence leaving said Dry Creek with the easterly line of said Lot 3 north 32 deg. 34' 03" East, passing at 100.00 feet a new iron rod as a witness corner in all a total of 540.06 feet to the point of beginning, and containing 33.65 acres, more or less.

Being the same property conveyed to Tommy Cunningham and wife, Pat Cunningham, by Deed of record in Book 8687, page 798, Register's Office for Davidson County, Tennessee.

EXHIBIT B