0181590

IDENTIF. ↑ REFERENCE

PICK-UP

96 MAY 14 PM 2:45

REGISTER
DAVIDSON COUNTY, TN.

ADDRESS NEW OWNERS AND SEND TAX STATEMENTS:
Charles E. Binkley, et ux, Dorothy M. Binkley
4331 Mallory Chapel Rd.
Springfield, Tn. 37172

MAP PARCEL NOS.
Map 93-2-41

BOOK 10049 PG 720

THIS INSTRUMENT PREPARED BY:
**HOFSTETTER & HOFSTETTER, ATTORNEYS**
Suite 500, 230 Fourth Avenue North
Nashville, TN 37219

**WARRANTY DEED**

For and in consideration of the sum of TEN AND 00/100 (10.00) dollars, cash and other good and valuable consideration, the receipt of all of which is hereby acknowledged, **we, GLORIA SCHOEN; MARILYN MURRAY, COLLEEN MURRAY, CHRISTY MURRAY, LISA MURRAY, ANDREW MURRAY and STEPHEN MURRAY, devisees under the will of Louis Joseph Murray, by will of record in Book 202, Page 596, Probate Court of Davidson County, Tennessee; THIRD NATIONAL BANK IN NASHVILLE, TRUSTEE of the Testamentary Trust under the will of George L. Catignani, but not further or otherwise; GEORGE LOUIS CATIGNANI, NANCY ANNE CATIGNANI SMITH, MARY KATHRYN CATIGNANI RAMSEY, EVALYN TANKSLEY CATIGNANI HOBBS, JOHN OGDEN CATIGNANI, ANDREW BRITTON CATIGNANI, ROBERT JOSEPH CATIGNANI, DANIEL FRANCIS CATIGNANI and JAMES CHRISTOPHER CATIGNANI, all individually and as partners of Deluxe Ice Cream Company, a Partnership,** have bargained and sold, and by these presents do transfer and convey unto **CHARLES E. BINKLEY and wife, DOROTHY M. BINKLEY,** the Grantees herein, their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

Being part of Lot No. 20 on the Original Plan of Nashville, not of record, being the southerly part of Lot No. 6 in said subdivision of Lot No. 20, a plan of which is of record in Minute Book "D", Chancery Court at Franklin, described as follows:

Beginning on the easterly margin of Third Avenue, North, formerly College Street, the corner of Lots Nos. 6 and 7 being J. Silver's N.W. corner as now established; thence with the easterly margin of said avenue northerly 24-1/4 feet, more or less, to Isaac Y. Sobel's S. W. corner, as now established; thence with his southerly line easterly 112-1/3 feet, more or less, to the westerly margin of an alley; thence with the westerly margin of said alley southerly 24-1/4 feet, more or less, to said Silver's NE corner, as now established; thence with the northerly line westerly 118-1/2 feet, more or less, to the beginning.

Being the same property conveyed to Deluxe Ice Cream Company, a partnership composed of A. B. Catignani, George L. Catignani, A. Joe Catignani and John O. Catignani by deed from A. B. Catignani and wife, Josephine Catignani of record in Book 1784, Page 145. A. B. Catignani died leaving Josephine O. Catignani, Patricia Murray, Gloria Schoen, A. Joe Catignani, George L. Catignani and John O. Catignani as his sole heirs at law. Josephine

O. Catignani died leaving Patricia Murray, Gloria Schoen, A. Joe Catignani, George L. Catignani and John O. Catignani as her sole heirs at law. The interest of A. Joe Catignani was conveyed to Deluxe Ice Cream Company, a partnership composed of George L. Catignani and John O. Catignani by deed of record in Book 2594, Page 307. George L. Catignani died February 23, 1971, and his Will of record in Will Book 99, Page 298, Davidson County Probate Court Clerks Office devised his interest in the subject property or partnership interest therein to Third National Bank in Nashville as Trustee of his Testamentary Trust. By Quitclaim Deed of record in Book 5198, Page 968, Third National Bank in Nashville, as Trustee under the Will of George L. Catignani conveyed an undivided 1/16 interest each in the subject property to George Louis Catignani, Nancy Ann Catignani Smith, Mary Kathryn Catignani Ramsey and Evalyn Tanksley Catignani. John O. Catignani died January 6, 1989 and his Will of record in Will Book 166, Page 83, Davidson County Probate Court Clerk's Office, his interest in the subject property or partnership therein to Andrew Britton Catignani, John Ogden Catignani, Jr., Robert Joseph Catignani, Daniel Frances Catignani and James Christopher Catignani. Patricia Murray died June 30, 1993 and her Will of record in Will Book 186, Page 106, Davidson County Probate Court Clerk's Office devised her interest in the subject property or partnership interest therein to Louis Joseph Murray. Louis Joseph Murray died November 29, 1995, and his Will of record in Will Book 202, Page 596, Davidson County Probate Court Clerk's Office, devised his interest to Marilyn Murray, Colleen Murray, Christy Murray, Lisa Murray, Andrew Murray and Stephen Murray.

Taxes for 1996 are to be prorated and assumed by Grantees.

This is improved property known as 508 Third Avenue North, Nashville, Davidson County, Tennessee 37204.

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 we do covenant with the said Grantees that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered. With respect to grantor, Third National Bank in Nashville, Trustee under the will of George L. Catignani, the foregoing covenant is made only in its capacity as Trustee, but not further or otherwise.

And we do further covenant and bind ourselves, our heirs and representatives 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. With respect to Third National Bank in Nashville, as Trustee, the foregoing warranty is made only in its capacity as Trustee but not further or otherwise.

This instrument is executed on behalf of George Louis Catignani by Evalyn C. Donnelly, as his Attorney-in-fact, pursuant to a recorded Power of Attorney of record in Book 10049, Page 719, Register's Office for Davidson County, Tennessee.

