Davidson County DEEDWARR
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Fees:23.00 Taxes:504.68
20080331-0032004

This instrument prepared by:
Martha Brooke Perry, Atty.
BALTHROP, PERRY & NOE
An Association of Attorneys
102 Frey Street, P.O. Box 82
Ashland City, TN 37015

Herbert J. Biggs and wife, Barbara Biggs
TO:
Donnie W. Toombs and Eula Elisa Lassiter
2458 Union Hill Rd.
Goodlettsville, Tn. 37072

Davidson Co. Parcel: 3600006 (part of)
Cheatham Co. Parcel: 53-106.01 (part of)

SEND TAX BILLS TO: SAME

WARRANTY DEED

For and in consideration of the sum of TEN DOLLARS ($10.00) cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which are hereby acknowledged, we, **Herbert J. Biggs and wife, Barbara Biggs**, Grantors herein, have bargained and sold and by these presents do convey unto **Donnie W. Toombs and Eula Elisa Lassiter**, as tenants in common with the right of survivorship, Grantees herein, their heirs, successors, and assigns, the following described property located in Davidson County and Cheatham County, Tennessee:

Being a 57.316, more or less, acre tract of land lying in the 10th Civil District of Davidson County, Tennessee and the 1st Civil District of Cheatham County, Tennessee. Said tract further described as being a portion of the property conveyed to Herbert and Barbara Biggs in Book 11063, page 416, Register's Office of Davidson County, Tennessee and in Deed Book 451, page 757, and re-recorded at Deed Book 455, page 194, both in the Register's Office of Cheatham County, Tennessee.

Beginning at a point lying on the westerly margin of Little Marrowbone Road, said point further described as being the most southerly corner of the Hope Pruitt property as of record in Book 5015, page 578, Register's Office of Davidson County, Tennessee; thence leaving the said line of Pruitt and running with the said westerly margin south 32 degrees, 44 minutes, 07 seconds west a distance of 463.38 feet to the northeast corner of the Leslie Howard property as of record in Book 4686, page 928, Register's Office of Davidson County, Tennessee; thence leaving the said margin of Little Marrowbone Road and running with the northerly line of the said Howard and the northerly line of Leslie Howard as of record in Book 4720, page 753. Register's Office of Davidson County, Tennessee, north 84 degrees, 39 minutes, 12 seconds west a distance of 1286.84 feet to a point lying on the southeast corner of the Herbert Biggs property as of record in Book 194, page 397, Register's Office of Cheatham County, Tennessee; thence leaving the said lines of Howard and running with the easterly line of the said Biggs property north 1 degree, 04 minutes east a distance of 705.44 feet to a point; thence running with the north line of the said Biggs property north 81 degrees, 36 minutes, 39 seconds west a distance of 610.00 feet to a point lying at the southeast corner of the Ronald Heinze property as of record in Book 64, page 91, Register's Office of Cheatham County, Tennessee; thence leaving the said line of Biggs and running with the easterly line of the said Heinze property as follows: north 24 degrees, 00 minutes, 48 seconds east a distance of 817.78 feet to a point; thence leaving the said line of Heinze and running as follows: south 82 degrees, 01 minutes, 16 seconds east a distance of 331.97 feet to the beginning of a curve; thence in a easterly direction around a curve, having a radius of 265.73 feet, to the right a distance of 55.00 feet to a point; thence south 70 degrees, 09 minutes, 47 seconds east a distance of 228.85 feet to the beginning of a curve; thence in a easterly direction around a curve, having a radius of 485.51 feet, to the left a distance of 94.80

feet to a point; thence south 81 degrees, 21 minutes, 03 seconds east a distance of 156.27 feet to the beginning of a curve; thence in northerly direction around a curve, having a radius of 125.91 feet, to the left a distance of 205.14 feet to a point; thence north 5 degrees, 17 minutes, 59 seconds east a distance of 195.59 feet to the beginning of a curve; thence in northerly direction around a curve, having a radius of 183.09 feet, to the right a distance of 171.34 feet to point; thence south 49 degrees, 36 minutes, 07 seconds east a distance of 1088.46 feet to a point lying on the northerly line of said Pruitt property; thence running with the said northerly line of the Pruitt property south 61 degrees, 17 minutes 01 seconds west a distance of 660.00 feet to a point; thence running with the westerly line of the said Pruitt property south 41 degrees, 15 minutes, 53 seconds east a distance of 679.84 feet to the point of beginning, according to a survey, dated February 12, 2008, by James L. Terry and Company, 2812 Branwood Drive, Nashville, TN 37214.

