40-A

BOOK 10086 PG 165

THIS INSTRUMENT PREPARED BY
GIBSON & GREGORY
Suite 600, Noel Place
200 Fourth Avenue North
Nashville, Tennessee 37201

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $0.00. (Tax Exempt/ Governmental Agency)

Affiant

Subscribed and sworn to before me this 12th day of June, 1996.

Notary Public

My Commission Expires: 9/18/99

0192442

96 JUN 13 PM 3:50

REGISTER
DAVIDSON CO. TN.

IDENTIFICATION REFERENCE

SPECIAL WARRANTY DEED

ADDRESS OF NEW OWNER:	SEND TAX BILLS TO:	MAP/PARCEL NOS.
Metropolitan Government Suite 650 222 Third Avenue, North Nashville, Tennessee 37201	New Owner	Map 038, Parcels 003, 004, 018 and 027 Map 047, Parcel 004

WHEREAS, a Trust Agreement, hereinafter referred to as "Trust Agreement", was executed on July 1, 1967, appointing Robert E. McClellan as Trustee for the purpose of acquiring certain real property, hereinafter the "Property", described in Exhibit "A" attached hereto and incorporated herein by reference, for the benefit of the beneficiaries named within Trust Agreement;

WHEREAS, Kirkland W. Todd, Jr. and Stanley Bernard acquired Tracts 1 and 2 which are a portion of Property, as Co-Trustees, by deed of record in Book 5263, page 449, Register's Office for Davidson County, Tennessee;

WHEREAS, Kirkland W. Todd, Jr. acquired Tract 3 which is a portion of Property as Trustee, by deed of record in Book 6994, page 544, Register's Office for Davidson County, Tennessee;

WHEREAS, Grantee desires to purchase the Property pursuant to Resolution No. R96-216 of the City Council of The Metropolitan Government of Nashville and Davidson County, Tennessee, a copy of said Resolution being attached hereto as Exhibit "B" and incorporated herein by reference;

WHEREAS, Robert E. McClellan, the named Trustee in Trust Agreement, as well as Kirkland W. Todd, Jr. and Stanley Bernard, Co-Trustees for Tracts 1 and 2 of Property and Kirkland W. Todd, Jr., Trustee for Tract 3 of Property, along with the beneficiaries of Trust

Agreement and their spouses, if married, join in the execution of this instrument to convey their interest in Property to Grantee; and

WHEREAS, Robert E. McClellan, Trustee of Trust Agreement, Kirkland W. Todd, Jr. and Stanley Bernard, Co-Trustees of Tracts 1 and 2 of Property, Kirkland W. Todd, Jr., Trustee of Tract 3, and the beneficiaries of the Trust Agreement are hereinafter collectively referred to as "Grantor".

NOW, THEREFORE, FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 ($10.00) DOLLARS cash in hand paid by the herein named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor has bargained and sold, and by these presents does hereby transfer and convey all of its right, title and interest in the Property unto THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE, hereinafter "GRANTEE", its representatives and assigns forever.

This is UNIMPROVED property.

To have and to hold the Property, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, its representatives and assigns, against the lawful claims by and through the GRANTOR, but not further.

WITNESS their hands on the dates set forth below:

GRANTOR:

Robert E. McClellan
Robert E. McClellan, Trustee of Trust Agreement

Tracts 1 and 2 Owners:

Kirkland W. Todd Jr. M.D.
Kirkland W. Todd, Jr., Co-Trustee

Stanley Bernard
Stanley Bernard, Co-Trustee

Tract 3 Owner:

Kirkland W. Todd Jr. M.D.
Kirkland W. Todd, Jr., Trustee

STATE OF Tennessee)

COUNTY OF Davidson)

Personally appeared before me, Peggy J. Tetrick a Notary Public, Robert E. McClellan, Trustee of Trust Agreement, with whom I am personally acquainted, who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 7th day of June, 1996.

Peggy J. Tetrick
Notary Public

My Commission Expires:

March 21, 1998

STATE OF Tennessee)

COUNTY OF Davidson)

Personally appeared before me, Peggy J. Tetrick, a Notary Public, Kirkland W. Todd, Jr., Co-Trustee, with whom I am personally acquainted, who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 7th day of June, 1996.

Peggy J. Tetrick
Notary Public

My Commission Expires:

March 21, 1998

STATE OF Tennessee)

COUNTY OF Davidson)

Personally appeared before me, Peggy J. Tetrick, a Notary Public, Stanley Bernard, Co-Trustee, with whom I am personally acquainted, who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 7th day of June, 1996.

Peggy J. Tetrick
Notary Public

My Commission Expires:

March 21, 1998

#440587

Beneficiaries:

John M. Tudor

STATE OF Tennessee)

COUNTY OF Davidson)

Personally appeared before me, Sandra K Prince a Notary Public, John M. Tudor, with whom I am personally acquainted, who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 7th day of June, 1996.

Sandra K Prince
Notary Public

My Commission Expires:

Jan. 25, 1997

SANDRA K. PRINCE NOTARY PUBLIC AT LARGE

Beneficiaries:

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Kirkland W. Todd, Jr. M.D.
Kirkland W. Todd, Jr.

Adrienne H. Todd
Adrienne Hill Todd

STATE OF Tennessee)

COUNTY OF Davidson)

Personally appeared before me, Peggy J. Tetrick, a Notary Public, Kirkland W. Todd, Jr., with whom I am personally acquainted, who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 7th day of June, 1996.

Peggy J. Tetrick
Notary Public

My Commission Expires:

March 21, 1998

STATE OF Tennessee)

COUNTY OF Davidson)

Personally appeared before me, Peggy J. Tetrick a Notary Public, Adrienne Hill Todd, with whom I am personally acquainted, who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 7th day of June, 1996.

Peggy J. Tetrick
Notary Public

My Commission Expires:

March 21, 1998

Beneficiaries:

BOOK 10086 PG 170

Ben J. Alper

Ben J. Alper

Phyllis R. Alper

Phyllis R. Alper

STATE OF Tennessee)

COUNTY OF Loudon)

Personally appeared before me, Linda N Lowe, a Notary Public, Ben J. Alper, with whom I am personally acquainted, who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 7th day of June, 1996.

Linda N Lowe
Notary Public

My Commission Expires:

5/30/99

STATE OF Tennessee)

COUNTY OF Loudon)

Personally appeared before me, Linda N Lowe, a Notary Public, Phyllis R. Alper, with whom I am personally acquainted, who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 7th day of June, 1996.

Linda N Lowe
Notary Public

My Commission Expires:

5/30/99

Beneficiaries:

Herbert R. Rich

Herbert R. Rich

STATE OF Tennessee)

COUNTY OF Davidson)

Personally appeared before me, Peggy J. Tetrick, a Notary Public, Herbert R. Rich, with whom I am personally acquainted, who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 10th day of June, 1996.

Peggy J. Tetrick
Notary Public

NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENNESSEE PEGGY J. TETRICK

My Commission Expires:

March 21, 1998

Beneficiaries:

Anne C. Lipscomb

STATE OF Tennessee)

COUNTY OF Davidson)

Personally appeared before me, Peggy J. Ketrick, a Notary Public, Anne C. Lipscomb, with whom I am personally acquainted, who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 10th day of June, 1996.

Peggy J. Ketrick
Notary Public

PEGGY J. KETRICK NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENNESSEE

My Commission Expires:

May 21, 1998

#440587

Beneficiaries:

Robert E McClellan
Robert E. McClellan

Sarah Flanary McClellan
Sarah Flanary McClellan

STATE OF TN)

COUNTY OF Davidson)

Personally appeared before me, Gayle Wood, a Notary Public, Robert E. McClellan, with whom I am personally acquainted, who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 10th day of June, 1996.

Gayle H. Wood
Notary Public

My Commission Expires:

2-8-98

STATE OF TN)

COUNTY OF Davidson)

Personally appeared before me, Gayle Wood, a Notary Public, Sarah Flanary McClellan, with whom I am personally acquainted, who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 10th day of June, 1996.

Gayle H. Wood
Notary Public

My Commission Expires:

2-8-98

Beneficiaries:

Stanley Bernard
Stanley Bernard

Adell Robinson Bernard
Adell Robinson Bernard

STATE OF Tennessee)

COUNTY OF Davidson)

Personally appeared before me, Peggy J. Stuck a Notary Public, Stanley Bernard, with whom I am personally acquainted, who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 10th day of June, 1996.

Peggy J. Stuck
Notary Public

My Commission Expires:

March 21, 1998

STATE OF Tennessee)

COUNTY OF Davidson)

Personally appeared before me, Peggy J. Stuck a Notary Public, Adell Robinson Bernard, with whom I am personally acquainted, who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 10th day of June, 1996.

Peggy J. Stuck
Notary Public

My Commission Expires:

March 21, 1998

Beneficiaries:

William H. Edwards

Frances M. Edwards

STATE OF Tennessee)

COUNTY OF Davidson)

Personally appeared before me, Deborah J. Clark, a Notary Public, William H. Edwards, with whom I am personally acquainted, who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 7th day of June, 1996.

Deborah J. Clark
Notary Public

My Commission Expires:

5/24/97

STATE OF Tennessee)

COUNTY OF Davidson)

Personally appeared before me, Deborah J. Clark, a Notary Public, Frances M. Edwards, with whom I am personally acquainted, who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 7th day of June, 1996.

Deborah J. Clark
Notary Public

My Commission Expires:

5/24/97

EXHIBIT "A"

TRACT NO. 1: A tract of land in the 13th, formerly the 25th and in the 14th, formerly the 24th, Civil Districts of Davidson County, Tennessee, described as a whole as follows:

BEGINNING at a stake in R. L. Bateman's eastern boundary line; thence north 6.93 poles with said Bateman's eastern boundary line to a stake with oak pointers, R. L. Bateman's northeast corner; thence with the northern boundary line of Bateman and Setters' lands, north 87-3/4 deg. west 123.7 poles to a stone, the northwest corner of Setters' land; thence north 78-1/3 deg. west 48 poles; thence south 47-1/4 deg. west 56 poles to an oak; thence south 70-1/2 deg. west 32 poles to a stake; thence south 37-3/4 deg. west 19 poles to a stake in hollow; thence south 83 deg. east 40 poles to an oak; thence south 68-1/2 deg. east 22 poles to a stake; thence south 81-1/2 deg. east 21 poles to a fourteen-inch hickory on side of hollow, being the southeast corner of the property conveyed to J. A. Highsmith and wife by R. L. Wilkinson, Trustee, et al, of record in Book 1261, page 132 of the Register's Office for Davidson County, Tennessee, also the northwesterly corner of the property conveyed to Highsmith and wife by said Wilkinson, Trustee, et al, of record in Book 1238, page 335, said Register's office; thence with the westerly line of said property south 38 deg. east 7 poles; south 53 deg. east 16.6 poles to the southeasterly corner of the property conveyed to said Highsmith and wife by deed of record in Book 1238, page 335, said Register's Office, a point in an old road; thence south 2-1/2 deg. west 20.5 poles to a black oak (down); thence south 41 deg. east 41 poles to a 6 inch chestnut, the northeast corner of the old Allen Simpkins tract; thence along a fence with the northern boundary line of said Simpkins tract, north 88 deg. west 276 poles to a stake in an old stump with 6 inch red oak pointers, this being the northwest corner of said Allen Simpkins tract; thence south 31-1/2 poles to a 6 inch hickory stump, the southeast corner of the old James L. Young tract; thence West 136 poles to a stake with 18 inch dead chestnut pointer; thence north 90 poles to a white oak; said point being the northeast corner of the Elias Simkins tract; thence with the northern boundary line of said tract, north 83 deg. west 150.5 poles to a stake on the northwest slope of a ridge, with a 24 inch chestnut pointer; thence south 2-3/4 deg. west 136.48 poles to a stake on the south side of a ridge, 4 inch red oak pointers; thence north 88-1/2 deg. west 307 poles, more or less, to a point 41 poles east of a point in Archy Branch, an old marked beech pointer on the east bank of said branch, being the southeast corner of a tract of land conveyed by Jno. J. Rucker and L. J. Setters to Louis Newton, by deed of record in Book 142, page 497, Register's Office for Davidson County, Tennessee; thence north 2-3/4 deg. east with the eastern boundary line of said tract of land 106 poles to the northeast corner of said tract of land; thence north 88-1/2 deg. west 41 poles to the northwest corner of said tract of land; thence north 2-3/4 deg. east 113 poles to a stake and two 4 inch poplar pointers, said point being the southwest corner of the Frensley tract; thence south 87-1/2 deg. east 236.06 poles with the southern boundary line of the Frensley tact of land to a stake on a ridge; thence north 18 deg. west 21.8 poles to a point in a hollow run; thence down a drain north 11-1/4 deg. west 19.6 poles; thence north 20-1/4 deg. west 16 poles; thence north 26-3/4 deg. west 14 poles; thence north 18 deg. west 12 poles to a point 5 feet south of an 8 inch white oak; thence north 6-1/4 deg. east 10 poles to a point on the left bank of a branch with 24 inch beech pointers; thence north 17-1/4 deg. east 16 poles; thence north 38-1/4 deg. west 2 poles to a point in Little Marrowbone Creek; thence up said Creek with its meanders as follows: North 65 deg. east 14 poles south 84 deg. east 17.25 poles, north 6 deg. 1.5 poles to a small white walnut; thence along said creek north 53-1/4 deg. east 11.44 poles, south 81 deg. east 6.6 poles south 43-1/2 deg. east 5.4 poles south 64-3/4 deg. east 9.72 poles, south 85 deg. east 4.3 poles, north 67-1/4 deg. est 3.72 poles to two black walnuts on the north bank of Little Marrowbone creek; thence leaving said creek north 47 deg. east 27.2 poles to a hickory with oak pointer on a ridge; thence south 34-1/4 deg. east 32 poles along the ridge to a 4 inch white oak; thence south 62 deg. east 26.84 poles to a stake; thence south 73 deg. east 69.6 poles to a stake on a ridge, red oak pointer; thence north 74 deg. east 17 poles to a stake at the head of a hollow, 5 inch dead locust pointer;

