Davidson County DEEDQC
Recvd: 01/10/05 10:18 5 pgs
Fees:27.00 Taxes:0.00

20050110-0003341

1624 Elm Hill Pike

This instrument prepared by
or under the direction of:
Christopher Commander
Counsel for
CSX Transportation, Inc.
500 Water Street
Jacksonville, Florida 32202

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS
$ 10 James Burrow
AFFIANT
SUBSCRIBED AND SWORN TO BEFORE ME, THIS
THE 10 DAY OF Jan 20 05
Deputy Register

**RETURN TO:** **Michele C. Powell, Family Trust**
**6944 Stone Creek Road**
**Nashville, TN 37221**

## BILL OF SALE and QUITCLAIM DEED

THIS BILL OF SALE AND QUITCLAIM DEED, made as of this 7th day of June, 2004, by and between CSX TRANSPORTATION, INC., a Virginia corporation, successor in interest through merger and name change to the Louisville and Nashville Railroad Company, whose mailing address is 500 Water Street, Jacksonville, Florida 32202, hereinafter called "Grantor," and MICHELE C. POWELL, FAMILY TRUST, whose mailing address is 6944 Stone Creek Road, Nashville, TN 37221, hereinafter called "Grantee"; WITNESSETH:

THAT Grantor, for and in consideration of the sum of ONE U. S. DOLLARS ($1.00), paid to Grantor by Grantee, the receipt whereof is hereby acknowledged, does hereby BARGAIN, SELL, TRANSFER and DELIVER unto Grantee all of Grantor's right, title and interest in and to the following goods and/or chattels, hereinafter "the Improvements", to wit:

A railroad bridge currently owned by Grantor consisting of wood crossties, steel rails on steel support of stone casting and pier work, formed concrete abutments on the West side and the East side of Mill Creek North of Elm Hill Pike and West of Massman Drive shown on Exhibit "A" attached hereto, to include all rail improvements between face of Pier 66.68 and face of Pier 68.55 over Mill Creek, located in Nashville, Davidson County, TN.

Said Improvements, related facilities and appurtenances are sold "as is, where is," in place, in exactly the condition in which the same exist on the date of this instrument, and without warranty as to the merchantability or fitness thereof for any purpose, and without any other warranty by Grantor, expressed or implied, except that Grantor warrants: that Grantor is the lawful owner of said goods and chattels; that the goods and chattels are free from all liens and encumbrances; and that Grantor has good right to sell its interest in the same as aforesaid.

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

FURTHER, Grantor, for the consideration recited above, the receipt whereof is hereby acknowledged, does hereby QUITCLAIM and RELEASE unto Grantee, its successors, representatives and assigns, all right, title and interest, if any, in and to the following described tract of land, (hereinafter "the Premises"):

> BEING a portion of property recorded in Deed Book 4307, Page 593, Register's Office of Davidson County, Tennessee, to wit: BEGINNING at the intersection of the old railroad right-of-way with the northerly line of Elm Hill Pike; thence in a northeasterly direction with the old railroad right-of-way one hundred (100) feet, more or less, to a point thirty (30) feet from railroad centerline; thence North 34°50' East, two hundred twenty (220) feet, more or less, to a point in the center of Mill Creek; thence upstream with the center of Mill Creek, seventy-one (71) feet, more or less, to a point; thence South 34° 50' West, parallel to railroad centerline and forty (40) feet southeasterly therefrom, two hundred fifty (250) feet, more or less, to a point in the northerly right-of-way of relocated Elm Hill Pike, said point being forth (40) feet from survey centerline; thence westerly along said Elm Hill Pike to the Point of Beginning; containing 0.4 of an acre, more or less.

TO HAVE AND TO HOLD the Premises, and all the estate, right, title, lien, interest and claim whatsoever of Grantor therein, either in law or equity, and all improvements thereon and appurtenances thereto, unto the proper use, benefit and enjoyment of Grantee, Grantee's heirs and assigns or successors and assigns, forever.

