BOOK 9555 PG 474

MAIL TAX NOTICES TO
NEW OWNER(S) @: P.O. Box 148026
Nashville, TN 37214

STATE OF TENNESSEE)
ss:
DAVIDSON COUNTY)

This Instrument Prepared from Information Provided by the Parties By:
SMITH & ARCHER, P.C.,
Attorneys-at-Law
Nashville, Tennessee **(ldv)**

QUITCLAIM DEED:

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS ($10.00), and other good and valuable considerations, the receipt of which is hereby acknowledged, I, the undersigned, **WERNER R. MUGGLER**, do hereby transfer, convey and quitclaim unto **ELFRIEDE MUGGLER**, her heirs and assigns, forever, all my right, claim and interest in and to those certain parcels of real estate situated in the Davidson County, Tennessee, and being further described as follows, to-wit:

TRACT 1:

Land in the Second, formerly the Fifth, Civil District of Davidson County, Tennessee, described partly according to a survey made by George W. Watkins, Surveyor, June 19, 1957, as follows:

Beginning at a point in the center of Smith Springs Road at the southeast corner of the property conveyed to Laura Schield Burnett, by deed from W.H. McGill and wife of record in Book 1510, Page 534, Register's Office for said county; thence with the eastern boundary line of said Burnett property, north 13 degrees 30' east, 352.5 feet to Burnett's northeast corner; thence with the northern boundary line of said Burnett property, north 54 degrees 22' west, 267 feet to the eastern boundary line of the property conveyed to F.A. Neal and wife by deed from W. P. Neal and wife, of record in Book 1635, Page 497, said Register's Office; thence with the eastern boundary line of said F.A. Neal property, north 14 degrees 30' east, 90 feet to F.A. Neal's northeast corner; thence with the northern boundary line of said F.A. Neal's property, north 60 degrees west, 378 feet to a point in the eastern boundary line of Mrs. Palmer's property, said point being F.A. Neal's northwest corner; thence with the eastern boundary line of said Palmer property, north 3 degrees 30' east, 831 feet to the southern boundary line of the property conveyed to Steele; thence with Steele's southern boundary line south 85 degrees east, 307 feet; south 86 degrees east, 184 feet; and south 88 degrees east, 312 feet to the western boundary line of the property conveyed to Thornton; thence with the property conveyed to William P. Neal and wife by deed from S.J. Myrick and wife of record in Book 1046, Page 638, said Register's Office, south 6 degrees west, 329 feet; south 3 degrees 45' west, 183 feet; south 7 degrees west, 96 feet; south 3 degrees 45' west, 594 feet; and south 2 degrees west, 460 feet to the center of said Smith Springs Road; thence with the center of said Road, north 79 degrees 45' west, 100 feet; north 75 degrees west, 100 feet; north 60 degrees west, 100 feet; and north 58 degrees west, 13 feet, more or less, to the Beginning, containing 21.85 acres, more or less.

Being the same property conveyed to Chester W. Smith and wife, LaVonia M. Smith by deed from John R. Wall and wife, Louise E. Wall, of record in Book 2651, Page 373, Register's Office for Davidson County, Tennessee. The said Chester W. Smith having since died.

TRACT 2:

Land in the Second, formerly the Fifth, Civil District of Davidson County, Tennessee, described according to a survey by Everett H. Cowan, Licensed Surveyor, dated January 31, 1974, not of record, as follows:

Beginning at a metal post marking the northwest corner of the property conveyed to Earl Cole by deed of record in Book 3032, Page 83, Register's Office for said county, and the northeast corner of Tract No. 2 of the property conveyed to Louis Howard Cole and wife by deed of record in Book 2282, Page 617, said Register's Office; thence South 56 degrees 29' 45" west, 310.21 feet to a point in the south line of the property conveyed to Louis Howard Cole and wife by deed of record in Book 2282, page 617, said Register's Office and the north line of the property conveyed to John D. Stamps by deed of record in Book 4492, Page 603, said Register's Office; thence along the common line of Louis Howard Cole and wife and John D. Stamps north 5 degrees 30' 32" east, 424.00 feet to a point; north 7 degrees 38' 11" east, 96.00 feet to a point; north 5 degrees 28' 15" east, 183.00 feet to a point; north 3 degrees 1' 10" east, 328.99 feet to a fence post in the southerly line of the U.S. Government property conveyed to Louis Howard Cole and wife by said deed of record in Book 2282, page 617, said Register's Office; thence with the common line of the U.S. Government and Tract No. I of said Cole property south 84 degrees 38' 8" east, 479.26 feet to a point, being the northwest corner of the property conveyed to Gary Covington by deed of record in Book 4690, page 21, and the northeast corner of Tract No. I on said Cole property; thence with the common line of said Covington and Cole properties South 00 degrees 22' 9" east, 522.81 feet to a point; South 9 degrees 1' 31" west, 314.78 feet to a point, the southeast corner of said Tract No. I of the property conveyed by deed of record in Book 2282, Page 617, said Register's Office; thence with the common line of said Tract No. I and the said property conveyed to Earl Cole by deed of record in Book 3032, Page 83, said Register's Office, north 85 degrees 12' 49" west, 261.63 feet to the POINT OF BEGINNING, containing 10.18 acres, more or less.

