BOOK 10356 PG 973 Bx 58

This instrument prepared by:
SHERRARD & ROE, PLC
424 Church Street, Suite 2000
Nashville, Tennessee 37219-3304

SPECIAL WARRANTY DEED

Address New Owner(s):	Send Tax Bills To:	Map/Parcel Nos.
Terance W. Janiak 6199 Highway 100 Bon Aqua, TN 37027	Terance W. Janiak 6199 Highway 100 Bon Aqua, TN 37025	Map 102-8Parcel 123

FOR AND IN CONSIDERATION of Ten Dollars ($10.00) cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, Summers & Summers, LLC, a Tennessee Limited Liability Company composed of Thomas C. Summers, Jr. and William H. Summers (hereinafter referred to as the "Grantor"), does hereby, transfer and convey to Terance W. Janiak and wife, Margieann L. Janiak (hereinafter referred to as the "Grantees"), certain real estate being a certain tract or parcel of land in the County of Davidson, State of Tennessee (hereinafter referred to as the "Property"), and more particularly described as follows:

> Lot No. 2 on the Plan of the Revised Re-subdivision of Horton Heights, Sections 2 and 7, as recorded in Book 6200, page 107, Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a more complete description.
>
> Being part of the same property conveyed to Summers & Summers, a Tennessee Partnership composed of Thomas C. Summers, Jr. and W.H. Summers, by deed from Louise Oakley Hailey and Charlotte H. Summers of record in Book 5319, page 542, Register's Office of Davidson County, Tennessee. Title is now vested in Summers & Summers, LLC pursuant to Articles of Conversion which were filed with the Tennessee Secretary of State on September 1, 1995, and of record in Book 9782, page 791, Register's Office of Davidson County, Tennessee.
>
> This is unimproved property known as 847 Hillwood Boulevard, Nashville, Tennessee 37209.

The property conveyed herein shall not be used by any person or entity for the sale distribution or consumption of any alcoholic beverage, nor for the sale, distribution, or display of any pornographic materials in any form or format whatsoever, nor for any illegal purpose. This restriction is for the benefit of, and shall be enforceable by, the owners and occupants from time to time of that certain property adjoining the property conveyed herein, being known generally as 855 Hillwood Boulevard, Nashville, Davidson County, Tennessee, as more fully described on Schedule 1 attached hereto and incorporated herein, and is intended to be a covenant running with the land for a period of twenty (20) years from the date hereof. If any beneficiary shall resort to legal action to enforce this restriction, the record owner of the property conveyed herein shall pay to such beneficiary all costs and expenses incurred by such beneficiary in connection therewith, including without limitation reasonable attorney fees and expenses.

This property shall be subject to a right of first refusal in favor of Grantor as described in a Memorandum that shall be recorded simultaneously herewith.

TO HAVE AND TO HOLD the Property with the appurtenances, estate, title, and interest thereto belonging to the said Grantees, and the Grantees' heirs, successors and assigns forever. Grantor covenants that it is lawfully seized and possessed of the Property in fee simple, has a good right to convey it, and that the same is unencumbered, except for the following Permitted Exceptions:

1. Taxes for 1997 and subsequent years.

2. Subject to matters which a comprehensive, current survey would disclose.

3. Subject to applicable zoning and building regulations and permit requirements.

4. All matters shown on the Plan of the Revised Re-Subdivision of Horton Heights Section 2 & 7 record in Plat Book 6200, page 107, Register's Office for Davidson County, Tennessee.

5. Easements of record in Deed Book 2133, page 25, and Deed Book 1835, page 128, Register's Office for Davidson County, Tennessee.

Excepting only the Permitted Exceptions, Grantor further covenants and binds itself, its heirs, successors and representatives, to warrant and forever defend the title to the Property to the Grantees and to the Grantees' heirs and successors, against persons, parties, and entities claiming by, through or under Grantor, but not otherwise.

IN TESTIMONY WHEREOF, Grantor has caused this deed to be executed by its duly authorized officer, this the 21st day of February, 1997.

