315
MB

QUITCLAIM DEED

From: Susan K. Cheek

To: John H. Cheek, III

This instrument prepared by:
Michael W. Binkley
150 Second Avenue North, Suite 300
Nashville, Tennessee 37201-1920

Address New Owner:	Send Tax Bills To:	Map/Parcel Nos.
7588 Buffaloe Road Nashville	Same	Part of Map 113-00-194 Field Book 9D 81912

Davidson County DEEDQC
Recvd: 07/23/04 15:42 4pgs
Fees:22.00 Taxes:0.00
20040723-0088582

AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The undersigned, after being first duly sworn according to law, does make oath and affirm that this Quitclaim Deed was executed and delivered in accordance with the terms of a Divorce Decree and Martial Dissolution Agreement in that certain case styled John Hancock Cheek, III v. Rhonda Susan Kitchen Cheek, Fourth Circuit Court for Davidson County, Tennessee, Docket No. 03D-1358, and that there was no other consideration given for the transfer.

Affiant – John H. Cheek, III

SUBSCRIBED AND SWORN TO before me this 21st day of July, 2004.

MICHELEE B. BRISSETTE NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

NOTARY PUBLIC
My Commission Expires: 07.30.05

This transaction is exempt from tax under the provisions of Tenn. Code Ann. §67-4-409(E), and in accordance with the terms and conditions of the Final Divorce Decree in that certain case styled John Hancock Cheek, III v. Rhonda Susan Kitchen Cheek, Fourth Circuit Court for Davidson County, Tennessee, Docket No. 03D-1358, Susan K. Cheek (the "Grantor") by these presents hereby sells, assigns and quitclaims unto John H. Cheek, III (the "Grantee") all of Grantor's right, title and interest in and to certain land in Davidson County, Tennessee, being more particularly described as follows (the "Property"):

Tract I

Land in Davidson County, Tennessee, described as follows:

BEGINNING on an iron pin, in the north right of way of Buffalo Road, at the southeast corner of the Madison Smith, et ux property, as of record in Book 3954, page 114, Register's Office for Davidson County, Tennessee; thence with the right of way of said road to points as follows: With a arc of a 920.09 foot radius to the left, a chord bearing of south 45 degrees 31 minutes 52 seconds west, a arc distance of 89.53 feet, thence south 42 degrees 44 minutes 36 seconds west, 113.75 feet to a metal fence post; thence leaving said road, on a new line, north 40 degrees 47 minutes 42 seconds west, passing over a metal fence post at 425.20 feet, on-in-all, 426.20 feet to a point at the south edge of a concrete driveway; thence with the edge of said drive, north 81 degrees 58 minutes 59 seconds west 68.41 feet to a point in Bennett's east line; thence north 40 degrees 47 minutes 42 seconds west 24.23 feet to a metal fence post on the north side of said Drive, Bennett's northeast corner; thence with the Underwood property of record in Book 3570, page 255, Register's Office for said County, north 40 degrees 47 minutes 42 seconds west 91.20 feet to an existing iron pin; thence north 79 degrees 15

minutes 23 seconds west 264.82 feet; thence north 05 degrees 00 minutes 00 seconds west, passing over a metal fence post at 57.95 feet, on-in-all, 553 feet to an iron pin in the west line of the Madison Smith, et ux property; thence with Madison Smith, et ux property, south 44 degrees 55 minutes 00 seconds east 1233.67 feet to the point of beginning, containing 5.75 acres, more or less and shown as Tract 1 on a survey made by Bennett and Sons Surveyors & Planners, Inc., Mack Bennett, Jr., R.L.S. Tenn. #477, dated March 7, 1991, revised March 11, 1991.

Being part of the property conveyed to Sigurd Edward Lee and wife, Kim Jones Lee by deed from Gerald B. Smith and wife, Sue Fuller Smith, as of record in Book 5531, page 730 and by Deed of Correction of record in Book 7522, page 80, Register's Office for said County.

Being the same property conveyed to John H. Cheek, III and wife, Susan K. Cheek by Sigurd Edward Lee and wife, Kim Jones Lee, by Warranty Deed dated March 16, 1991 and recorded in the Register of Deed's office at Book 8312, page 429.

Tract II

Land in Davidson County, Tennessee, described as follows:

