OWNER/RESPONSIBLE TAXPAYER:
Metro Marinas, LLC
300 Letterman Road
Knoxville, TN 37919-6328

Tax I.D.: **053-08-0-001.00 (Tract I);**
**053-08-0-145.00 (Tract II);**
**053-08-0-147.00 (Tract III)**

THIS INSTRUMENT PREPARED BY:
Croley, Davidson & Huie, PLLC
800 S. Gay Street, Suite 1700
Knoxville, TN 37929
(140992)

BILL GARRETT, Davidson County
Trans:T20140046066 DEEDWARR
Recvd: 06/27/14 16:00 7 pgs
Fees:38.00 Taxes:1607.65
20140627-0056742

# WARRANTY DEED

THIS INDENTURE made as of the 27th day of June, 2014, between **BLACKJACK COVE, LLC, a Tennessee limited liability company**, First Party, and **METRO MARINAS, LLC, a Tennessee Limited Liability Company**, Second Party.

WITNESSETH:

THAT SAID FIRST PARTY, for and in consideration of the sum of TEN AND NO/100 ($10.00) DOLLARS, and other good and valuable consideration, to it in hand paid by said Second Party, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and does by these presents grant, bargain, sell and convey unto Second Party, the real property described as follows, to-wit:

**FOR PROPERTY DESCRIPTION, SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.**

with the hereditaments and appurtenances thereto appertaining, hereby releasing all claims therein, including homestead. **TO HAVE AND TO HOLD** the same unto the Second Party, its successors and assigns forever.

AND said First Party, for itself and its successors and assigns, does hereby covenant with said Second Party, its successors and assigns, that it is lawfully seized in fee simple of the premises above conveyed and has full power, authority and right to convey the same, and that said premises are free from all encumbrances except those matters shown on **Exhibit "B"** attached hereto and taxes for 2014, which shall be prorated at closing, and that it will forever warrant and defend the said premises and title thereto against the lawful claims of all persons whomsoever.

Whenever in this instrument a pronoun is used it shall be construed to represent either singular or plural, or the masculine, feminine or neuter gender, as the case may demand.

Metro Marinas, LLC, is one and the same entity as Metro Marinas LLC.

IN WITNESS WHEREOF, the said First Party hereunder has caused this instrument to be executed as of the day and year first above written.

**BLACKJACK COVE, LLC, a Tennessee limited liability company**

By: _____

Title: Managing Member

STATE OF Tennessee
COUNTY OF Davidson

Before me, the undersigned authority, a Notary Public in and for said State and County aforesaid, duly commissioned and qualified, personally appeared Barton K. Bagsby, Sr. 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 Managing Member **BLACKJACK COVE, LLC**, the within-named bargainor, a Tennessee Limited Liability Company, and that he, as such Managing Member, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the Limited Liability Company by himself as such Managing Member

WITNESS my hand and seal at office on this the 23rd day of June, 2014.

LISA K. BRIAN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

Lisa K. Brian
Notary Public

My Commission Expires:
3/7/2017

I hereby swear or affirm that the actual consideration or true value of this transfer, whichever is greater, is $434,500.00.

DJ M
Affiant

Subscribed and sworn to before me this 20 day of June, 2014.

SUZETTE BYRD
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

Suzette Byrd
Notary Public

My Commission Expires: 4-24-2017

IN WITNESS WHEREOF, the said First Party hereunder has caused this instrument to be executed as of the day and year first above written.

**BLACKJACK COVE, LLC, a Tennessee limited liability company**

By:_____

Title:_____

STATE OF _____
COUNTY OF _____

Before me, the undersigned authority, a Notary Public in and for said State and County aforesaid, duly commissioned and qualified, personally appeared _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged ___self to be the _____ of **BLACKJACK COVE, LLC**, the within-named bargainor, a Tennessee Limited Liability Company, and that _he, as such _____, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the Limited Liability Company by ____self as such _____.

WITNESS my hand and seal at office on this the _____ day of _____, 2014.

_____
Notary Public

My Commission Expires:
_____

I hereby swear or affirm that the actual consideration or true value of this transfer, whichever is greater, is $ 434,500.00.

_____
Affiant

Subscribed and sworn to before me this 20 day of June, 2014.

