37831

IDENTIFICATION REFERENCE

PICK-UP

90 FEB 20 PM 2:55

This Instrument Prepared by:
Paul S. Parker
DODSON, PARKER & BEHM
306 Gay Street, Suite 400
Nashville, Tennessee 37201

NEW OWNER:	SEND TAX BILL TO:	MAP & PARCEL
ROBERT E. ELLIS 1409 Oakland Acres Dr. Madison, Tenn. 37115	SAME	* See Attached List

BOOK 9606 PG 147

DEED DESTROYING TENANCY BY THE ENTIRETY

WHEREAS, the undersigned ROBERT E. ELLIS and EVELYN S. ELLIS, husband and wife, have purchased the tracts of land described hereinafter in Davidson County, Tennessee and inadvertently had the tracts placed in their names so that they hold these tracts as tenants by the entirety; and

WHEREAS, the funds used to make the said purchases were equally furnished by the said grantees under such deeds, that is, ROBERT E. ELLIS and EVELYN S. ELLIS, husband and wife, both having worked and pooled their earnings for the purpose of making such purchases; and

WHEREAS, the said properties should have been conveyed to them as tenants in common rather than as tenants by the entirety;

NOW, THEREFORE, in order to destroy the tenancies by the entirety and to create separate ownership, we, the said ROBERT E. ELLIS and EVELYN S. ELLIS, husband and wife, have bargained and sold, and by these presents do transfer and convey to ROBERT E. ELLIS and EVELYN S. ELLIS, as tenants in common, without right of survivorship, the following tracts of land herein described in Davidson County, Tennessee:

TRACT I:

Land in Davidson County, Tennessee, being pat of Lot 96 as shown on map of Capitol View Subdivision, of record in Book 974, Pages 52 & 53, Register's Office for Davidson County, Tennessee, more particularly described as follows:

BEGINNING at a point in the north margin of Capitol View Avenue, which point is a common corner of Lot 96 and 987, running thence in a northerly direction along the common boundary line between Lot 96 & 97, 297.5 feet to a point, which point is a common corner of Lots 96 & 97; thence in a easterly direction along the rear boundary line of said Lot No. 96 fifty feet to J.E. Johnson's corner; thence in a straight line with Johnson's west line 295 feet more or less to a point in the north margin of Capital View Avenue; thence in a westerly direction with the north Margin of said Avenue fifty feet to the point of beginning.

Being the same property conveyed to Robert E. Ellis and Evelyn S. Ellis by deed from Fred L. Wheeler and Regenia Wheeler, husband and wife, of record in Book 9351, Page 423, Register's Officer for Davidson County, Tennessee.

This is improved real property known as 213 Capitol View, Nashville, Davidson County, Tennessee.

TRACT II:

Land in Davidson County, Tennessee, being parts of Lots Nos. 7 and 9 on the Plan of Kennedy and Graves Subdivision of Monte Vista, as of record in Book 421, Page 143, Register's Office for said County, being shown as Tract 5 on the Plan of the Re-subdivision of said Lots Nos. 7 and 9, not of record, described according to a survey made by H. R. Swann, Jr., Surveyor, June 20, 1953, as follows:

BEGINNING on the northerly margin of McAlpine, formerly Alpine Avenue, 122 feet east of the line between Lots Nos. 5 and 7, being the southeast most point of property conveyed to Harry D. Dotson, et ux, by deed from R. E. Ellis, et ux, of record in Book 2294, page 25, Register's Office for said County, thence northwardly along Dotson's line 190.0 feet to a point; thence westwardly along Dotson's line 60 feet to a point; thence northwardly along Dotson's line, 90 feet to a point; thence eastwardly along Dotson's line 164.2 feet to a point in the line between lots 9 and 11; thence southwardly along the line between Lots Nos. 9 and 11, 90 feet to a point; thence westwardly along the northerly line of Tract 3 of the aforesaid survey 92.2 feet to a point; thence southwardly along the westerly line of Tract 3, 190.0 feet to a point on the northerly margin of McAlpine Avenue; thence westwardly along said margin 12 feet to the point of beginning.