Included with the above described tract of land is a non-exclusive, perpetual 50' egress, ingress, and utility easement running from Cotton patch Road; said tract of land is also subject to said easement as detailed in the reservation by Grantors below; said easement is more particularly described as follows:

Lying and being in the Fourteenth Civil District of Davidson County, Tennessee, and a portion in the First Civil District of Cheatham County, and being more particularly described as follows:

BEGINNING at a point lying on the southerly margin of Old Cotton Patch Road, said point further described as being the northeast corner of the George Allen property of record in Book 111, Page 16, in the Register's Office of Cheatham County, Tennessee; thence running with said margin of said road, North 38 degrees 44 minutes 33 seconds East 66.78 feet to the beginning of a curve; thence around said curve, having a radius of 397.63 feet, to the right a distance of 90.19 feet to a point; thence leaving said margin of road, South 25 degrees 26 minutes 35 seconds West 129.71 feet to a point; thence South 1 degrees 52 minutes 15 seconds West 826.77 feet to the beginning of a curve; thence around said curve, having a radius of 257.57 feet, to the right a distance of 109.09 feet to a point; thence South 26 degrees 08 minutes 13 seconds West 406.98 feet to the beginning of a curve; thence around said curve, having a radius of 466.05 feet, to the right a distance of 267.17 feet to a point; thence South 58 degrees 59 minutes West 169.62 feet to the beginning of a curve; thence around said curve, having a radius of 133.09 feet, to the left a distance of 124.70 feet to a point; thence South 5 degrees 17 minutes 59 seconds West 195.59 feet to the beginning of a curve; thence around said curve, having radius of 175.91 feet, a distance of 286.60 feet to a point; thence North 81 degrees 21 minutes 03 seconds West 156.27 feet to the beginning of a curve; thence around said curve, having a radius of 535.51 feet, to the right a distance of 104.56 feet to a point; thence North 70 degrees 09 minutes 47 seconds West 228.85 feet to the beginning of a curve; thence around said curve, having a radius of 215.73 feet, to the left a distance of 44.65 feet to a point; thence North 82 degrees 01 minutes 16 seconds West 255.0 feet to a point; thence South 19 degrees 24 minutes 05 seconds West 312.37 feet; thence South 23 degrees 46 minutes 42 seconds West 234.23 feet to a point; thence South 34 degrees 29 minutes 14 seconds West 229.02 feet to a point lying on the northerly line of the above described tract; thence running with said northerly line, North 81 degrees 36 minutes 39 seconds West 55.68 feet to a point lying 19.32 feet from the point of beginning of the 100.10 acre tract; thence leaving said northerly line, North 34 degrees 29 minutes 14 seconds East 248.83 feet to a point; thence North 23 degrees 46 minutes 42 seconds East 227.64 feet to a point; thence North 19 degrees 24 minutes 05 seconds East 351.37 feet to a point; thence South 82 degrees 01 minutes 16 seconds East 295.91 feet to the beginning of a curve; thence around said curve, having a radius of 265.73 feet, to the right a distance of 55.00 feet to a point; thence South 70 degrees 09 minutes 47 seconds East 228.85 feet to the beginning of a curve; thence around said curve, having a radius of 485.51 feet, to the left a distance of 94.80 feet to a point; thence South 81 degrees 21 minutes 03 seconds East 156.27 feet to the beginning of a curve; thence around said curve, having a radius of 125.91 feet, to the left a distance of 205.14 feet to a point; thence North 5 degrees 17 minutes 59 seconds East 195.59 feet to the beginning of a curve; thence around said curve, having a radius of 183.09 feet, to the right a distance of 171.54 feet to a point; thence North 58 degrees 59 minutes East 169.62 feet to the beginning of curve; thence around said curve having a radius of 416.15 feet, to the left a distance of 238.51 feet to a point; thence North 26 degrees 08 minutes 13 seconds East 406.98 feet to the beginning of a curve; thence around said curve, having a radius of 207.57 feet, to the left a distance of 87.91 feet to the southeast corner of the said George Allen property; thence running with the easterly line of the

