BILL GARRETT, Davidson County
Trans:T20130107605 DEEDWARR
Recvd: 12/30/13 09:52 4 pgs
Fees:23.00 Taxes:2220.00
20131230-0130626

THIS INSTRUMENT PREPARED BY:
JOHN T. COOK, P.C.
2927 Berry Hill Drive
Nashville, Tennessee 37204

25585-1
Box #14

ADDRESS NEW OWNERS:
John B. Kohl Living Trust
U/A/D December 22, 2009
6408 Harding Road
Nashville, Tennessee 37205

SEND TAX BILLS TO:
"New Owner"

MAP-PARCEL NOS.
09310018400

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named Grantee, and other good and valuable considerations, the receipt of which is hereby acknowledged, the S. & C. CO., INC., a Tennessee corporation, hereinafter called the "Grantor", has bargained and sold, and by these presents does transfer and convey unto JOHN B. KOHL, and HELEN H. KOHL, Trustees of the JOHN B. KOHL LIVING TRUST U/A/D DECEMBER 22, 2009, (hereinafter referred to as the "Grantee"), their heirs, successors and assigns, certain tracts or parcels of land in Davidson County, State of Tennessee, described as follows: to-wit:

Tract I:

LAND in Davidson County, State of Tennessee, described as follows, to wit:

BEING part of Lot Nos. 24, 46 and 47 on the Map of Wilson Springs Subdivision, as of record in Minute Book "G", Page 230, of the Chancery Court for said County at Nashville, and described according to a copy of a survey thereof made September 10, 1953, by Geo. W. Watkins, Surveyor, as follows:

BEGINNING at a point on the northerly margin of Peabody Street, in the line between Lots 47 and 48;

Thence, with the line between said lots, northwesterly 34 feet to the corner of Lots 45 and 47;

Thence, with the line between Lots 45, 24, 46 and 47, westerly 61 feet to the easterly margin of 7th Avenue South;

Thence, along the margin of 7th Avenue South, southeasterly 53 feet to the beginning of a curve;

Thence, along said curve, easterly 69 feet to a point in the northerly margin of Peabody Street;

Thence, with the margin of the same easterly 12 feet to the beginning.

BEING the same property conveyed to The S. & C. Company, Inc., by Warranty Deed from William Gerst Brewing Company, dated September 15, 1953, recorded September 16, 1953,

of record in Book 2197, Page 81, Register's Office for Davidson County, Tennessee.

THIS CONVEYANCE is made subject to an easement for a fill slope condemned by the City of Nashville in Minute Book 37, Page 575, of Third Circuit Court, which easement is described as follows:

BEGINNING at the intersection of the northerly margin of the tract of William Gerst Brewing Company and the proposed easterly margin of 7th Avenue South;

Thence, in a southerly direction with the proposed eastern margin of 7th Avenue South, 53 feet more or less to the beginning of a curve to the left;

Thence, continuing with the proposed eastern margin of 7th Avenue South, along said curve, 45 feet, with an approximate maximum width of 10 feet, to the toe of "full slope."

Tract II:

LAND in Davidson County, Tennessee, being a part of Lot 48 on the Plan of Wilson Springs Subdivision as recorded in Minute Book G, Page 230, Chancery Court for Davidson County, Tennessee, described in a deed recorded September 26, 1862 in Book 32, page 529, Register's Office for Davidson County, Tennessee, as follows (with parenthetical notes added):

Beginning at a stake on the North side of McEwen Street (now Peabody Street) this the said Garner's Southeast corner (the southeast corner of Lot No. 47 on said Plan, Garner having acquired Lot 47 in Deed Book 32, page 345) and runs from there northwardly with his line (the eastern line of Lot 47) one hundred thirty two feet to a stake; thence, eastwardly ten feet to a stake Cable's corner (Cable owned the property to the east by deed recorded December 5, 1859 in Book 30, page 182, which property is now owned by Smith); thence, Southwardly and parallel to the first line about one hundred and thirty feet to a stake on McEwen Street; thence, along said Street ten feet in a westerly direction to the beginning, being a part of Lot No. 48 in the plan of the Wilson Springs lots.

Said property was further conveyed with the said Lot 47 in a subsequent deed recorded February 9, 1864 in Book 33, page 130, said Register's Office, and again in a subsequent deed recorded April 9, 1866 in Book 36, page106, said Register's Office. The next conveyance of Lot 47 which was recorded March 11, 1899 in Book 236, page 203, said Register's Office, failed to include the description of the said 10 foot strip, however, the parties hereto declare that the said 10 foot strip was and remains an appurtenance to the title and ownership of the said Lot 47 (which Lot 47 is a portion of the above described Tract I).

This is commercial property known as 424 7th Avenue South, Nashville, Tennessee.

The above-described property is conveyed subject to the following:

1. Taxes for the year 2014 and subsequent years, a lien not yet due and payable, which taxes have been adjusted between the parties and assumed by the Grantee.

2. Easement for a fill slope condemned by the City of Nashville as set out in the Warranty Deed in Book 2197, Page 81, Register's Office for Davidson County, Tennessee.

3. Restrictive Covenants for the Capitol Mall Redevelopment Project of record in Book 7423, Page 374, also of record in Book 9208, Page 613, also of record in Book 10512, Page 464, also of record in Instrument No. 20020626-0076795, also of record in Instrument No. 20050124-0008719, also of record in Instrument No. 20130903-0092714, also of record in Instrument No. 20130903-0092715, Register's Office for Davidson County, Tennessee.

4. Matters shown on the ALTA/ACSM Land Title Survey prepared by Patrick Coode and Company, LLC, Patrick S. Coode, Tennessee RLS No. 855, dated December 13, 2013, File No. 213-124.

TO HAVE AND TO HOLD the said tracts or parcels of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, his heirs, successors and assigns, forever; and the undersigned Grantor does covenant with the said Grantee that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered except as set forth above; and the Grantor does further covenant and bind itself, its successors and assigns, to warrant and forever defend the title to the said land to the said Grantee, its successors and assigns, against the lawful claims of all persons whomsoever, provided that the Grantor does not provide any warranty of title, and any such warranty is expressly disclaimed, as to Tract II described above.

IN WITNESS WHEREOF, this instrument has been executed this 27th day of December, 2013.

S. & C. CO., INC., a Tennessee corporation

By: _____, Pres.
David E. Cypress, President

STATE OF TENNESSEE]
COUNTY OF DAVIDSON]

BEFORE me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared **DAVID E. CYPRESS**, with whom I am personally acquainted (or proved to me upon satisfactory evidence), and who, upon oath, acknowledged himself to be the President of the S. & C. Co., Inc., a Tennessee corporation, the within-named bargainor, and that he, as such President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as President.

WITNESS my hand and official seal at Nashville, Tennessee, this 27th day of December, 2013.

_____
Notary Public
My Commission Expires: 2/13/17

JOHN T. COOK
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY

STATE OF TENNESSEE |
COUNTY OF DAVIDSON |

The actual consideration or value, whichever is greater, for this transfer is $600,000.00.

Affiant

Subscribed and sworn to before me this
27th day of December, 2013.

Notary Public
My Commission Expires: 2/13/17

JOHN T. COOK
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY