0579423

IDENTIF. ↑ REFERENCE

20

THIS INSTRUMENT PREPARED BY:
SCHULMAN, LeROY & BENNETT, P.C.
P.O. BOX 190676
NASHVILLE, TN 37219-0676

99 APR 28 AM 9:28

BILL GARNETT REGISTER
DAVIDSON COUNTY, TN.

WARRANTY DEED

BOOK 11450 PG. 495

ADDRESS OF NEW OWNER(S):	SEND TAX BILLS TO:	MAP PARCEL NO.
John E. Tune et al 302 Murfreesboro Road Nashville, TN 37210	Same	Map 105-04-0 Par. 227.00

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater for this transfer is $200,000.00.

Affiant

Sworn and subscribed before me, this 27th day of April, 1999.

Notary Public

Commission Expires:

1/25/2000

For and in consideration of the sum of Ten and No/100 ($10.00) Dollars, cash in hand paid by the hereinafter named Grantees, and other good and valuable considerations, the receipt of which is hereby acknowledged, We, MARTHA COOPER SISK, individually, and BINGHAM SAMUEL SISK and MARTHA COOPER SISK, Co-Executors of the Estate of Kenneth P. Sisk, referred to as Grantors, have bargained and sold, and by these presents do transfer and convey unto JOHN E. TUNE, JULIAN W. TUNE and DAVID C. TUNE, hereinafter referred to as Grantees, their heirs, successors and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follow, to-wit:

See attached Exhibit A.

This is improved property known as 314 Murfreesboro Road, Nashville, Tennessee 37210.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title, and interest thereto belonging to the said Grantees, their heirs, successors and assigns forever, and we do covenant with the said Grantees that we are seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered, except for matters shown on plan of record in Book 547, page 118, Register's Office for Davidson County, Tennessee, and taxes for the year 1999 which the Grantees herein assume and agree to pay.

And Grantors do further covenant and bind ourselves, our heirs and assigns, to warrant and forever defend the title to said land to the said Grantees, their heirs, successors and assigns, against the lawful claims of all persons whomsoever.

WITNESS my hand this 27 day of April, 1999.

Martha Cooper Sisk

Bingham Samuel Sisk, Co-Executor
of Estate of Kenneth P. Sisk

Martha Cooper Sisk, Co-Executor
of Estate of Kenneth P. Sisk

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Ann M. Manning, a Notary Public in and for said County and State, the within named Martha Cooper Sisk, individually, and Bingham Samuel Sisk and Martha Cooper Sisk, as Co-Executors of the Estate of Kenneth P. Sisk, the bargainors, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the within instrument for the purpose therein contained.

Witness my hand and seal, at office in Nashville, Tennessee, this 27 day of April 1999.

Notary Public

Commission Expires:

9-18-99

x:\angus\sisk\wd\1343-128

EXHIBIT A

Being Lots Nos. 5 and 6 on the Plan of J. D. Hostettler's Dixie Highway Subdivision as of record in Book 547, page 118, Register's Office for Davidson County, Tennessee. Said Lots Nos. 5 and 6 front 50 feet each on the northerly side of Murfreesboro Road and run back between parallel lines 142 feet to a dead line.

Included in the foregoing described property but excluded from this conveyance is such portion of Lots Nos. 5 and 6 as were acquired by Davidson County, Tennessee by a decree of the Second Circuit Court of Davidson County, Tennessee, which decree is of record in Minute Book 56, pages 367 and 368, Register's Office for Davidson County, Tennessee. Said decree was entered in the case of *Davidson County v. S. A. Todd et al* (prior owners of Lots Nos. 5 and 6 of the J.D. Hostettler's Dixie Highway Subdivision). The property which vested in Davidson County, Tennessee by this decree is described as follows:

> A strip of land along the southerly margin of said lots 5, 6, 7, 8, 9, 14, 15 and 16 of the property of S.A. Todd and wife Lester F. Todd, bounded on the south by the northerly right-of-way of the present Murfreesboro Pike, on the north by a line parallel to and at all points 40' from the center line of the present Murfreesboro Pike, which coincides with the new center line, on the West by Kenneth Sisk, opposite Station 2 + 20.8 and on the East by the westerly right-of-way of Calhoun Avenue which crosses the center line at Station 8 + 10.3. The intervening lots 10 and 11 are owned by Shell Oil Company and lots 12 and 13 are owned by Kyle Davenport. Said strip fronts 400' on the northerly right-of-way of the present Murfreesboro Pike, has an average width of 7 feet, and contains 0.064 acres, more or less.
>
> Together with the right to construct all cut and fill slopes upon the lands of S. A. Todd and wife, Lester F. Todd, adjacent to said right-of-way, because the graded width of Murfreesboro Pike is to be 80 feet , 40 feet on each side of the center line, the complete width of the right-of-way. The cut and fill slopes occupy an area shown on the plan, but which area is not to be affected except by the slopes.

Because of the problems in tracing title, the following derivation clause is included to show the source of Seller's title:

Lots 5 and 6 of J. D. Hostettler's Dixie Highway Subdivision of record in Book 547, page 118, Register's Office for Davidson County, Tennessee were conveyed to Elizabeth J. Sisk by deed from S.A. Todd et ux, Lester F. Todd, by Installment Deed of record in Book 1279, page 114, Register's Office of Davidson County, Tennessee. The said Elizabeth J. Sisk et vir, B. A. Sisk, conveyed a one-half interest in said lots to Paul F. Ott et ux, Ruth Sisk Ott, by deed of record in Book 1495, page 507, Register's Office for Davidson County, Tennessee. The said Paul F. Ott predeceased Ruth Sisk Ott. On the death of Ruth Sisk Ott, she left a Last Will and Testament of record in Will Book 112, page 129, Probate Court for Davidson County, Tennessee by which she devised her one-half interest to Kenneth Parrish Sisk. Elizabeth J. Sisk died and left a Last Will and Testament which is of record in Will Book 89, page 207, of the Probate Court of Davidson County, Tennessee. Under the terms of this will, the other one-half interest in the aforedescribed property was devised to Bingham H. Sisk, her husband. Bingham H. Sisk subsequently died leaving a Last Will and Testament of record in Will Book 140, page 658, Probate Court for Davidson County, Tennessee. Pursuant to this will, a one-half interest in Lots 5 and 6 was devised to Kenneth Parrish Sisk. The said Kenneth Parrish Sisk, Executor of the Estate of Bingham H. Sisk, deceased, conveyed this one-half interest to Kenneth P. Sisk by Quitclaim Deed of record in Book 6547, page 473, Register's Office for

Davidson County, Tennessee. Kenneth P. Sisk executed a Quitclaim Deed to himself which is of record in Book 7600, page 636, Register's Office for Davidson County, Tennessee for the sole purpose of setting forth his chain of title to said Lots Nos. 5 and 6. A Quitclaim Deed (strawman's deed) is of record in Book 8461, page 822, Register's Office for Davidson County, Tennessee. In this Quitclaim Deed, Kenneth P. Sisk and Martha C. Sisk, the wife of Kenneth P. Sisk, conveyed certain real property including Lots 5 and 6 of J. D. Hostettler's Dixie Highway Subdivision to Angus Gillis, III, Trustee, who in turn and in the same Quitclaim Deed reconveyed said property to Kenneth P. Sisk and Martha C. Sisk as tenants in common. Kenneth P. Sisk died on March 14, 1999 and his will has been probated in the Probate Court of Davidson County, Tennessee under Docket No. 99P604 with Bingham Samuel Sisk and Martha Cooper Sisk having been appointed Co-Executors. B. H. Sisk and Bingham H. Sisk are one and the same person and Kenneth P. Sisk and Kenneth Parrish Sisk are one and the same person. Martha Cooper Sisk and Martha C. Sisk are one and the same person.

BK/GB 04/28/ 0101 03CHECK 758.00

OFFICIAL RECEIPT

BILL GARRETT
REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____ BOOK 11450 PG. 502

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

0579423

IDENTIF. & REFERENCE

99 APR 28 AM 9:28

BILL GARRETT REGISTER
DAVIDSON COUNTY, TN.

CAMT
200000.00
CON TX 740.00
PRFEE 1.00
WDEED 16.00
CFEE 2.00
TOTAL 759.00
CHECK 759.00

04/28/99 01 09:30 0001 8058

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

No. 1477981