Being the same property conveyed to John D. Stamps and Richard E. Rudesill by deed from Louis Howard Cole and wife, Alma Ruth Cole, of record in Book 4822, Page 968, said Register's Office.

The above described property is not bounded by any public road or other right-of-way and it is expressly provided that the grantors do not convey and the grantees, their heirs and assigns, do not have or acquire, any easement or right-of-way across the retained and of the grantors for access to and egress from, the above described property.

Tract I and Tract II were conveyed to John D. Stamps, Perry H. Bacon and Robert Bonitati, a partnership, by quitclaim deeds from John D. Stamps and Richard E. Rudesill of record in Book 5053, Pages 488 and 490, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to United American Bank of Nashville by Trustee's Deed from Sam J. McAllester, III, Substitute Trustee, of record in Book 5697, Page 378, Register's Office for Davidson County, Tennessee. By amendment to Charter filed with the Tennessee Secretary of State of January 25, 1982, the name of the United American Bank of Nashville was changed to United Southern Bank of Nashville. The above property is included in and is a "remaining asset" as described in the Contract of Sale which is attached as Exhibit "D" to the verified petition referred to in the Order Approving Sale of Assets and Transfer of Liabilities of Receiver, filed on May 27, 1983, In the Matter of the Liquidation of the United Southern Bank of Nashville, Nashville, Tennessee, in the Chancery Court of Davidson County, Tennessee, No. 83-919-III, of record in Book 6102, Page 157, Register's Office for Davidson County, Tennessee.

There is expressly EXCLUDED therefrom that portion of the property conveyed to the Tennessee Retailers, Inc. by deed from John D. Stamps, Perry H. Bacon and Robert Bonitati, of record in Book 5822, Page 22, Register's Office for Davidson County, Tennessee, described as follows:

Land in the Second Civil District of Davidson County, Tennessee, described according to a survey by Everett H. Cowan, licensed surveyor, dated January 31, 1974, not of record, as follows:

Beginning at a tree on the northerly margin of Smith Springs Road, at the southeast corner of the Charles L. Koellein property, Book 4684, Page 357, and being the southwest corner of the property herein described; thence north 14 degrees 4' 42" east, 325.51 feet along a common boundary line with Charles L. Koellein to a tree; thence north 54 degrees 2' 6" west, 267.55 feet along a common boundary line with Charles L. Koellein to an iron pin; thence north 7 degrees 59' 19" east, 87.85 feet to a fence post; thence north 78 degrees 49' 13" west, 371.56 feet; thence north 3 degrees 1' 38" east, 614.83 feet to a point in the middle of Old Bell Road; thence north 83 degrees 34' 42" west, 31.91 feet along the middle of Old Bell Road to a point located in the intersection of Smith Springs Road; thence north 54 degrees 29' 27" west, 135.60 feet along the northerly margin of Smith Springs Road; thence north 55 degrees 55' 22" west, 78.22 feet along the northerly margin of Smith Springs Road to the POINT OF BEGINNING, containing 3.05 acres, more or less.

Being the same property conveyed to Werner R. Muggler and wife, Elfriede Muggler by deed from Federal Deposit Insurance Corporation in its corporate capacity as Liquidator of United Southern Bank of Nashville, Tennessee, formerly known as United American Bank of Nashville, of record in Deed Book 6727, page 655, Register's Office of Davidson County, Tennessee.

Said properties are conveyed subject to such limitations, restrictions, and encumbrances as may affect the premises.

The above property has a common street address of **2700 Smith Springs Road, Nashville, TN 37214.**

The **Map and Parcel Numbers are: 135-00-0203.00 and 136-00-0-003.00.**

Whenever used, the singular shall include the plural and the plural the singular, and the reference to any gender shall include reference to all genders.

WITNESS MY HAND, this 21st day of December, 1994.

WERNER R. MUGGLER

STATE OF TENNESSEE)
ss:
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned authority, a Notary Public in and for said county and state, the within named WERNER R. MUGGLER, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the foregoing instrument (QUITCLAIM DEED) for the purposes therein contained.

WITNESS MY HAND AND OFFICIAL SEAL at office this the 21st day of December, 1994.

Dawn Eubanks
NOTARY PUBLIC

My commission expires: 1/24/98

I hereby swear or affirm that the actual consideration for this transfer is NONE.

AFFIANT

SWORN to and subscribed before me, this the 21st day of December, 1994.

Dawn Eubanks
NOTARY PUBLIC

My commission expires: 1/24/98

N:\WP51\DOC\MUGGLER.QD2

94-4 12/27 0101 03CHECK 16.00

94 DEC 27 PM 1:37

20298

IDENTIFICATION REFERENCE