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DAV. CO. CHANCERY COURT

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DAV. CO. CHANCERY COURT

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

BOOK 10157 PG 767

MANUEL R. WEISS,

Plaintiff,

v.

JERRY C. PENDERGRASS,

Defendant.

No.: 96-947-III

FO. 1

114.50 COST PAID

ORDER

ORDER FILED & ENTERED JUL 1 1996
MINUTE BOOK 96 PAGE 182

IT APPEARING TO THE COURT, as noted by the signatures of the attorneys of the parties hereto, that this matter has been compromised and settled, it is accordingly,

ORDERED, ADJUDGED and DECREED as follows:

1. Manuel R. Weiss is hereby declared to be the lawful owner and is vested with absolute and unencumbered title in fee simple to the property hereinafter described:

A TRACT OF LAND in the Second Civil District of Metropolitan Nashville, Davidson County, Tennessee, more fully described according to a survey by Ragan, Smith, Murphy and Associates, Inc., dated June 16, 1986 and a survey by Charles P. Clinard dated April 7, 1987, as follows, to wit:

BEGINNING at an iron pin set in the west line of Parcel 37 on Metro Tax Map 127-12 vested in Ted R. Potter, et ux that is N 3 degrees 24' 00" E, 39.15 feet from a planted stone at the northeast corner of Reserved Parcel "D", Bellevue Manor as recorded in Plat Book 3600, page 32, Register's Office for Davidson County, Tennessee and proceeding with Clinard's survey as follows:

1. S 43 degrees 05' 22" W, 490.12 feet to an iron pin; thence,

2. S 46 degrees 54' 38" E, 25.00 feet to an iron pin; thence,

3. With Ragan, Smith, Murphy and Associates, Inc. Survey, S 43 degrees 05' 22" W, 151.47 feet to an iron pin; thence,

4. S 75 degrees 25' 48" W, 161.96 feet to an iron pin at the easterly end of a 1-acre tract conveyed to Edward B. Raper by Deed recorded in Book 5599, page 430, Register's Office for Davidson County, Tennessee; thence,

5. With the north line of Raper, N 54 degrees 33' 25" W, 176.98 feet to an iron pin; thence,

6. S 83 degrees 50' 09" W, 172.78 feet to an iron pin; thence,

7. S 40 degrees 07' 03" W, 108.00 feet to an iron pin; thence,

8. S 24 degrees 42' 31" E, 100.00 feet to an iron pin at the southwest corner of the 1-acre tract; thence,

9. S 75 degrees 25' 48" W, 50.00 feet to an existing iron pin at the northwest corner of Parcel "D"; thence,

10. With the west line of Parcel "D", S 11 degrees 14' 38" W, 283.42 feet to an existing monument; thence,

11. With a new line, N 56 degrees 06' 37" W, 211.59 feet to an iron pin set; thence,

12. N 21 degrees 28' 44" W, 240.21 feet to an iron pin set in a fence; thence,

13. With a fence, S 86 degrees 35' 49" W, 221.5 feet to an existing planted stone; thence,

14. N 2 degrees 27' 02" E, 1345.23 feet to a red cross painted on a flat rock; thence,

15. S 87 degrees 07' 48" E, 61.30 feet to an iron pin set; thence,

16. S 4 degrees 53' 46" W, 80.67 feet to an iron pin by others; thence,

17. S 89 degrees 39' 18" E, 940.22 feet to an iron pin set by a planted stone; thence,

18. S 58 degrees 01' 22" E, 62.32 feet to an iron pin set; thence,

19. S 3 degrees 24' 00" W, 645.12 feet to the point of beginning and containing 27.4 acres, more or less.

2. Jerry C. Pendergrass and all persons claiming under him shall be and are hereby forever barred from any claim to an estate or interest in the property described in the preceding paragraph.

3. With the exception of his use of an easement for ingress and egress of record in Deed Book 5599, page 430, Register's Office for Davidson County, Tennessee, and his use of the easement created in paragraph 4 herein, Jerry R. Pendergrass, his servants, workers, tenants and agents shall be and are hereby permanently enjoined from coming upon the property of Manuel R. Weiss described in paragraph 1 above. Moreover, in his use of the aforementioned easements, Jerry R. Pendergrass, his servants, workers, tenants and agents shall be and are hereby permanently enjoined from damaging plaintiff's property or interfering with him opening and shutting the gate appurtenant to the easement created in paragraph 4 herein.

4. Jerry C. Pendergrass is hereby granted a perpetual easement for the purpose of creating a parking area on a portion of

Weiss' property which is more particularly described as follows:

BEING a tract of land lying in Nashville, Davidson County, Tennessee, and being part of Lot 4 of Hickory Hill Estates as of record in Plat Book 5200, page 118, at the Register's Office for Dvaidson County, Tennessee, and being part of the property of Manuel R. Weiss, as of record in Deed Book 8240, page 957, and being bounded on the north and east by Lot 3 of Hickory Hill Estates, and being the property Jerry Pendergrass, as of record in Deed Book 9640, page 461, and on the south and west by the remainder of said Lot 4, and being more particularly described as follows:

BEGINNING at an iron rod in the north property line of Lot 4, at a corner common between Lot 3 and Manuel R. Weiss, as of record in Deed Book 8240, page 957; thence, with Lot 3 north 73 degrees 46' 26" east, 61.96 feet to an iron rod; thence, south 28 degrees 06' 21" east, 24.54 feet to a point; thence, with a severance line through Lot 4 south 62 degrees 54' 36" west, 46.81 feet to a point; thence, south 84 degrees 01' 38" west, 15.94 feet to a point; thence, north 26 degrees 21' 39" west, 30.47 feet to the point of beginning containing 1,819 square feet (0.042 acres) more or less.

This easement shall run with Weiss' real property and the title to such property and be binding on Weiss and his heirs and any person who shall, after the effective date of this instrument, acquire title to Weiss' property. The use of this easement is subject to easements for ingress and egress of record in Book 5330, page 411, Book 5330, page 603, Book 5371, page 554, Book 5599, page 430 and Plat Book 5200, page 118, Register's Office for Davidson County, Tennessee.

HMB JEH

5. The costs of this cause are hereby assessed ~~against~~ EQUALLY AGAINST ~~the~~ THE PARTIES ~~defendant~~ for which execution may issue if necessary.

CHANCELLOR

7472 08/15 0101 01CASH 12.00

APPROVED FOR ENTRY:

SCHULMAN, LeROY & BENNETT, P.C.

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FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

IDENTIF. & REFERENCE
0214939

I hereby certify that this is a true copy of original instrument filed in my office
This 15th day of August 19 96
CLAUDIA C. BONNYMAN Clerk & Master
By Theodore Burgoff Deputy Clerk

NASHVILLE TENNESSEE