_____
Notary Public

My Commission Expires: 4-24-2017

BILLETTE BYRD NOTARY PUBLIC STATE OF TENNESSEE DEKALB COUNTY

EXHIBIT "A"

**TRACT I:**

Land in the 4th Civil District of Davidson County, Tennessee, being part of the property shown on the plan of Dabb's and Elliott's Subdivision at Old Hickory, as of record in Book 547, page 127, Register's Office for Davidson County, Tennessee, described according to a survey made by Ralph W. Lambert, February 28, 1973, revised May 27, 1973, as follows:

Beginning at an iron pin in the southwestern boundary line of the property conveyed to the United States Government by J.M. Puckett and wife, by deed of record in Book 2149, page 101, said Register's Office; thence with the United States Boundary line, N. 45° 22' W 361 feet to an iron pin; thence S 25° 44' W 374 feet to an iron pin; thence S 80° 45' W 57.7 feet to an iron pin; thence S 49° 55' E 291.8 feet to an iron pin in the northwesterly margin of 24th Street; thence with said margin, N 40° 30' E 360.6 feet to the beginning, containing 2.75 acres, more or less.

Together with a perpetual easement over the following tract of land:

Beginning at a railroad spike, being the southeast corner of a 15-foot access right of way, said spike being in the north right of way of Lake Shore Drive (formerly Pitts Avenue), and being N 49° 55' W 190.1 feet from the original southeast corner of the J.M. Puckett property; thence along the easterly margin of said 15-foot access, with a curve, having a centerline radius of 376.04 feet, a curve distance of 117.39 feet to a point; thence continuing along the easterly margin of said access N 65° 28' E 33.2 feet to a railroad spike in the southwest boundary of the previous described 2.75 more or less acre tract, said spike being located N 49° 55' W 166.0 feet from the southwest corner of 2.75 more or less acre tract; thence with the southwest boundary of said 2.75 more or less acre tract N 49° 55' W 15.56 feet to a railroad spike; thence with the westerly margin of said 15-foot access S 65° 28' W 29.2 feet to a point; thence continuing with the westerly margin of said 15-foot access, a curve distance of 122.17 feet to a railroad spike in the north right of way of Lake Shore Drive; thence with the north right of way of Lake Shore Drive S 49° 55' E 15.0 feet to point of beginning.

**TRACT II:**

Land in the 4th Civil District of Davidson County, Tennessee, being part of Parcel "A", Section "F", revised on the Plan of Village of Old Hickory, of record in Book 1424, page 131, Register's Office, Davidson County, Tennessee as follows:

Beginning at a point at the northwest terminus of Pitts Street, where the same intersects the easterly line of said Parcel "A" shown on said Plan; thence with the east line of Parcel "A", North 44 degrees 06 minutes East 100 feet; thence North 45 degrees 44 minutes West 100 feet; thence South 44 degrees 06 minutes West 100 feet to a point which would be the extension of the northerly line of Pitts Street, if extended, thence South 45 degrees 44 minutes East 100 feet to the point of beginning.

Declaration of Covenants, Conditions, Restrictions and Easements of record in Book 8430, page 431, Amended in Instrument 20010411-0035830, Register's Office for Davidson County, Tennessee.

Restrictions and Easements of record in Book 1976, page 423, Register's Office for Davidson County, Tennessee.

Subject to all matters as set forth on the plat of record in Plat Book 1424, page 131, Register's Office for Davidson County, Tennessee.

Easement for Road of record in Book 3897, page 192, Register's Office for Davidson County, Tennessee.

**TRACT III:**

Property located in the City of Lakewood, 11th Councilmanic District of Davidson County, Tennessee. Being described according to a survey by J. Bruce Rainey, Surveyor #823, dated April 29, 2009 and last revised on May 11, 2009, and known as Job No. 09-0043, as follows:

BEGINNING at an iron pin set at the southernmost corner of the herein-described tract. Said point of beginning being located S 44° 08' 00" W – 49.00'; thence N 45° 44' 00" W – 56.44' from the intersection of the west right-of-way of 22nd Street and the north right-of-way of Lakeshore Drive (formerly Pitts Street). Thence from the true POINT OF BEGINNING, N 45° 44' 00" W – 97.42' to an iron pin set in the easterly line of the Corps of Engineers property; Thence N 44° 06' 00" E – 70.00' to an iron pin set at the Northwest corner of the Lakeshore Pointe Condominiums; Thence S 45° 44' 00" E – 97.18' to an iron pin set; Thence S 43° 51' 50" W – 70.00' to the POINT OF BEGINNING, containing 6811 square feet, more or less.

There is conveyed herewith a non-exclusive easement for ingress and egress that is 25 feet wide and a 10 foot wide utility easement as described in Instrument No. 20090717-0067126 in the Davidson County Register of Deeds Office.