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thence north 3 deg. east 32 poles to a stake, red oak and chestnut pointers on a ridge; thence south 89 deg. east 105.3 poles to a stake with oak pointers on a ridge, the southwest corner of the Jno. Williams tract; thence with said Jno. Williams' tract southern boundary line, south 89 deg. east 8.5 poles to a stake with hickory and oak pointers; thence north 72-1/4 deg. east 68 poles, more or less, to a large charred chestnut stump on a ridge, red oak pointer, being the southeast corner of the Jno. Williams' Home Tract and southwest corner of the Mary J. Owens' tract; thence south 12-3/4 deg. east 59 poles, more or less, to a stake on the south point of a ridge, gum and black oak points; thence north 79 deg. east 120 poles, with the southern boundary line of a 100 acre tract of land conveyed by Gustave Mackebeil and wife to L. J. Setters, recorded in Book 221, page 97, Register's Office for Davidson County, Tennessee to a point in Spicewood Branch, 18.8 poles north along said branch from the junction of two hollows, elm and white oak pointers, the southwest corner of a tract of 80 acres, more or less, conveyed to Nannie Mai Dyer by A. C. Hellman, by deed of record in Book 1148, page 269, said Register's Office; thence with the southerly line of said Dyer property easterly 70 poles, more or less, to the southeast corner of said Dyer tract, a chestnut in the southwesterly corner of the Joseph Mullins lands; thence south 69-1/2 deg. east 31.3 poles to an oak on a ridge; thence north 39 deg. east 128 poles to a point in Wolf branch opposite the mouth of a ravine; thence down said branch with its meanders, north 10-1/4 deg. east 20 poles, more or less, to a point in said branch, the southwest corner of R. M. Goodall's tract of land at the junction of Wolf Branch and a small hollow, said point being also the southeast corner of a part of the Horton tract owned by J. J. Rucker's heirs and lying between Wolf branch and the R. M. Goodall tract, continuing down said branch north 46 deg. west 17 poles, north 38-1/2 deg. west 20.5 poles to a large elm, north 18-1/2 deg. west 18.75 poles; north 25 deg. west 14 poles, north 7-1/2 deg. west 14.5 poles to a sycamore at the mount of Wolf branch on Little Marrowbone Creek; thence up said Creek south 89 deg. east 38.4 poles to a point in said creek above a concrete bridge, said point being the northwest corner of the R. M. Goodall tract; thence with the western boundary line of the R. M. Goodall tract, south 2 deg. west 70-1/2 poles to the southwest corner of said R. M. Goodall tract of land; thence up a small ravine with the southern boundary line of the R. M. Goodall tract, as follows: North 47-3/4 deg. east 5.25 poles, north 69-1/2 deg. east 27.5 poles, north 86 deg. east 4.6 poles; south 71 deg. east 12.48 poles to the southwest corner of a tract of land conveyed by Jno. J. Rucker and wife to Joe E. Carney and wife by deed of record in Book 181, page 553, Register's Office for Davidson County, Tennessee, and now owned by Mary J. Harrington, et al.,; thence with the southern boundary line of said tract of land, south 74-1/2 deg. east 37.8 poles to a point in the western boundary line of a tract of land owned by Mary J. Harrington et al,; thence with said line south 2 deg. west 77 poles, more or loss, to a stake, red oak pointers; thence south 54-1/2 deg. east 18 poles to a 14 inch red oak; thence south 77-1/2 deg. east 11 poles to a stake with 10 inch chestnut pointers; thence south 88 deg. east 53 poles to a point in Eaton's Creek and Marrowbone Road north bridge, beech, dogwood and ash pointers; thence along the center of said road south 3-1/2 deg. east 15.8 poles, south 24-1/2 deg. east 6.9 poles south 37 deg. east 11.8 poles, south 45 deg. east 17.4 poles, south 32-1/2 deg. est 12.5 poles, south 1-1/2 deg. east 4 poles, south 40-1/4 deg. east 10.6 poles, south 21-1/2 deg. east 10.4 poles, south 62-1/2 deg. east 5 poles to the intersection of Eaton's Creek Road and the New County Highway down Sulphur Creek; thence south with the center of the New County Highway down Sulphur Creek to W. H. Holt's northern boundary line; thence with W. H. Holt's northern boundary line north 82 deg. west to the beginning, containing 1685 acres, more or less, according to a survey made August ____, 1933, by Erle Drake, County Surveyor of Davidson County, Tennessee.

TRACT NO. 2: A tract of land in the 14th, formerly 24th, Civil District of Davidson County, Tennessee, described as follows:

BEGINNING at a stake on the bank of Little Marrowbone Creek, the southwest corner of a tract of land conveyed by J. E. Horton and wife, to Rucker and Setters by deed of record in Book 225, page 589, Register's Office for Davidson County, Tennessee; thence up said Creek

with said Rucker and Setters' south line north 69 deg. east 42 poles, south 83-1/4 deg. east 32-2/8 poles to a sycamore at the mouth of Wolf Branch; thence up said branch south 7-1/2 deg. east 14-1/2 poles; south 25 deg. east 14 poles, south 18-1/2 deg. east 18-3/4 poles to a large elm; south 38-1/2 deg. east 20-1/2 poles to the mouth of a small ravine; south 40 deg. east 17 poles to another ravine; thence leaving said branch south 39 deg. west 128 poles to a black oak on a ridge in Van Rust line; thence with his line north 69-1/2 deg. west 31.3 poles to a small chestnut; thence north 27-1/2 deg. west 59.4 poles to a black oak; thence north 29 deg. east 12 poles tot a black oak; thence leaving Rust line north 31 deg. east 32 poles tot a stone corner between Horton's 46.4 acre tract and his 44.1 acre tract; thence north 76 poles, more or less, to the beginning, containing 90-1/2 acres be the same more or less.

Being the same property conveyed to Kirkland W. Todd, Jr. and Stanley Bernard, Co-Trustees with full power by deed from Robert E. McClellan, Trustee with full power to mortgage, sell, lease, transfer and convey without the joinder of any beneficiary, of record in Book 5263, page 449, Register's Office for Davidson County, Tennessee.

TRACT NO. 3: A CERTAIN TRACT OF LAND in the 13th Civil District of Davidson County, Tennessee, described according to a survey by Howard Greer, dated September 3, 1955, as follows: This being the Charley & Walter Morgan property combined with the M. W. Hathaway property and having being sold to Lilbern Loyd through Chancery Court runs as follows:

BEGINNING at an iron pin, Simpkins Corner and runs West, 1551 feet to an iron pin, thence North 42 deg. West 683 feet to an iron pin in old Road, thence North 346 feet to an iron pin in old Road, thence North 79 deg. 30' East 254 feet to an iron pin, thence North 66 deg. 30' East 305 feet to an iron pin, thence North 32 deg. East 99 feet to a hickory, thence North 89 deg. East 940 feet to a stake, thence South 69 deg. East 198 feet to a stake, thence North 60 deg. East 140 feet to a stake, thence North 46 deg. East 462 feet to an iron pin, thence North 57 deg. East 198 feet to an iron pin, thence South 1584 feet to an iron pin, thence West 338 feet to an iron pin, thence North 26.4 feet to the beginning corner, containing 55.6 acres of land, more or less.

INCLUDED in the above described property, but EXPRESSLY EXCLUDED from this conveyance are the following tracts of land: a tract of land containing 21.45 acres, more or less, conveyed to Henry Dalton and wife, Bobbie Dalton, by deed from Lilbern Loyd of record in Book 2812, Page 359, Register's Office for Davidson County, Tennessee; a tract of land containing 0.47 acres, more or less, conveyed to Ruth Switzer, by deed from Lilbern Loyd and wife, Bertha Loyd, of record in Book 2864, Page 499, said Register's Office; and a tract of land containing 18.0 acres, more or less, conveyed to C. O. Webster, by deed from Lilbern Loyd and wife, Bertha H. Loyd, of record in Book 3186, Page 621, said Register's Office.

Being the same property conveyed to Kirkland W. Todd, Jr., Trustee, with full power to sell, transfer, convey, or encumber without the joinder of any beneficiary, of record in Book 6994, page 544, Register's Office for Davidson County, Tennessee.

EXHIBIT "B"

BOOK 10086 PG 179

RESOLUTION NO. R96-216

A RESOLUTION APPROVING THE PURCHASE OF APPROXIMATELY 1,550 ACRES OF REAL PROPERTY IN DAVIDSON COUNTY, TENNESSEE, FOR THE AMOUNT OF SIX HUNDRED FIFTY THOUSAND DOLLARS ($650,000.00) PLUS NECESSARY CLOSING COSTS, FOR USE AS A PARK/GREENWAY AREA TO BE NAMED THE ALVIN G. BEAMAN PARK, AND APPROPRIATING SIX HUNDRED FIFTY THOUSAND DOLLARS ($650,000.00) FOR THAT PURPOSE.