said Allen property, North 1 degree 52 minutes 15 seconds East 826.82 feet to the point of beginning, by survey of James L. Terry, TN R.L.S. No. 563, dated October 30, 2003.

AND BEING part of the same property conveyed to Herbert J. Biggs and wife, Barbara Biggs by deed from Earl N. Jones, Frank E. Allison, James Howard Stone, and Charles G. Sell of record at Book 11063, page 416, Register's Office of Davidson County, Tennessee and of record at Deed Book 451, page 757, and re-recorded at Deed Book 455, page 194, both in the Register's Office of Cheatham County, Tennessee.

Grantee assumes the payment of the 2008 Davidson and Cheatham County property taxes.

The Grantor herein does hereby reserve a non-exclusive, perpetual 50' egress, ingress, and utility easement across that portion of the above described easement that lies upon the land being conveyed herein to the Grantee. Said easement being reserved by Grantor is intended to run with the land and the use of it may be granted to additional third parties to whom Grantor may transfer other portions of their remaining land.

T & C Excavating, Inc., a Tennessee Corporation, does hereby join in the execution of this document for the purpose of conveying unto Grantor and Grantee a non-exclusive, perpetual 50' egress, ingress, and utility easement, to run with the land, across that portion of the above described easement that lies upon the land owned by T & C Excavating, Inc.

To have and to hold the said parcel of real property, with appurtenances, estate, title, and interest thereto belonging unto the said Grantees, their heirs, successors and assigns forever. We do covenant with Grantees that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it, and that it is unencumbered except as shown of record. We do further covenant and bind ourselves and our heirs and representatives to warrant and forever defend the title unto said real property unto the Grantees, their heirs, successors and assigns, against the lawful claims of all persons, whomsoever.

IN WITNESS WHEREOF, we have hereunto set our hands this the 25th day of March, 2008.

Herbert J. Biggs
HERBERT J. BIGGS

Barbara Biggs
BARBARA BIGGS

Christopher A. Krantz
T & C Excavating, Inc.
By: Christopher A. Krantz
Title: President

STATE OF TENNESSEE
COUNTY OF CHEATHAM

Personally appeared before me, the undersigned, a Notary Public in and for said State and County, Herbert J. Biggs and wife, Barbara Biggs, the within named bargainor, 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 the 25th day of March, 2008.

NOTARY PUBLIC

MARTHA BROOKE PERRY
STATE OF TENNESSEE NOTARY PUBLIC
CHEATHAM COUNTY, TENN.

My Commission Expires: 7/19/09

STATE OF TENNESSEE
COUNTY OF CHEATHAM

Before me, the undersigned, a Notary Public in and for said State and County, personally appeared, Christopher A. Krantz, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the President of T & C Excavating, Inc., the within named bargainor, a Tennessee corporation, and that he as such President executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as officer. WITNESS my hand, at office this the 25th day of March, 2008.

My Commission Expires: 12-13-10

NOTARY PUBLIC

PATSY J. WILSON
STATE OF TENNESSEE NOTARY PUBLIC
CHEATHAM COUNTY, TENN.

STATE OF TENNESSEE
COUNTY OF CHEATHAM

The actual consideration or value, whichever is greater, for this transfer is $136,400.00.

Grantee

SWORN to and subscribed before me
this the 25th day of March, 2008.

NOTARY PUBLIC

My commission expires: 7/19/09

MARTHA BROOKE PERRY
STATE OF TENNESSEE NOTARY PUBLIC
CHEATHAM COUNTY, TENN.