0139474

THIS INSTRUMENT PREPARED BY:
PETER WEISS, ATTORNEY
Brentwood Executive Center
761 Old Hickory Blvd, Suite 102
Brentwood, TN 37027

BOX #19B

INSTRUMENT TO ESTABLISH BOUNDARY

BOOK 9892 PG 767

THIS INSTRUMENT is made and entered into this the 4th day of December, 1995, by and between **HIGHWAY 96 PARTNERS, LTD., a Tennessee limited partnership**, hereinafter referred to as **"Highway 96"**, **JOHN H. DILLON and wife, NANCY KING DILLON**, hereinafter referred to as **"Dillon"**, **WAYNE GROVES, KENNETH GROVES and FRED CUNNINGHAM, as heirs at law of Olivia Groves Cunningham, deceased**, hereinafter referred to as **"Cunningham"**, and **MATTIE JOSLIN KING**, a widow, hereinafter referred to as **"King"**.

W I T N E S S E T H :

THAT WHEREAS, Highway 96 purchased a certain tract or parcel of land located in Williamson and Davidson County, Tennessee, from the said Cunningham, the description thereof being more fully recited in the Warranty Deed of record in Book 8353, Page 806, in the Register's Office for Davidson County, Tennessee, and a tract or parcel of land located in Davidson County, Tennessee, from the said Dillon, the description thereof being more fully recited in the Quitclaim Deed recorded immediately prior to this instrument; and,

WHEREAS, the said Dillon is the record title owner of a certain tract or parcel of land lying South of and contiguous to the hereinabove referenced tract or parcel of land owned by Highway 96, the said Dillon having acquired title to its tract or parcel of land by Deed from H. O. King and wife, Mattie Joslin King, of record in Book 4116, Page 842, in Book 4897, Page 734, and by Deed from Mattie Joslin King, a widow, of record in Book 7169, Page 994, Register's Office for Davidson County, Tennessee; and,

WHEREAS, at the time of the acquisition of the subject tracts or parcels of land hereinabove described, by the respective parties to this agreement, a discrepancy occurred in the boundary or property line separating the subject tracts; and,

WHEREAS, in order to prevent future misunderstandings and/or disputes pertaining to the boundary or property lines separating the subject tracts, the parties desire to clarify and forever establish the boundary or property line separating the subject tracts.

NOW, THEREFORE, for and in consideration of the mutual covenants, agreements and considerations, the said Highway 96 and Dillon agree that the common boundary line between the property owned by Highway 96 and the property owned by Dillon shall be that described according to an exhibit prepared by Crawford Land Surveyors, P.C., date October 4, 1995, and attached hereto as Exhibit "A" and more fully described on Exhibit "B" .

The said Highway 96 and Dillon further covenant and agree thant the common boundary or property line recited on their respective Deeds of conveyance shall be corrected to reflect the boundary line describption hereinabove recited and each hereby quitclaims and conveys to the other any and all right, title and interest in and to that protion of their respective tracts necessary to establish the boundary as herein described.

The said Cunningham and King join in the execution of this agreement in order to indicate their acknowledgement of the boundary or property line herein established and to quitclaim and convey any and all interest which each may have in the subject property in order to reflect the new boundary line herein described.

EXECUTED the day and date first above written.

"HIGHWAY 96 PARTNERS":

HIGHWAY 96 PARTNERS, LTD.,
A TENNESSEE LIMITED PARTNERSHIP
BY: PEGASUS INVESTMENT GROUP,
INC., A TENNESSEE CORPORATION,
as General Partner

BY: _____
HUNTER McDONALD, III
TITLE: Secretary

"DILLON":

_____
JOHN H. DILLON

_____
NANCY KING DILLON

"CUNNINGHAM":

Wayne Groves
WAYNE GROVES

Wayne Groves, Atty. In Fact
for Kenneth Groves
KENNETH GROVES

Fred Cunningham
FRED CUNNINGHAM

"KING":

Mattie Joslin King
MATTIE JOSLIN KING

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public within and for the State and County aforesaid, personally appeared HUNTER McDONALD, III, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon his oath acknowledged himself to be the Secreatry of the PEGASUS INVESTMENT GROUP, INC., a Tennessee corporation, and who further acknowledged PEGASUS INVESTMENT GROUP, INC., to be a general partner of the HIGHWAY 96 PARTNERS, LTD., the within named bargainor, a Tennessee limited partnership, and that he as such Secretary, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing for and in behalf of the partnership the name of the corporation by himself as such officer.

Witness my hand and official seal at office at Brentwood, Tennessee, on this the 4 day of December, 1995.

Barbara Anderson
Notary Public

My Commission Expires:
July 29, 1996

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

BOOK 9892 PG 770

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named JOHN H. DILLON and wife, NANCY KING DILLON, the bargainors, 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.

Witness my hand and official seal at Nashville, Tennessee, this 4th day of December, 1995.

My Commission Expires: 9/26/98

Donna C Tilson
Notary Public

STATE OF TENNESSEE)
COUNTY OF Williamson)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named WAYNE GROVES, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Brentwood, Tennessee, this 8 day of December, 1995.

My Commission Expires: 11/22/97

Kim Am Walk
Notary Public

STATE OF TENNESSEE)
COUNTY OF Williamson)

* By and through his Attorney In Fact, Faye Groves.

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named KENNETH GROVES,* the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Franklin, Tennessee, this 7th day of December, 1995.

My Commission Expires: 3/30/96

Robbi D. McKnight
Notary Public

STATE OF TENNESSEE)
COUNTY OF Williamson)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named FRED CUNNINGHAM, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Brentwood, Tennessee, this 8 day of December, 1995.