BEGINNING on a metal fence post, the northeast corner of the Bruce A. Bennett, et ux, property as of record in Book 7267, page 836, Register's Office for Davidson County, Tennessee; thence south 43 degrees 06 minutes 32 seconds west, 20.65 feet to a point on the south edge of a concrete driveway; thence with the edge of said driveway to points as follows: north 84 degrees 50 minutes 27 seconds west 75.39 feet, north 86 degrees 19 minutes 38 seconds west, 77.91 feet; north 88 degrees 47 minutes 01 seconds west 73.06 feet; thence with the arc of a 107.59 foot radius curve to the right, a chord bearing of north 59 degrees 16 minutes 23 seconds west, an arc distance of 110.83 feet; thence with the arc of a 105.00 foot radius curve to the right, a chord bearing of north 00 degrees 03 minutes 13 seconds east, a arc distance of 117.74 feet; thence north 32 degrees 10 minutes 34 seconds east 11.91 feet to a point in the east boundary line of the Edward Douglas Underwood, et ux property as of record in Book 3570, page 255, Register's Office for Davidson County, Tennessee; thence south 05 degrees 00 minutes 00 seconds east, 55.95 feet to a point; thence south 79 degrees 15 minutes 23 seconds east, 264.82 feet to an existing iron pin; thence south 40 degrees 47 minutes 42 seconds east 91.20 feet to the point of beginning, containing 0.68 acres, more or less, and show as Tract 2 on a survey made by Bennett and Sons Surveyors & Planners, Inc., Mack Bennett, Jr., R.L.S. Tenn. #477, dated March 7, 1991, revised March 11, 1991.

Being the same property conveyed to Sigurd Edward Lee and wife, Kim Jones Lee by deed from Douglas Underwood and wife, Evelyn O. Underwood, as of record in Book 8312, page 424, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to John H. Cheek, III and wife, Susan K. Cheek by Sigurd Edward Lee and wife, Kim Jones Lee, by Warranty Deed dated March 16, 1991 and recorded in the Register of Deed's office at Book 8312, page 429.

Tract III

Being a certain tract of land located in the 23 Councilmanic District of Metropolitan Nashville-Davidson County, Tennessee and being more particularly described as follows:

Beginning on an iron rod situated by a concrete drive at the top of a steep hill, said iron pipe being the most northeasterly corner of the Donald L. Winters, Jr. property as evidenced in Bk 8733 Pg 302 Registers Office of Davidson County, Tennessee (RODC, TN), bearing a red plastic cap stamped "Underwood, TN RLS#1299; said iron rod also being situated in the western boundary line of Tract 2 of the John H. Cheek III, et ux property as evidenced in Bk 8312 Pg 346 RODC, TN;

THENCE, with the said Winters northerly boundary line S 80°-42'-45" W – 129.62' to an iron rod on the slope of the hill, said iron rod being the most southeasterly corner of Tract 2;

THENCE, with the said Tract Two N 13°-23'-36" W – 434.25' to an iron rod on the slope of the hill;

THENCE, S 80°-42' 45" W – 144.00' to an iron rod situated by a wooden fence post, said iron rod being in the eastern boundary line of Hilliard & Leon Travis as evidenced in Bk 8149 Pg 566 RODC, TN;

THENCE, with Travis and generally with a wire fence the following calls:

N 03°-52'-04" W – 131.49' to a wooden fence post;
N 03°-01'-58" W – 205.74' to an iron rod situated by a wooden fence post;
N 11°-30'-21" W – 196.25' to a wooden fence post;
N 12°-39'-04" W – 73.56' to an iron rod situated by a wooden fence post intersection;

THENCE, continuing with Travis and generally with a different wire fence line the following calls:

S 88°-12'-32" E – 246.68' to a wooden fence post;
N 87°-53'-07" E – 141.98' to a iron pipe (leaning) at a fence intersection, said iron rod being a corner of the Phillip R. Jones, et ux property as evidenced in Bk 8765 Pg 346 RODC, TN and the most northeasterly corner of this tract;

THENCE, leaving the said Travis property and with the said Jones property and generally with a wire fence S 07°-30'-00" E – 400.80' to an iron rod in a rockpile (leaning), said iron rod being the most northerly corner of Tract 1 of the aforesaid John H. Cheek property;

THENCE, leaving Jones and with the said Cheek S 03°-11'-46" E – 497.06' to an iron rod situated near a concrete drive, said iron rod being the most northerly corner of Tract 2 of the said John H. Cheek property;

THENCE, leaving the said Cheek's Tract 1 and with the said Cheek's Tract 2, generally with the edge of a concrete drive and with a curve to the left, said curve having a Radius of 102.07', a Delta Angle of 42°-58'-19" and an Arc Length of 76.55' (Chord = S 12°-29-39" W – 74.77') to the Point of Beginning.

Containing 6.80 Acres± (296,256 Square Feet), according to a survey by J.R. Faulk, TN RLS #2122 dated September 4, 2002.

Being a portion of the same tract conveyed to Sydney U. Rogers by Evelyn O. Underwood as evidenced in Bk 10835 Pg 407 RODC, TN.

Being the same property conveyed to John H. Cheek, III and wife, Susan K. Cheek by Sydney U. Rogers by Warranty Deed dated August 29, 2002 and recorded in the Register of Deed's office on September 10, 2002.

The above description is the same as in the previous deed of record.

WITNESS my hand this 21st day of July, 2004.

Susan K. Cheek

SUSAN K. CHEEK

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before the undersigned, a Notary Public in and for the State and County aforesaid, Susan K. Cheek, with whom I am personally acquainted, who acknowledged that she executed the foregoing instrument for the purposes therein contained.

WITNESS my hand, at office, this 21st day of July, 2004.

NOTARY PUBLIC
My Commission Expires: 07-30-

MICHAELE P. BRISSETTE
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.