# GENERAL WARRANTY DEED
# AND TERMINATION OF LEASE

FROM: SunTrust Bank, Nashville, National Association, as Trustee under the Will of W. L. Horn, and Roger L. Simmons, Grantors

This instrument was prepared by:
Warren H. Wild, Jr.
Farris, Warfield & Kanaday, PLC
Suite 1800, SunTrust Center
424 Church Street
Nashville, Tennessee 37219

TO: SunTrust Bank, Nashville, National Association, a national banking association, Grantee

[illegible] 4707.50

| Address New Owner(s) as follows: | Name and Address of the Person or Entity Responsible for the Payment of Real Property Taxes | Map-Parcel Number |
|---|---|---|
| SunTrust Bank, Nashville, National Association<br>P. O. Box 305110<br>Nashville, TN 37230-5110<br>Attn: Properties Management | Same | 142-0-57 |

99 MAR 15 PM 1:05
[illegible] REGISTER
DAVIDSON COUNTY, TN.

00561209
IDENTIFICATION & REFERENCE

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration or value, whichever is greater, for this transfer is One Million Two Hundred Sixty Five Thousand and No/100 Dollars ($1,265,000.00).

Nicholas P. Burn
Affiant

SUBSCRIBED AND SWORN TO before me, this the 10th day of March 1999.

Deborah A. Hughes
Notary Public

My Commission Expires: 7/24/99

FOR AND IN CONSIDERATION OF the sum of One Million Two Hundred Sixty Five Thousand and No/100 Dollars ($1,265,000.00), the receipt and sufficiency of which are hereby acknowledged, SUNTRUST BANK, NASHVILLE, NATIONAL ASSOCIATION (formerly Third National Bank in Nashville), TRUSTEE UNDER THE WILL OF W. L. HORN, as to a sixty six and two thirds percent (66 2/3%) undivided interest as tenant in common, and ROGER L. SIMMONS (also known as Roger Simmons), as to a thirty three and one third percent (33-1/3%) undivided interest as tenant in common (together, "Grantors"), have bargained and sold, and by these



RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

presents do transfer and convey unto SUNTRUST BANK, NASHVILLE, NATIONAL ASSOCIATION, a national banking association, ("Grantee"), its successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Property").

The Property is improved property known as 7121 U. S. Highway 70 South (Memphis – Bristol Highway), Nashville, Davidson County, Tennessee.

This conveyance is expressly made subject to those matters more specifically set forth on Exhibit B attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the Property with the appurtenances, estate, title and interest thereto belonging to Grantee, its successors and assigns forever.

And Grantors covenant with Grantee that Grantors are lawfully seized and possessed of the Property in fee simple, Grantors have a good right to convey the Property, and the Property is unencumbered and unrestricted except as to those matters set forth on Exhibit B, to which this conveyance is expressly made subject.

Grantors further covenant and bind Grantors, their heirs, successors and assigns, to warrant and forever defend the title to the Property to Grantee, its successors and assigns, against the lawful claims of all persons whomsoever except as to those matters set forth on Exhibit B, to which this conveyance is expressly made subject.

The Property is commercial property, and is not the place of residence of Grantors, or either of them.

Grantors further by this deed, grant, convey and assign to Grantee, all of Grantors' rights, title and interest in any water taps that have been granted to Grantors or their predecessors in interest with respect to the Property, including, without limitation, the one free tap granted to Grantors in that certain Agreement for Dedication of Easement for Public Utilities appearing of record in Book 8626, page 818, Register's Office for Davidson County, Tennessee.

Grantors and Grantee hereby terminate their Lease dated August 27, 1971, as amended, that appears of record in Book 5156, page 282, in the Register's Office of Davidson County, Tennessee, effective as of the delivery of this deed.

Witness our hands as of this 15th day of March, 1999.

GRANTEE:

SUNTRUST BANK, NASHVILLE, NATIONAL ASSOCIATION

By: [signature]

Title: Vice President

GRANTORS:

SUNTRUST BANK, NASHVILLE, NATIONAL ASSOCIATION (formerly known as Third National Bank in Nashville), Trustee under the Will of W. L. Horn, as to a 66-2/3 percent undivided interest as tenant in common

By: [signature]
David P. Rogers
Title: Vice President and Trust Real Estate Officer

[signature]
Roger L. Simmons, as to a 33 1/3 percent undivided interest as tenant in common (same person as Roger Simmons)

STATE OF North Carolina )
COUNTY OF Lee Hanover )

Personally appeared before me, Sandra S. Exum, a Notary Public of said County and State, ROGER L. SIMMONS, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand, at Office, this 4 day of March, 1999.