My Commission Expires: 11/20/97

Ann Walk
Notary Public

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named MATTIE JOSLIN KING, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 4th day of December, 1995.

My Commission Expires: 9/26/98

Donna C. Filson
Notary Public

LINE	DISTANCE	BEARING
L1	53.39'	N10°03'31"E
L2	27.71'	N05°25'09"E
L3	86.91'	N30°10'43"E
L4	74.53'	N47°02'03"E
L5	36.88'	N61°36'25"E
L6	146.40'	N65°28'53"E
L7	122.40'	N65°50'34"E
L8	112.06'	N80°48'22"W
L9	72.53'	S53°39'12"E
L10	265.57'	S87°00'26"E
L11	160.04'	S72°40'11"E
L12	48.00'	N82°46'47"E
L13	70.11'	S83°00'49"E
L14	67.43'	N77°32'17"E
L15	87.03'	N65°02'09"E
L16	38.20'	N45°26'24"E
L17	55.94'	N36°26'30"E
L18	71.82'	N27°09'07"E
L19	159.05'	N25°08'54"E
L20	188.18'	N28°40'33"E
L21	53.76'	N15°15'54"E
L22	21.76'	N17°36'51"E
L23	41.36'	N52°01'29"E
L24	179.51'	N75°39'57"E
L25	66.10'	N67°12'57"E
L26	89.89'	N80°29'02"E
L27	33.83'	S78°44'11"E
L28	176.56'	N71°18'46"E
L29	140.08'	N21°00'30"E

1" = 200'

N

POINT OF BEGINNING

L29 L28 L27 L26 L25 L24 L23 L22 L21 L20 L19 L18 L17 L16 L15 L14 L13 L12 L11 L10 L9 L8 L7 L6 L5 L4 L3 L2 L1

END

BOOK 9892 PG 772

HWY 96 PARTNERS

JOHN DILLON

H.O. KING

RECORDERS MEMO

LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

EXHIBIT "A"

REVISED PROPERTY LINE

NOV. 14TH, 1995

CRAWFORD LAND SURVEYORS, P.C.
1929 21st AVE. SO.
NASHVILLE, TENNESSEE 37212
(615) 292-2661

94024

EXHIBIT "B"

BOOK 9892 PG 773

Being two tracts of land in the Second Civil District of Davidson County, Tennessee, located west of State Route 96, north of Old Harding Pike being a portion of the property conveyed to John H. Dillon of record in Deed Book 7169, Page 994, Register's Office for Davidson County, Tennessee, and to H. O. King of record in Deed Book 72, Page 35, Register's Office for Williamson County, Tennessee, and being more particularly described according to a survey by William C. Cockrill of Crawford Land Surveyors, RLS# 1401 dated November 14, 1995 attached hereto as Exhibit "A" and as follows:

BEGINNING at a point in the common line of Highway 96 Partners and John H. Dillon, said point being N88°09'20"W, 765.25 feet and S70°28'52"W, 443.79 feet along said common line from a p.k. spike in the westerly margin of State Route 96;

Thence, leaving said common line, S21°00'30"W, 140.08 feet to a 20-inch tree;
Thence, S71°18'46"W, 176.56 feet to a 23-inch tree;
Thence, N78°44'11"W, 33.83 feet to a 12-inch tree;
Thence, S80°29'02"W, 89.89 feet to a 15-inch tree;
Thence, S67°12'57"W, 66.10 feet to a 17-inch tree;
Thence, S75°39'57"W, 179.51 feet to a 14-inch tree;
Thence, S52°01'29"W, 41.36 feet to a 15-inch tree;
Thence, S15°56'30"W, 75.50 feet to a 17-inch tree;
Thence, S28°40'33"W, 188.18 feet to a 24-inch tree;
Thence, S26°08'54"W, 159.05 feet to a 24-inch tree;
Thence, S27°09'07"W, 71.82 feet to a 14-inch tree;
Thence, S36°26'30"W, 55.94 feet to a 15-inch tree;
Thence, S46°26'24"W, 36.20 feet to an 8-inch tree;
Thence, S66°02'09"W, 87.03 feet to a 15-inch tree;
Thence, S77°32'17"W, 67.43 feet to a 24-inch Beech;
Thence, N83°00'49"W, 70.11 feet to a 7-inch Oak;
Thence, S82°46'47"W, 48.00 feet to a 7-inch Oak;
Thence, N72°40'11"W, 160.04 feet to a 15-inch Oak;
Thence, N84°43'46"W, 158.59 feet to a 24-inch Oak;
Thence, S89°37'30"W, 107.30 feet to a 24-inch Oak;
Thence, N53°39'12"W, 72.53 feet to a 15-inch tree;
Thence, N80°48'22"W, 112.06 feet to a 21-inch tree;
Thence, S69°50'34"W, 122.40 feet to an 18-inch tree;
Thence, S65°28'53"W, 146.40 feet to a 17-inch tree;
Thence, S61°36'25"W, 36.88 feet to a 12-inch tree;
Thence, S47°02'03"W, 74.53 feet to a 10-inch tree;
Thence, S30°10'43"W, 86.91 feet to a tree;
Thence, S05°25'09"W, 27.71 feet to a tree;
Thence, S10°03'31"W, 53.39 feet to a point in the east line of Highway 96 Partners, said point being N02°05'18"E, 1648.87 feet along said east line from a southeast corner of Highway 96 Partners.

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN
THE DOCUMENT UNSATISFACTORY WHEN RECEIVED

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