Tracts I and II being the same property conveyed to Blackjack Cove, LLC by Warranty Deed from Old Hickory Yacht Club, LLC, Chuck Duncan aka Charles Duncan, individually, and James R. Overby aka Buck Overby, individually, dated March 23, 2009 and recorded as Instrument No. 20090417-0035037 in the Davidson County Register of Deeds Office.

Tract III being the same property conveyed to BlackJack Cove, LLC by Special Warranty Deed from Lucca Properties, LLC, dated June 22, 2009 and recorded as Instrument No. 20090717-0067126 in the Davidson County Register of Deeds Office.

# EXHIBIT "B"

## FOR EXCEPTIONS

1. Declaration of Covenants, Conditions, Restrictions and Easements for Lakewood Marina dated August 18, 1991 and recorded in Book 8430, page 431, and that First Amendment dated April 11, 2001 and recorded as Instrument 20010411-0035830, in the Davidson County Register of Deeds Office (Parcel B).

2. Restrictions and easements contained in that Deed dated March 12, 1951 and recorded in Book 1976, page 423, in the Davidson County Register of Deeds Office (Parcel C).

3. Master Deed for Lakeshore Pointe Condominiums recorded in Book 11053, page 690 in the Davidson County Register of Deeds Office. See also that Amendment to the Master Deed recorded as Instrument No. 20121005-0091619 in the Davidson County Register of Deeds Office. (Parcel B).

4. Lease Agreement from Kenneth Rolland Puckett to John Franklin Swygert, Jr., dated August 19, 1974 and recorded in Book 4844, page 658 and as amended in Book 4844, page 663, both of record in the Davidson County Register of Deeds Office. (Parcel B).

5. Assignment of Right to Use Boat Slip from Lakefront Properties, Inc. to Dennis E. Long, dated August 18, 1991 and regarding boat slip number 42, recorded in Book 8441, page 831 in the Davidson County Register of Deeds Office. (Parcel B).

6. Assignment of Right to Use Boat Slip from Lakefront Properties, Inc. to Charles Guinn, dated October 29, 1992 and regarding boat slip number 43 and recorded in Book 8774, page 558 in the Davidson County Register of Deeds Office. (Parcel B).

7. Assignment of Right to Use Boat Slip by Lakefront Properties, Inc. regarding slip number 34, recorded on June 8, 1993 in Book 8974, page 909 in the Davidson County Register of Deeds Office. (Parcel B).

8. Easement granted to Southern Bell Telephone and Telegraph by instrument dated January 2, 1934 and recorded in Book 924, page 121 in the Davidson County Register of Deeds Office. (Parcel B).

9. Declaration of Covenants, Conditions, Restrictions and Easements for Lakewood Marina dated August 18, 1991 and recorded in Book 8430, page 431 in the Davidson County Register of Deeds Office. See also that First Amendment dated April 11, 2001 and recorded as Instrument No. 20010411-0035830 in the Davidson County Register of Deeds Office. (Parcel B).

10. Restrictions and easements recorded in Book 1976, page 423, in the Davidson County Register of Deeds Office. (Parcel C).

11. Terms, conditions and easements as set forth in that Easement for Road as described in that instrument dated November 28, 1956 and recorded in Book 3897 page 192, in the Davidson County Register of Deeds Office. (Parcel C).

12. Matters disclosed on that Plat Map recorded in Book 1424, page 131, in the Davidson County Register of Deeds Office. (Parcel C).

13. Terms, conditions, easements and other matters set forth in that Master Deed for Lakeshore Pointe Condominiums recorded in Book 11053, page 690, in the Davidson County Register of Deeds

Office. See also that Amendment recorded as Instrument No. 20121005-0091619, in the Davidson County Register of Deeds Office. (Parcel D).

14. Matters disclosed on that Plat recorded in Book 547, page 127, in the Davidson County Register of Deeds Office. (Parcel D).

15. Matters disclosed on that Plat recorded in Book 9700, page 704, in the Davidson County Register of Deeds Office. (Parcel D).

16. Ingress and egress easement granted in that Deed dated December 31, 1998 and recorded in Book 11277, page 762, in the Davidson County Register of Deeds Office. (Parcel D).

17. Subject to the rights of the United States of America, the Secretary of the Army, and the public in and to the waters of Old Hickory Lake and the use thereof, as same may affect the subject property. (Parcels A, B, C and D).

18. Rights of the tenants under unrecorded leases that have been disclosed to Second Party.

19. Grant of Easement to Comcast of Nashville I, LLC, dated August 25, 2009 and recorded as Instrument No. 20090930-0090860 in the Davidson County Register of Deeds Office.