WITNESS our hands this 14th day of ~~March~~ May, 1996.

Gloria Catignani Schoen
Gloria Schoen

Marilyn Murray
Marilyn Murray

Colleen Murray
Colleen Murray

Christy Murray
Christy Murray

Lisa Murray
Lisa Murray

Andrew Murray
Andrew Murray

Stephen Murray
Stephen Murray

Third National Bank in Nashville, Tennessee, Trustee of Testamentary Trust under Will of George L. Catignani

By _____
TRUST OFFICER

George Louis Catignani
George Louis Catignani

Nancy Anne Catignani Smith
Nancy Anne Catignani Smith

By Evalyn C. Donnelly
Mary Kathryn Catignani Ramsey
Mary Kathryn Catignani Ramsey

Evalyn Tanksley Catignani Hobbs
Evalyn Tanksley Catignani Hobbs

Andrew Britton Catignani
Andrew Britton Catignani

John Ogden Catignani
John Ogden Catignani

Robert Joseph Catignani
Robert Joseph Catignani

Daniel Francis Catignani
Daniel Francis Catignani

James Christopher Catignani
James Christopher Catignani

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration for this transfer or value of property (whichever is greater) is $40,000.00.

Evalyn C. Donnelly

Sworn to and subscribed before me, this 14th day of ~~March~~ May, 1996.

Notary Public

Commission expires 7-26-97

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, **Gloria Schoen**, 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 14th day of ~~March~~ May, 1996.

**Notary Public** Patricia B. Cooper

Commission expires May 24, 1997

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, **Marilyn Murray, Colleen Murray, Christy Murray, Lisa Murray, Andrew Murray** and **Stephen Murray**, the bargainors, 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 14th day of ~~March~~ May, 1996.

**Notary Public** Patricia B. Cooper

Commission expires May 24, 1997

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, **Nancy Anne Catignani Smith, Mary Kathryn Catignani Ramsey and Evalyn Tanksley Catignani Hobbs**, the bargainors, 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 14th day of ~~March~~ May, 1996.

**Notary Public** [signature]

Commission expires 7-26-97

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, **Robert Joseph Catignani, John Ogden Catignani, Daniel Francis Catignani, Andrew Britton Catignani and James Christopher Catignani**, the bargainors, 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 14th day of March, 1996.

**Notary Public** _____

Commission expires 7-26-97

1459 05/14 0101 03CHECK 169.00

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, **Third National Bank in Nashville, Tennessee, Trustee, Testamentary Trust under Will of George L. Catignani**, the bargainor, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that it executed the within instrument for the purposes therein contained.

**Witness** my hand and official seal at Nashville, Tennessee, this 14th day of March, 1996.

**Notary Public** _____

Commission expires 7-26-97

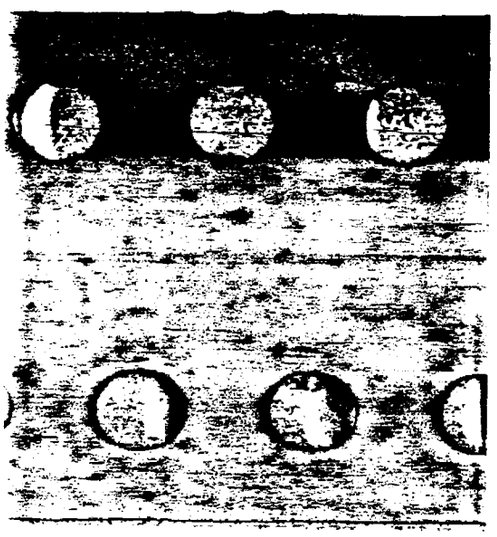
STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

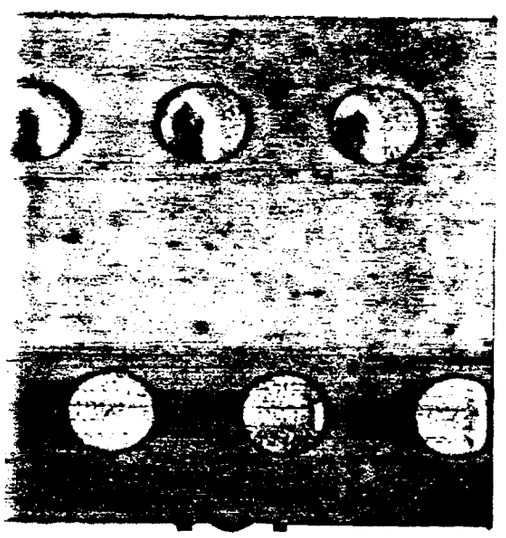
Personally appeared before me, the undersigned a Notary Public in and for said County and State, the within named, **Evalyn C. Donnelly**, the bargainor, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that she executed the within instrument on behalf of **George Louis Catignani** as his Attorney-in-fact, as the free act and deed of the within named **George Louis Catignani.**

**Witness** my hand and official seal at Nashville, Tennessee, this 14th day of March, 1996.

**Notary Public** _____

Commission expires 7-26-97





**OFFICIAL RECEIPT**
**FELIX Z. WILSON, II**
**REGISTER OF DAVIDSON COUNTY**
**NASHVILLE, TENNESSEE**

RECEIVED OF _____

FOR _____

BOOK 10049 PG 725

| | | |
|---|---|---|
| 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 40000.00
CON TX 148.00
PRFEE 1.00
MDEED 20.00
TOTAL 169.00
CHECK 169.00

05/14/96 01 14:47 0001 1459

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

0181590
IDENTIF. # REFERENCE

96 MAY 14 PM 2:45

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

**No.** 1039432