Being the same property conveyed to Robert E. Ellis and Evelyn S. Ellis by deed from Mary E. Owen, Executrix of the Estate of Ruth Wortman, of record in Book 9421, Page 332, Register's Officer for Davidson County, Tennessee. The said Ruth Wortman died testate, predeceased by her husband, Edward Franklin Wortman. The Last Will and Testament probated in the Probate Court of Davidson County, Tennessee, under Docket No. 94P-647 with Letters of Testamentary issued to Mary W. Owen as Executrix.

This is improved real property known as 1125 1/2 McAlpine Avenue, Nashville, Davidson County, Tennessee.

TRACT III:

BEING Tract No. 3 on the Plan of the Subdivision of the Dorothy N. Haverly property, of record in Book 6200, page 897, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate description of the metes and bounds of said property and the easements and other matters affecting same.

Being a part of the same property conveyed to Dorothy M. Haverly and husband, R. D. Haverly, Jr., by deed from Richard L. McGaugh of record in Book 4771, page 834, Register's Office for Davidson County, Tennessee, and the said R. D. Haverly, Jr., having since died, the property is now vested in Dorothy M. Haverly, in fee simple.

The legal description, as hereinabove set forth is the same as that contained in the previous Deed of Record.

This is unimproved property on Lickton Pike, Goodletsville, TN 37072

EASEMENTS: This conveyance is made subject to the following easements:

1. An Easement for subsurface sewage disposal system located on tract #2 on the Plan of the Dorothy M. Haverly property of record in Book 6200, page 897, Register's Office for Davidson County, Tennessee, to serve the real property hereinabove described as Tract #3 on the said plan, said easement being more particularly and specifically described as follows:

Land in Davidson County, Tennessee, and described according to a survey by Ray G. Cole, Registered Land Surveyor ,No. 924, dated March 11, 1993, as follows:

Beginning at an iron pin most southwest corner of this easement, and being the most southwest corner of said Lot 2, Dorothy M. Haverly Property of record in Plat 6200, page 897, Register's office, Davidson County, Tennessee; thence, with the westerly line of said Lot 2, N. 17 deg. 14 min. 09 sec. E 139.18 feet to a point in said line; thence S. 34 deg. 58 min. 45 sec. E 120.95 feet to a point; thence S. 55 deg. 01 min. 15 sec. W. 110.00 feet to a point in the line of said Lot 2; thence N. 34 deg. 58 min. 45 sec. W 35.57 feet to the beginning, containing 0.20 acre, more or less.

2. Subject to a 5.0 foot right-of-way easement for Lickton Pike.

Restrictive Covenants The following restrictive covenants shall be covenants running with the land and may be enforced by the GRANTOR, or her respective heirs or personal representative, or by any adjoining property owner for a period of twenty-five (25) years from date hereof:

1. No single or double wide mobile home or modular home shall be permitted on the property described hereinabove, either temporarily or permanently.

2. Any home that may be constructed on the property described hereinabove must contain a minimum of 1,500 square feet of improved living area on the main floor, excluding garages, carports and breezeways.

3. Foundations are to be faced with brick or stone.

4. Any detached garages , carports, utility buildings or barns must be stained or painted coordinating with home.

5. No unfinished basement homes permitted, either temporarily or permanently.

6. No swine, poultry, junk cars, trucks, motorcycles etc. permitted.

Being the same property conveyed to Robert E. Ellis and Evelyn S. Ellis by deed from Dorothy M. Haverly, unmarried, of record in Book 8985, page 778, Register's Officer for Davidson County, Tennessee, and as more specifically described that Deed of Correction to Robert E. Ellis and Evelyn S. Ellis from Dorothy M. Haverly, unmarried, of record in Book 9106, page 413, Register's Office for Davidson County, Tennessee.

TRACT IV:

Land in Davidson County, Tennessee, being Lot No. 100 on the Plan of Inglewood Place, as of record in Book 332, page 101, Register's Office for said County.

