THIS INSTRUMENT PREPARED BY:
WYATT, TARRANT & COMBS, LLP
2525 West End Avenue, Suite 1500
Nashville, Tennessee 37203-1423

Davidson County DEEDWARR
Recvd: 01/08/08 15:29 5 pgs
Fees:27.00 Taxes:0.00



20080108-0002411

Conveyance to The Metropolitan Government of Nashville and Davidson County, Tennessee – EXEMPT

NAME AND ADDRESS OF NEW OWNER:
Metropolitan Government of Nashville and Davidson County, Tennessee
222 Third Avenue North, 701
Nashville, Tennessee 37201

SEND TAX BILL TO:
EXEMPT

Map/Parcel: 04700017000 and 04700017100

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, GREENWAYS FOR NASHVILLE, a Tennessee non-profit corporation, 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 unimproved, vacant property known as 5619 and 5623 Old Hickory Boulevard, Nashville, Davidson County, Tennessee.

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 successors, 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 restriction and provisions are hereby imposed upon the GRANTEE, its successors, representatives and assigns, on the Property described in attached Exhibit "A", as covenants running with the land:

The Property shall be used and maintained in its entirety by the GRANTEE for at least ninety (90) years, pursuant to T.C.A. Section 66-1-202(a)(2), as part of Beaman Park, as a public park or greenway. The Property shall be named the PROCTOR FAMILY FARM.

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 27th day of December 2007.

GRANTOR:

GREENWAYS FOR NASHVILLE,
A Tennessee non-profit corporation

By: Jane Lamb

Printed Name: Jane Lamb

Title: Coordinator

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public of said County and State, personally appeared Jane Lamb, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be the Coordinator of GREENWAYS FOR NASHVILLE, the within named bargainor, a Tennessee non-profit corporation, and that as such Jane Lamb executed the foregoing instrument for the purposes therein contained, by personally signing the name of the corporation by herself as Coordinator.

Witness my hand and official seal at office, this 27th day of December, 2007.

Janet Bowden Frazier
Notary Public

My Commission Expires: September 25, 2010

STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY
JANET BOWDEN FRAZIER

45364881.1

EXHIBIT A
Real Property Description

TRACT NO. V on the Jesse Hampton Division of Tract No. 16 of the E. E. Brown lands, not of record, described according to a survey by Ralph W. C. Lambert, dated June 22, 1976, and revised July 19, 1976, as follows: BEGINNING at an iron pin in the westerly margin of Old Hickory Boulevard; thence with said margin, North 22 degrees East 100 feet to an iron pin; thence leaving said margin, North 60 degrees 27 minutes West 3,119.48 feet to an iron pin; thence South 22 degrees West 753.25 feet to an iron pin; thence South 72 degrees 30 minutes East 3,102.00 feet to the point of beginning, containing 30.29 acres, more or less.

TRACT NO. VI on the Jesse Hampton Division of Tract No. 16 of the E. E. Brown lands, not of record, described according to a survey by Ralph W. C. Lambert, dated June 22, 1976, and revised July 19, 1976, as follows: BEGINNING at an iron pin in the westerly margin of Old Hickory Boulevard; thence with said margin, North 22 degrees East 135 feet to an iron pin; thence leaving said margin, North 60 degrees 27 minutes West 854.2 feet to an iron pin; thence North 49 degrees 51 minutes West 2,363.22 feet to an iron pin; thence North 22 degrees East 1,895.79 feet to an iron pin; thence North 87 degrees 48 minutes 20 seconds West a distance of 3,374.74 feet to an iron pin; thence South 4 degrees 08 minutes 50 seconds West 2,457.88 feet to an iron pin; thence South 75 degrees 32 minutes East 2,442.0 feet to an iron pin; thence North 22 degrees East 753.25 feet to an iron pin; thence South 60 degrees 27 minutes East 3,119.48 feet to the point of beginning and containing 203.9 acres, more or less.