WHEREAS, Section 13.24.040 of the Metropolitan Code of Laws authorizes the Board of Parks and Recreation to accept gifts, donations, bequests or grants from any source, for any purpose related to the powers and duties of the Board; and

WHEREAS, the Board of Parks and Recreation has accepted a gift from Mrs. Sally Beaman of an amount up to $650,000.00, with the understanding that the gift may only be used to fund the acquisition by the Metropolitan Government of Nashville and Davidson County of property consisting of approximately 1,550 acres located in the vicinity of Little Marrowbone Road, Old Hickory Boulevard, Eaton's Creek Road, and Blueberry Hill Road; and

WHEREAS, this gift further requires that the property will be used and maintained by the Metropolitan Government for at least ninety-nine (99) years as a public park or greenway to be named the Alvin G. Beaman Park; and

WHEREAS, the Metropolitan Code of Laws, Section 2.24.250 (f) states as follows, to wit:

> Where land in fee simple is being purchased for purposes other than for rights-of-way for highways, streets, roads, alleys and other places for vehicular traffic, the director of public property administration shall negotiate for the purchase of such property and seek to obtain from the owner an option to sell to the metropolitan government at a fixed price, subject to the approval of the metropolitan council by resolution, and no purchase shall be consummated until it has been so approved by the metropolitan council.

WHEREAS, the Director of Public Property Administration has negotiated and obtained an option, a copy of which is attached hereto, to purchase approximately 1,550 acres of real property in the Joelton area of Davidson County, Tennessee, located in the

vicinity of Little Marrowbone Road, Old Hickory Boulevard, Eaton's Creek Road, and Blueberry Hill Road, for the amount of Six Hundred Fifty Thousand Dollars ($650,000.00) for park/greenway purposes, the same being more particularly described in the option; and

WHEREAS, it is understood by the Metropolitan Government that the true market value of the aforesaid property, as determined by an appraisal of Joseph M. Draper Company, is One Million Five Hundred Thousand Dollars ($1,500,000.00), and the grantors of the property desire and intend to make this sale as a bargain sale, with the difference between the market value and the cash consideration to be regarded as a contribution or gift by the grantors to the Metropolitan Government; and

WHEREAS, the proposed purchase of property is for purposes other than for rights-of-way for highways, streets, roads, alleys and/or other places for vehicular traffic; and

WHEREAS, this purchase has been approved by the Board of Parks and Recreation and the Metropolitan Planning Commission; and

WHEREAS, it is deemed to be in the best interest of the Metropolitan Government to approve this purchase for the agreed upon price and under the terms agreed upon by the Board of Parks and Recreation.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: That the purchase of approximately 1,550 acres of real property in Davidson County, Tennessee, for the amount of Six Hundred Fifty Thousand Dollars ($650,000.00) plus necessary closing costs, for park/greenway purposes, is approved, all as is more particularly described in the option, a copy of which is attached hereto, and the Director of Public Property is hereby authorized to exercise said option.

Section 2: That the property purchased shall be used and maintained by the Metropolitan Government for at least ninety-nine (99) years as a public park or greenway to be named the Alvin G. Beaman Park.

Section 3: That the $650,000.00 to be received from Ms. Sally Beaman for purchase of the property described in the option shall be deposited in a fund designated

by the Metropolitan Government's Director of Finance, and the appropriation of funds from that account for this purchase is hereby authorized.

Section 4: That this Resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

Joe E. Swing, Director
Public Property Administration

INTRODUCED BY:

Members of Council

Jim Fyke, Director
Parks and Recreation

APPROVED AS TO AVAILABILITY OF FUNDS:

Joe Huddleston
Director of Finance

APPROVED AS TO FORM AND LEGALITY:

Metropolitan Attorney

3200 06/13 0101 03CHECK 68.00