Said Lot No. 100 fronts 117.2 feet on the southerly side of Greenfield Avenue, and extends back between parallel lines with the easterly margin of Katherine Street, 189.75 feet to a line in the rear.

Being the same property conveyed to Robert E. Ellis and Evelyn S. Ellis by deed from Milton Curtis Starnes, Conservator of Emmaline Curtis Swaggerty Patterson (an incompetent) of record in Book 4920, Page 46, Register's Officer for Davidson County, Tennessee.

This is improved real property known as 1200 Greenfield Avenue (Map 072-03-0, parcel 297), Nashville, Davidson County, Tennessee.

TRACT IV-A:

Land in Davidson County, Tennessee, being Lot No. 100 on the Plan of Inglewood Place, as of record in Book 332, page 101, Register's Office for said County.

Said Lot No. 100 fronts 117.2 feet on the southerly side of Greenfield Avenue, and extends back between parallel lines with the easterly margin of Katherine Street, 189.75 feet to a line in the rear.

Being the same property conveyed to Robert E. Ellis and Evelyn S. Ellis by deed from Milton Curtis Starnes, Conservator of Emmaline Curtis Swaggerty Patterson (an incompetent) of record in Book 4920, Page 46, Register's Officer for Davidson County, Tennessee.

This is improved real property known as 3408 Katherine (Map 072-03-0, parcel 371), Nashville, Davidson County, Tennessee.

TRACT V:

Land in Davidson County, Tennessee, being a tract marked "B" on the Map of Oakland Acres, Section Eleven, as of record in Book 3700, page 26, Register's Office for said County.

Said Parcel "B" fronts 221.45 feet on the east side of Oakland Acres Drive and extends back 173.69 feet on the northerly line and 195.02 feet on the southerly line, to a line in the rear on which it measures 187.06 feet.

Being the same property conveyed to Robert E. Ellis and Evelyn S. Ellis by deed from Evelyn S. Ellis and husband, Robert Elro Ellis in Book 4323, Page 437, Register's Officer for Davidson County, Tennessee.

This is improved real property known as 1405 Oakland Acres, Nashville, Davidson County, Tennessee.

WITNESS OUR HANDS this the 21 day of Feb., 1995.

Robert E. Ellis
ROBERT E. ELLIS

Evelyn S. Ellis
EVELYN S. ELLIS

STATE OF TENNESSEE:

5750 02/28 0101 03CHECK 16.00

COUNTY OF DAVIDSON:

Personally appeared before me, Lori A. Beaty, a Notary Public in and for said County and State, ROBERT E. ELLIS and EVELYN S. ELLIS, husband and wife, the within named bargainors, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS MY HAND and official seal at Nashville, Tennessee on this 21st day of February, 1995.

Lori A. Beaty
NOTARY

NOTARY PUBLIC STATE OF TENNESSEE DAVIDSON COUNTY

MY COMMISSION EXPIRES:_____

***** MAP & PARCEL NUMBERS *****

TRACT NUMBER I -	213 CAPITOL VIEW DEED BOOK NO 9351, PAGE NO 423	M 60-12 P 97
TRACT NUMBER II -	1125 1/2 McAPLINE AVE. DEED BOOK NO 9421, PAGE NO 332	M 61-11 P 310
TRACT NUMBER III -	(a) LICKTON PIKE PROPERTY (1) [UNIMPROVED] DEED BOOK NO 8985, PAGE NO 778 (b) DEED OF CORRECTION DEED BOOK 9106, PAGE 413	 M 23 P 114
TRACT NUMBER IV -	1200 GREENFIELD AVENUE DEED BOOK NO 4920, PAGE NO 46	M 72-03 P 297
TRACT NUMBER IVA -	3408 Katherine DEED BOOK NO. 4920, PAGE NO 46	M 72-03-0 P 371
TRACT NUMBER V	1405 OAKLAND ACRES DEED BOOK 4323, PAGE 437	M 51-11 P 98