LESS AND EXCEPT:

Being a tract of land in the first councilmanic district of Davidson County, State of Tennessee, identified as Tract 1 in that boundary survey dated November 11, 2006 prepared by Jesse E. Walker, Tennessee Registered Land Surveyor #1486, and located on the west margin of Old Hickory Boulevard, and being a portion of O'Neil (Map 47 Parcel 115.00) more particularly described as follows:

To find the beginning start at an iron pin, said iron pin being the southeast corner of O'Neil (Map 47 Parcel 115.00), and said iron pin being the northeast corner of Kingdon as evidenced in Deed Book 9688 Page 884, Register's Office for Davidson County, Tennessee, following the line common to O'Neil (Parcel 115.00) and to Kingdon, North 70 degrees 51 minutes 44 seconds West a distance of 3,013.26 feet to an iron pin, the BEGINNING, said pin also the southwest corner of the property herein described, and said iron pin being the southwest corner to O'Neil (Parcel 115.00), and said iron pin being the northwest corner of Kingdon, and said iron pin being in the east line of Loiseau (Map 47 Parcel 1.00) as evidenced in Deed Book 7742 Page 135, Register's Office for Davidson County, Tennessee, thence;

1. leaving Kingdon, following the north line of O'Neil (Map 47 Parcel 115.00), North 18 degrees 41 minutes 53 seconds East passing an iron pin at a distance of 60.19 feet said iron pin being the northeast corner of Loiseau (Map 47 Parcel 1.00) and said iron pin being in the south line of O'Neil (Map 47 Parcel 113) a total distance of 745.67 feet to an iron pin, said iron pin being in the south line of O'Neil (Map 47 Parcel 113), thence;

2. following the line common to O'Neil (Map 47 Parcel 113.00) and to O'Neil (Map 47 Parcel 115.00), South 58 degrees 47 minutes 49 seconds East a distance of 807.21 feet to an iron pin, thence:

3. leaving the south line of O'Neil (Map 47 Parcel 113), severing O'Neil (Map 47 Parcel 115) South 18 degrees 41 minutes 53 seconds West a distance of 576.93 feet to an iron pin, said iron pin being the southeast corner of the property herein described and said iron pin being in the line common to O'Neil (Map 47 Parcel 115.00) and to Kingdon, thence;

4. following the line common to O'Neil (Map 47 Parcel 115.00) and to Kingdon, North 70 degrees 51 minutes 44 seconds West a distance of 788.08 feet to an iron pin, the BEGINNING, containing 11.9630 acres more or less.

AND

Being a tract of land in the first councilmanic district of Davidson County, State of Tennessee, identified as Tract 2 in that boundary survey dated November 11, 2006 prepared by Jesse E. Walker, Tennessee Registered Land Surveyor #1486, and located on the west margin of Old Hickory Boulevard, and being a portion of O'Neil (Map 47 Parcel 113.00) and being more particularly described as follows:

To find the beginning start at an iron pin, said iron pin being the southeast corner of O'Neil (Map 47 Parcel 115.00), and said iron pin being the northeast corner of Kingdon as evidenced in deed Book 9688 Page 884, RODCT, following the line common to O'Neil (Parcel 115.00) and to Kingdon, North 70 degrees 51 minutes 44 seconds West a distance of 3,013.26 feet to an iron pin, said iron pin being the southwest corner to O'Neil (Parcel 115.00), and said iron pin being the northwest corner of Kingdon, and said iron pin being in the east line of Loiseau (Map 47 Parcel 1.00) as evidenced in Deed Book 7742 Page 135, RODCT; thence, leaving Kingdon, following the line common to O'Neil (Map 47 Parcel 115.00) and to Loiseau (Map 47 Parcel 1), North 18 degrees 41 minutes 53 seconds East a distance of 60.19 feet to an iron pin, the BEGINNING, and iron pin being in the north line of O'Neil (Map 47 Parcel 115.00), and said iron pin being the northeast corner of Loiseau (Map 47 Parcel 1), and said iron pin being in the south line of O'Neil (Map 47 Parcel 113.00), thence;

1. following the line common to O'Neil (Map 47 Parcel 113.00) and to Loiseau (Map 47 Parcel 1.00), and with the line common to O'Neil (Map 47 Parcel 113.00) and to Loiseau (Map 46 Parcel 35.00), North 74 degrees 21 minutes 41 seconds West a total distance 2,323.47 feet to an iron pin, said iron pin being the southwest corner of the property herein described, and said iron pin being the southwest corner of O'Neil (Map 47 Parcel 113.00) and said iron pin being the northwest corner of Loiseau (Map 46 Parcel 35.00) and said iron pin being in the east line of Wilson as evidenced in Deed Book 10151 Page 26 RODCT, thence;

2. leaving the line common to O'Neil (Map 47 Parcel 113.00) and to Loiseau (Map 46 Parcel 35.00), following the line common to O'Neil (Map 47 Parcel 113.00) and to Wilson, North 05 degrees 43 minutes 55 seconds East a distance of 273.07 to an iron pin, thence;

3. severing O'Neil (Map 47 Parcel 113), North 60 degrees 08 minutes 01 seconds East a distance of 1,000.00 feet to an iron pin; thence;

4. continuing to sever O'Neil (Map 47 Parcel 113), South 09 degrees 07 minutes 06 seconds East a distance of 708.52 feet to an iron pin, thence;

5. continuing to sever O'Neil (Map 47 Parcel 113), North 85 degrees 02 minutes 17 seconds East a distance of 1,205.05 feet to an iron pin, thence;

6. continuing to sever O'Neil (Map 47 Parcel 113), South 58 degrees 47 minutes 49 seconds East a distance of 292.21 feet to an iron pin, said iron pin being the northwest corner of O'Neil (Map 47 Parcel 115.00) said iron pin being an interior corner to O'Neil (Map 47 Parcel 113.00), thence;

7. following the west line of O'Neil (Map 47 Parcel 115). South 18 degrees 41 minutes 53 seconds West a distance of 685.48 feet to an iron pin, the BEGINNING, containing 33.0760 acres more or less.

Being the same property conveyed to Greenways for Nashville, a Tennessee non-profit corporation by deed from Mary Proctor O'Neil, Trustee of The Mary Lee Proctor O'Neil Living Trust, established by the Revocable Trust Agreement of Mary Lee Proctor O'Neil, dated June 23, 2004, and Catherine Grose, as recorded in Instrument No. 20061229-0160523, Register's Office for Davidson County, Tennessee.

EXHIBIT B
PERMITTED EXCEPTIONS

1. City and/or County Taxes for the year 2008 and subsequent years: A lien, not yet due or payable.

2. Restrictive covenants recorded in Instrument Number 20061229-0160523, Register's Office for Davidson County, Tennessee.

3. Restrictive covenants recorded in Book 6104, Page 611, Register's Office for Davidson County, Tennessee, but omitting any covenant, condition or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap but does not discriminate against handicapped persons.

4. Restrictive covenants recorded in Book 6682, Page 320, Register's Office for Davidson County, Tennessee, but omitting any covenant, condition or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap but does not discriminate against handicapped persons.

5. Restrictive covenants recorded in Book 7307, Page 574, Register's Office for Davidson County, Tennessee, but omitting any covenant, condition or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap but does not discriminate against handicapped persons.

6. All matters shown on the Plan of record in Book 161, Page 117, Register's Office for Davidson County, Tennessee.

7. Application for Greenbelt Assessment of record in Book 8844, Page 900, and Book 8844, Page 901, Register's Office for Davidson County, Tennessee. The property which is to be insured, has been classified as agricultural land, forest land or open space land for tax assessment, levy and collection purposes, and may be subject to substantial rollback taxes as defined in T.C.A. Section 67-5-1001, et seq.

8. Application for Greenbelt Assessment of record in Instrument Number 20070515-0057963 and Instrument Number 20070515-0057964, Register's Office for Davidson County, Tennessee. The property which is to be insured, has been classified as agricultural land, forest land or open space land for tax assessment, levy and collection purposes, and may be subject to substantial rollback taxes as defined in T.C.A. Section 67-5-1001, et seq.