Grantee acknowledges that this Instrument is made upon Grantee's solicitation and request, and was not in anyway initiated by Grantor. Grantor does not represent or warrant to Grantee any ownership or estate in the Premises or any specific title or interest in the Premises, which constituted a strip of Grantor's former railroad operating property; and Grantee hereby releases Grantor, its officers and agents, from any claim or demand resulting from this Instrument, or from any failure of or defect in Grantee's title to the Premises.

Said covenant(s) shall run with title to the Premises conveyed, and bind upon Grantee, Grantee's heirs, legal representatives and assigns, or corporate successors and assigns, and anyone claiming title to or holding Premises through Grantee.

Grantor, by its undersigned officer, hereby certifies that the actual consideration for the release of all property rights quitclaimed hereby is $1.00, including any property exchanged and any financing. The Michele C. Powell, Family Trust, Grantee, whose address is 6944 Stone Creek Road, Nashville, TN 37221 is responsible for taxes.

IN WITNESS WHEREOF, CSX TRANSPORTATION, INC., pursuant to due corporate authority, has caused its name to be signed hereto by its officers hereunto duly authorized and its corporate seal, duly attested, to be hereunto affixed.

Signed, sealed and delivered
in the presence of:

Betty D. Jones
Betty D. Jones

Regina A. Taylor-Murphy

CSX TRANSPORTATION, INC.:

By: S A Crosby
Print Name: Stephen A. Crosby
Print Title: President, CSX Real Property, Inc.

Attest Donna W. Melton (SEAL)
Secretary
Print Name: Donna W. Melton

STATE OF FLORIDA )
) SS.
COUNTY OF DUVAL )

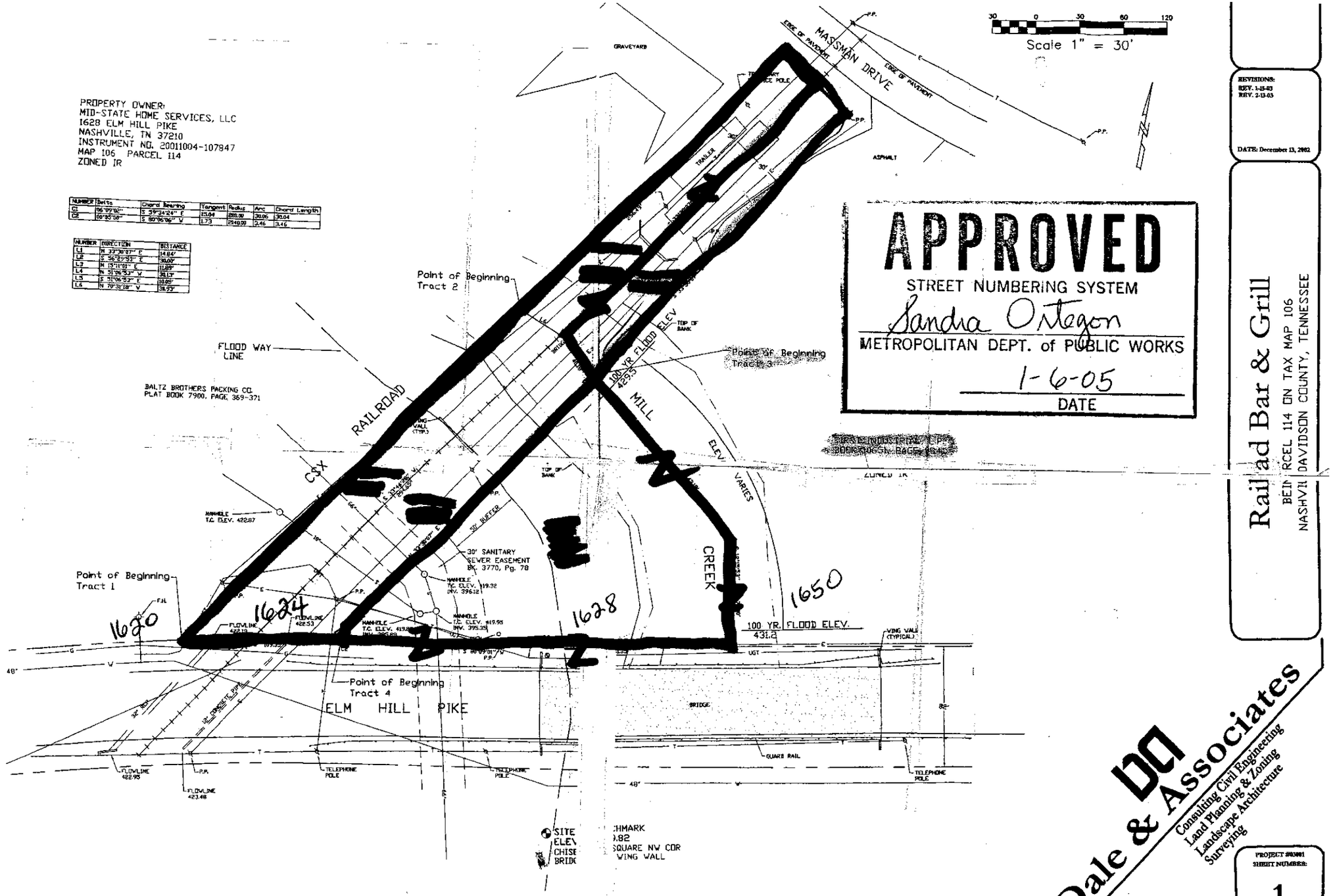
I, Regina A. Taylor-Murphy, a Notary Public of the State of Florida and the County of Duval, do certify that, on the date below, before me in said County came Stephen A. Crosby (X) to me known, and/or ( ) proven by satisfactory current evidence to be the person whose name is subscribed to the above instrument, who, being by me first duly sworn, did make oath, acknowledge and say that: he resides in Jacksonville, Duval County, Florida; (s)he is President-CSX Real Property, Inc., signing on behalf of CSX Transportation, Inc., the corporation described in and which executed said instrument; he is fully informed of the contents of the instrument; he knows the seal of said corporation; the seal affixed to said instrument is such seal; it was so affixed by authority of the Board of Directors of said corporation; he signed his name thereto for said corporation pursuant to Board authority; and instrument is the free act and deed of said corporation; and the conveyance herein is not part of a transaction, sale, lease, exchange or other transfer or conveyance of all or substantially all of the property and/or assets of the Grantor.