SUMMERS & SUMMERS, LLC, a Tennessee limited liability company

By: _____
Thomas C. Summers, Jr., Member

By: _____
William H. Summers, Member

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

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Before me, a Notary Public of the State and County aforesaid, personally appeared THOMAS C. SUMMERS, JR. and WILLIAM H. SUMMERS, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), who upon oath acknowledged that they are the Members of SUMMERS & SUMMERS, LLC, the within named bargainor, and that they further acknowledged that they, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of SUMMERS & SUMMERS, LLC by themselves as Members.

WITNESS my hand and seal at office in Nashville, Tennessee, this 21st day of February, 1997.

Notary Public

My Commission Expires:

11-25-2000



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STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The actual consideration for this transfer of property is $215,250.00 and no other monetary consideration.

AFFIANT

Sworn to and subscribed before me this 21st day of February, 1997.

Notary Public

My Commission Expires:

11-25-2000

MARSHALL L. HIX · NOTARY PUBLIC AT LARGE · STATE OF TENNESSEE

0275585
IDENTIF. ↑ REFERENCE

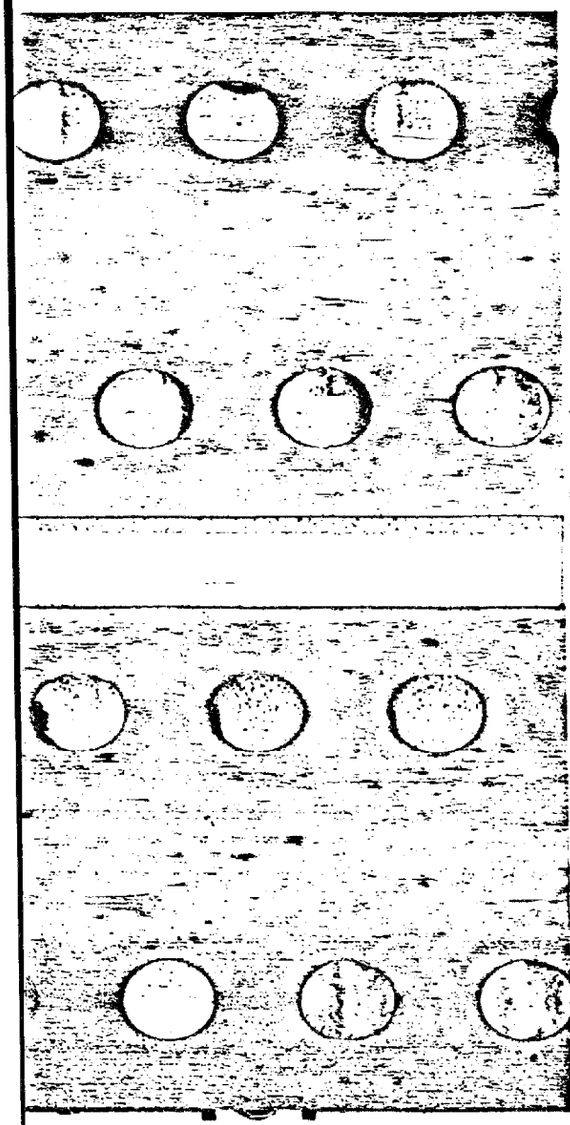
97 FEB 24 AM 10:26
FELIX Z. WILSON III REGISTER
DAVIDSON COUNTY, TN.

Schedule 1

Being Lot No. 1, as shown on the Plan of the Revised Resubdivision of Horton Heights, Sections 2 and 7, of record in Plat Book 6200, page 107, Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a more complete and accurate description.

Being part of the same property conveyed to Summers & Summers, a Tennessee Partnership composed of Thomas C. Summers, Jr. and W.H. Summers, by deed from Louise Oakley Hailey and Charlotte H. Summers of record in Book 5319, page 542, Register's Office of Davidson County, Tennessee. Title is now vested in Summers & Summers, LLC pursuant to Articles of Conversion which were filed with the Tennessee Secretary of State on September 1, 1995, and of record in Book 9782, page 791, Register's Office of Davidson County, Tennessee.

9094 02/24 0101 03CHECK 817.43



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

RECEIVED OF _____

FOR _____

BOOK 10356 PG 978

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 215250.00
CON TX 796.43
PRFEE 1.00
REC BANK 20.00
TOTAL 817.43
CHECK 817.43

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

02/24/97 01 10:34 0001 9094

0275585
IDENTIF. # REFERENCE

97 FEB 24 AM 10:26
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

No. 1119487