[signature]
Notary Public

My Commission Expires: Nov. 8, 2003

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Before me, CINDY M. TYLER, a Notary Public of said County and State, personally appeared David P. Rogers, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be Vice President and Trust Real Estate Officer (or other officer authorized to execute the instrument) of SUNTRUST BANK, NASHVILLE, NATIONAL ASSOCIATION (formerly Third National Bank in Nashville), TRUSTEE UNDER THE WILL OF W. L. HORN, the within named bargainor, a national banking association, and that he as such Vice President and Trust Real Estate Officer executed the foregoing instrument for the purposes therein contained, by signing the name of the bank, in its capacity as Trustee under the Will of W. L. Horn, by himself as Vice President and Trust Real Estate Officer.

Witness my hand and seal, at Office this 8th day of March, 1999.

Cindy M. Tyler
Notary Public

My Commission Expires: 3/24/01

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Before me, Deborah A. Hughes, a Notary Public of said County and State, personally appeared Nicholas P. Burns, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be Vice President (or other officer authorized to execute the instrument) of SUNTRUST BANK, NASHVILLE, NATIONAL ASSOCIATION, the within named bargainor, a national banking association, and that he as such Vice President executed the foregoing instrument for the purposes therein contained, by signing the name of the bank by himself as Vice President.

Witness my hand and seal, at Office this 10th day of March, 1999.

Deborah A. Hughes
Notary Public

My Commission Expires: 7/24/99

EXHIBIT A

PROPERTY DESCRIPTION

Land in Davidson County, Tennessee, being Lot No. 1 on the Plan of W. L. Horn Estate, as shown on Plat of record in Plat Book 4470, page 73, in the Register's Office of Davidson County, Tennessee, to which Plat reference is hereby made for a more complete legal description.

Being a portion of the same property conveyed to W. L. Horn, by deed of record in Book 502, page 78, and Book 498, page 364, in the Register's Office of Davidson County, Tennessee, the said W. L. Horn having since died. The subject property was then vested in Third National Bank in Nashville, as Trustee, pursuant to the Last Will and Testament of W. L. Horn. SunTrust Bank, Nashville, National Association, is the Successor Trustee to Third National Bank in Nashville, who now holds a sixty six and two thirds percent (66-2/3%) undivided interest. The remaining thirty three and one third percent (33-1/3%) undivided interest is owned by Roger Simmons, the sole survivor of Emma Young Horn Browning, daughter of W. L. Horn, and she married prior to attaining the age of forty years. Emma Young Horn, wife of W. L. Horn, is deceased.

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR
PRINTING IN THIS DOCUMENT
UNSATISFACTORY WHEN RECEIVED

EXHIBIT B

Encumbrances



1. The lien for 1999 taxes which will be paid by Grantee.

2. Right of Way for Highway Purposes to State of Tennessee of record in Book 5034, page 369, Register's Office of Davidson County, Tennessee.

3. Agreement for Dedication of Easement for Public Utilities to Harpeth Valley Utility District of record in Book 8626, page 818, said Register's Office.

4. Matters shown in the recorded Plat of record in Book 4470, page 73, said Register's Office.

# OFFICIAL RECEIPT

**BILL GARRETT**
**REGISTER OF DAVIDSON COUNTY**
**NASHVILLE, TENNESSEE**

**RECEIVED OF** _____

**FOR** _____

BOOK 11384 PG. 452

| | | |
|---|---|---|
| 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 | CFEE - COMPUTER FEE | PRFEE - PROBATE FEE |

99 MAR 15 PM 1:05
CHILL GARRETT REGISTER
DAVIDSON COUNTY, TN.

0561209
IDENTIF. # REFERENCE

| | |
|---|---|
| CAMT | |
| | 1265000.00 |
| CON TX | 4680.50 |
| PRFEE | 1.00 |
| WDEED | 24.00 |
| CFEE | 2.00 |
| TOTAL | 4707.50 |
| CHECK | 4707.50 |

03/15/99 01 13:04 0001 B693

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

**No.** 1437824