BOOK 10843 PG 708

98 MAR 18 PM 2:39

REGISTER'S OFFICE
DAVIDSON COUNTY, TN.

04 13775

IDENTIF. ✦ REFERENCE

This instrument was prepared by:

O'CHARLEY'S INC.
3038 Sidco Drive
Nashville, Tennessee 37204
(615-782-8808)

WARRANTY DEED

Address New Owner as follows:	Send tax bills to:	Map & Parcel Nos:
John H. Arriola, Jr. 225 Elysian Fields Rd. Nashville, TN 37211-3822	Same	133-0-114

FOR AND IN CONSIDEDRATION of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, **O'CHARLEY'S INC.**, a Tennessee corporation, formerly CWF Corporation, has bargained and sold and does hereby transfer and convey unto **JOHN H. ARRIOLA, JR.**, his heirs and assigns, a certain tract of land in Davidson County, Tennessee, being more particularly described as follows, to-wit:

Land in Davidson County, Tennessee, being Lot No. 2 of Windlands Center as recorded in Plat Book 4675, page 138, Register's Office for said County, and being located in the 26th Councilmanic District, Davidson County, Tennessee, and being more particularly described according to a survey made by Ragan-Smith-Associates, Inc., Project No. 97-039, Work Order No. 5698, dated December 31, 1997, as follows:

Beginning at an existing iron pin set in the northeasterly right-of-way line of Nolensville Pike at the westerly common corner of Lot 2 and Lot 3 of Windlands Center as recorded in Plat Book 4860, page 91, Register's Office for Davidson County, Tennessee, said pin being 1,414 feet, more or less, northerly of Elysian Fields Road as measured along the right-of-way line of Nolensville Pike; thence,

1. **With the right-of-way line of Nolensville Pike, North 46 degrees 04 minutes 39 seconds west a distance of 163.04 feet to an iron pin set; thence,**

2. **Leaving said line, North 45 degrees 33 minutes 03 seconds east a distance of 187.39 feet to an iron pin set; thence,**

3. **South 46 degrees 59 minutes 39 seconds east a distance of 163.13 feet to an iron pin set; thence,**

4. **South 45 degrees 33 minutes 03 seconds west a distance of 190.00 feet to the point of beginning and containing 30,752 square feet or 0.706 acres, more or less, as calculated by the above courses which were determined within the precision requirements of a class "Urban" ALTA/ACSM Land Title Survey of 1992.**

Being the same property conveyed to Country & Western Restaurants, Inc., a Tennessee corporation, by Warranty Deed from David K. Wachtel, Jr., of record in Book 6089, page 641, Register's Office for Davidson County, Tennessee. The said Country & Western Restaurants, Inc., a Tennessee corporation, having since become CWF Corporation, a Tennessee corporation, by Articles of Merger filed August 14, 1985 of record in Book 6639, page 316, Register's Office for Davidson County, Tennessee. CWF Corporation has since changed its corporate name to O'Charley's Inc.

TO HAVE AND TO HOLD the Property, together with all the appurtenances and hereditaments thereunto belonging or in anywise appertaining to the said Grantee, his heirs and assigns, forever.

AND GRANTOR does hereby covenant with Grantee that Grantor is lawfully seized and possessed of the Property in fee simple; that it has good right to sell and convey the same; and that the same is unencumbered, except for (1) 1998 real estate taxes which will be prorated and assumed by Grantee; (2) all matters shown on the Plan of record in Plat Book 4675, page 138, as amended by instrument of record in Plat Book 4865, page 623, Register's Office for Davidson County, Tennessee; and (3) Storm Water Detention Agreement of record in Book 6469, page 124, said Register's Office.

AND GRANTOR does further covenant and bind itself, its successors and assigns, to warrant and forever defend the title to the Property against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed by its duly authorized officer on this 9th day of March, 1998.

O'CHARLEY'S INC.

By: _____
Gregory L. Burns
President and Chief Executive Officer

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Gregory L. Burns, who acknowledged himself to be the President and Chief Executive Officer of **O'CHARLEY'S INC., a Tennessee corporation**, the within named bargainor, and that he, as such President and Chief Executive Officer, being authorized so to do, executed the within instrument by himself as such President and Chief Executive Officer.

WITNESS my hand and official seal at Nashville, Tennessee, this 9th day of March, 1998.

MARSHA A. ANDERSON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

_____
NOTARY PUBLIC

My commission expires: _____

STATE OF TENNESSEE
COUNTY OF DAVIDSON

My Commission Expires MAY 02 ....

7522 03/18 0101 03CHECK 1489.00

The actual consideration or value, whichever is greater, for this transfer is $400,000.00.

_____
AFFIANT

Sworn to and subscribed before me this 9th day of March, 1998.

_____
NOTARY PUBLIC

My commission expires: 5/2/98

MARSHA A. ANDERSON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires MAY 02 ....

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

RECEIVED OF _____

FOR _____ BOOK 10843 PG 710

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
400000.00
CON TX 1480.00
PRFEE 1.00
WDEED 8.00
TOTAL 1489.00
CHECK 1489.00

03/18/98 01 14:37 0001 7522

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

0413775
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[illegible] REGISTER
DAVIDSON COUNTY, TN.

No. 1267874