H1A
318
LISA

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)
The actual consideration for this transfer or value of property (whichever is greater) is $220,000.00. This is equal to or greater than the property would bring at a fair and voluntary sale.

Affiant

Sworn to and subscribed before me this 24th day of March 2006.

Notary Public
My Commission Expires: 5-23-09

LIANA C. MORRIS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TN
My Commission Expires May 23, 2009

THIS INSTRUMENT PREPARED BY:
HOLLINS & ASSOCIATES, PLLC
401 Church Street, Suite 2720
Nashville, Tennessee 37219

Davidson County DEEDWARR
Recvd: 03/24/06 15:09 4 pgs
Fees:22.00 Taxes:0.00
20060324-0034092

ADDRESS NEW OWNER:
222 Third Avenue North
Nashville, TN 37201

SEND TAX BILL TO:
EXEMPT

Map 133
Parcel: 70

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid by the hereinafter named GRANTEE, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, DAVID H. KELLEY and wife, JOYCE A. KELLEY, hereinafter the GRANTOR, has bargained and sold, and by these presents does transfer and convey unto THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE, hereinafter the GRANTEE, its successors, representatives and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, more particularly described as follows:

SEE ATTACHED EXHIBIT A, WHICH IS INCORPORATED HEREIN BY THIS REFERENCE.

This is improved property known as 497 Paragon Mills Road, Nashville, Tennessee, 37211

This conveyance is made subject to such limitations, restrictions and encumbrances of record as may affect the premises, including but not limited to the following:

SEE ATTACHED EXHIBIT B, WHICH IS INCORPORATED HEREIN BY THIS REFERENCE.

TO HAVE AND TO HOLD the said tract or parcel of land with the appurtenances, estate, title and interest thereto belonging to said GRANTEE, its representatives and assigns, forever; GRANTORS do further covenant with said GRANTEE that GRANTORS are lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered except as otherwise herein set out; and they do further covenant and bind themselves, their successors and representatives, to warrant and forever defend the title to the said land to the said GRANTEE, its successors, representatives and assigns, against the lawful claims of all persons whomsoever.

The following restrictions and provisions are hereby imposed by the Grantee, The Metropolitan Government of Nashville and Davidson County, Tennessee, on the property described in attached Exhibit "A", as covenants running with the land:

1. The property shall be dedicated and maintained in perpetuity for uses compatible with open space, recreational, or wetlands management practices; and
2. No new structure(s) will be built on the property except as indicated below:
   a) A public facility that is open on all sides and functionally related to a designated open space or recreational use;
   b) A rest room; or
   c) A structure that is compatible with open space, recreational, or wetlands management usage and proper floodplain management policies and practices, which the Director of the Federal Emergency Management Agency approves in writing before the construction of the structure begins.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS my hand this 24th day of March 2006.

GRANTOR:

David H. Kelley

Joyce A. Kelley

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public of said County and State, David H. Kelley and Joyce A. Kelley, the within named 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 purposes therein contained.

WITNESS my hand, at office, this 24th day of March 2006.

Notary Public

My Commission Expires: 5-23-09



EXHIBIT A
Real Property Description

A certain tract or parcel of land in Davidson County, in the State of Tennessee, described as follows:

Land in the 6th, formerly the 9th Civil District of Davidson County, Tennessee, described and according to a survey made by Geo. W. Warkins, Surveyor, May 16, 1958, and further described according to a survey of John Kohl, dated May 7, 1973, as follows:

Beginning at a railroad spike in the center of Paragon Mills Road at the northeast corner of the property conveyed to John Murphy Myatt and wife, by deed from William Travis, of record in Book 2797, Page 1, Register's Office for said County; thence with the center of said road, north 50 degrees 05 minutes east 299 feet to a point on side of road; thence north 59 degrees 05 minutes east 185 feet to a stake at mouth of branch; thence crossing said branch, north 77 degrees 30 minutes east 77 feet to a 15 inch elm; thence south 7 degrees 50 minutes west 120 feet to hackberry clump; thence along a fence line, south 11 degrees west 287 feet to a post; thence south 1 degree 20 minutes west 185 feet to an iron pin at a corner of Myatt property; thence with the northeasterly line of said Myatt property, north 54 degrees west 487 feet to beginning.

Included in the above description, but expressly excluded is the property conveyed to the Metropolitan Government of Nashville and Davidson County, for the widening of Paragon Mills Road, of record in Book 7499, page 74, said Register's Office and described as follows:

Beginning at a point on the existing southeasterly right-of-way of Paragon Mills Road and on the northeasterly property line of Stella M. Taylor as recorded in Deed Book 5745, page 447, R.O.D.C., said point being 16.50 feet right of the centerline of Paragon Mills Road; thence North 54 degrees 22 minutes 41 seconds East 58.47 feet along the existing right-of-way of Paragon Mills Road to a point; thence 236.21 feet along a curve to the left, said curve having a radius of 1736.18 feet and a chord of North 50 degrees 28 minutes 50 seconds East 236.03 feet to a point at a corner of the Sallie Laux Sawyer property as recorded in Deed Book 4963, page 290, R.O.D.C., said point being 16.50 feet right of the centerline of Paragon Mills Road; thence North 61 degrees 54 minutes 45 seconds East 31.17 feet along the Sallie Laux Sawyer property to a point on a proposed right-of-way widening of Paragon Mills Road, said point being 25.00 feet right of the centerline of Paragon Mills Road; thence 267.43 feet along a curve to the right, said curve having a radius of 1744.68 feet and a chord of South 49 degrees 59 minutes 13 seconds West 267.17 feet to a point; thence South 54 degrees 22 minutes 41 seconds West 56.10 feet along a proposed right-of-way widening of Paragon Mills Road to a point on the northeasterly property line of Stella M. Taylor, said point being 25.00 feet right of the centerline of Paragon Mills Road; thence North 51 degrees 10 minutes 16 seconds West 8.82 feet along the Stella M. Taylor property to a point on the existing right-of-way of Paragon Mills Road at the point of beginning.

Being the same property conveyed to David H. Kelley and wife, Joyce A. Kelley by Warranty Deed from Paul F. Durham and Sid D. Durham, tenants in common, dated December 14, 1994 and recorded January 5, 1995 as/in Book 9564, Page 328, Register's Office for Davidson County, Tennessee.

EXHIBIT B
PERMITTED EXCEPTIONS

1. City and/or County Taxes for the year 2006 and subsequent years: A lien, not yet due and payable.

2. Subject to easements of record in Book 3312, page 560, Book 7499, page 74 and Book 9564, page 328, all in the Register's Office for Davidson County, Tennessee.

3. Subject to the right-of-way of Paragon Mills Road across so much of the premises as may lie therein.

4. Subject to the flow of any creeks, streams, or branches across subject property.

5. Subject to the flow of Seven Mile Creek across so much of the premises as may lie therein.