IN WITNESS WHEREOF, I hereunto set my hand and official seal, this 7th day of June, 2004

My commission expires on:

Regina A Taylor-Murphy
My Commission DD185582
Expires February 19, 2007

Notary Public (SEAL)
Print Name: Regina A. Taylor-Murphy


Scale 1" = 30'
PROPERTY OWNER:
MID-STATE HOME SERVICES, LLC
1628 ELM HILL PIKE
NASHVILLE, TN 37210
INSTRUMENT NO. 20011004-107847
MAP 106 PARCEL 114
ZONED IR
APPROVED
STREET NUMBERING SYSTEM
Sandra Ortegon
METROPOLITAN DEPT. of PUBLIC WORKS
1-6-05
DATE
Point of Beginning Tract 1
Point of Beginning Tract 2
Point of Beginning Tract 3
Point of Beginning Tract 4
FLOOD WAY LINE
RAILROAD
CSX
MILL CREEK
100 YR. FLOOD ELEV. 431.2
30' SANITARY SEWER EASEMENT BK. 3770, Pg. 78
BALTZ BROTHERS PACKING CO. PLAT BOOK 7900, PAGE 369-371
MASSMAN DRIVE
ELM HILL PIKE
GRAVEYARD
ASPHALT
BRIDGE
1620
1624
1628
1650
REVISIONS:
REV. 1-15-03
REV. 2-13-03
DATE: December 13, 2002
Railroad Bar & Grill
BEING PARCEL 114 ON TAX MAP 106
NASHVILLE DAVIDSON COUNTY, TENNESSEE
Site Plan
Dale & Associates
Consulting Civil Engineering
Land Planning & Zoning
Landscape Architecture
Surveying
816 Heather Place
Nashville, Tennessee 37204
(615) 297-5166
PROJECT #03001
SHEET NUMBER:
1
1OF1