BILL GARRETT, Davidson County
Trans:T20140066990 DEEDWARRSP
Recvd: 09/09/14 10:37 6 pgs
Fees:33.00 Taxes:4995.00
20140909-0082414

THIS INSTRUMENT PREPARED BY:
W. Lee Corbett, P.C.
CORBETT CROCKETT
Suite 1050 American Center
3100 West End Avenue
Nashville, Tennessee 37203
(615) 383-0500

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $1,350,000.00.

AFFIANT

Subscribed and sworn to before me, this 8th day of September, 2014.

Notary Public

My Commission Expires:

MORGAN THOMPSON
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON
My Comm. Expires May 6, 2018

Address New Owners As Follows: **Send Tax Bills To:** **Map-Parcel Numbers:**

Oscar Tivis Nelson, Jr. and Patricia Nelson SAME
c/o Watauga Title Co, Inc., QI
5110 Maryland Way, Ste. 120
Brentwood, TN 37027

Map: 127-0
Parcel 273

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of One Million Three Hundred Fifty Thousand Dollars and no/100 Dollars ($1,350,000.00), cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, **Highway 70 South Restaurant Partners, a Tennessee General Partnership,** hereinafter called the Grantor, has bargained and sold, and by these presents does transfer and convey to **Oscar Tivis Nelson, Jr. and wife, Patricia Nelson,** hereinafter collectively called the Grantee, their successors and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows:

TRACT I:

Being a parcel of land in Nashville, First Civil District, Twenty-Third Coucilmanic District, Davidson County, Tennessee, together with all, buildings and improvements thereon or thereunto belonging, and. being Lot No. 2 as shown on the plan of the Corcoran/Maddox Property as of record in Book 7900, Page 727, as revised in Book 7900, Page 742, Register's Office for Davidson County, Tennessee ("R.O.D.C.") and being located in the

northwesterly quadrant of the intersection of Interstate 40 and U.S. Highway 70 South and being more particularly described as follows:

BEGINNING at a point in the southerly right-of-way line of U.S. Highway 70 South. Said point being westerly 921 feet, more or less, from the northerly right-of-way line of Interstate 40 as measured along the southerly right-of-way line of U.S. Highway 70 South;

THENCE, with said southerly right-of-way the following calls:

Along a curve to the right 229.38 feet to a point, said curve having a central, angle of 16° 37' 02", a radius of 790.90 feet, a tangent of 115.50 feet and a chord of N 64° 58' 51" E, 228.58 feet; S 16° 42' 38" E, 2.00 feet to a point; Along a curve to the right 311.54 feet to a point, said curve having a central angle of 22° 37' 36", a radius of 788.90 feet, a tangent of 157.83 feet and a chord of N 84° 36' 10" E, 309.52 feet;

THENCE, leaving said right-of-way following southeasterly line of property conveyed to Soung Eui Shin by deed of record in Book 7720, Page 582, R.O.D.C, and Sadler Partnership by deed of record in. Book 7340, Page 853, R.O.D.C; the following calls:

S 06° 43' 41" W, 35.00 feet to a point;
S 37° 16' 08" E, 57.00 feet to a point;
S 55 09' 59" E; 340.00 feet to a point;
S 44° 59' 32" E, 4.97 feet to a point in the northerly right-of -way line of Interstate 40;

THENCE, with said right-of-way line S 46° 28' 18" W, 141.58 feet to a point;

THENCE, leaving said right-of-way line, N 43° 18' 24" W, 316.29 feet to a point;

THENCE, S 72° 47' 34" W, 388.67 feet to a point;

THENCE, S 83° 54' 40" W, 97.03 feet to a point;

THENCE, N 15° 48' 44" W, 152.36 feet to the point of beginning; Containing 130,969 square feet or 3.01 acres, more or less.

TRACT II:

Easements accruing to Tract I granted in that certain Declaration of Reciprocal Easements and Restrictive Covenants (the "Declaration") by and among Dan W. Maddox and Margaret H. Maddox as Co-Trustees, Regal Cinemas, Inc. and Shoney's, Inc. dated June 1, 1994, recorded in Book 9364, page 926, Register's Office for Davidson County, Tennessee, including, without limitation, the following:

Easement A:
A permanent, nonexclusive easement appurtenant to Tract I for the purpose of ingress, egress, walking, and driving, over, upon, and across the following described property:

A 30-foot access easement the centerline of which is more particularly described as follows:

BEGINNING at a point in a southerly line of Lot No. 2 as shown on the plan of Corcoran/Maddox property as of record in Book 7900, Page 727, Register's Office for Davidson County, Tennessee ('R.O.D.C."), said point being 91.23 feet, more or less from a southeast corner of said Lot No. 2;

THENCE, along said centerline the following calls:

S 15° 48' 44" E, 38.01 feet to a point;
S 72° 47' 34" W, 190.00 feet to a point;
S 83° 54' 40" W, 111.80 feet to a point;
N 06° 05' 20" W, 16.76 feet to a point in a southerly line of said Let No. 2, said point being N 83° 54' 40" E, 97.03 feet from the southwest corner of said Lot No. 2.

Being part of the same property conveyed to Dan W. Maddox and Margaret H. Maddox, Co-Trustees, by deed from Dan W. Maddox of record in Book 9364, Page 923, R.O.D.C., and being a portion of Lot No. 1 on the plan of the Corcoran/Maddox Property as of record in Book 7900, Page 727, R.O.D.C.

Easement B:
A permanent, nonexclusive easement appurtenant to Tract I for the purpose of the installation, construction, maintenance and repair of underground utilities serving Tract I under and through such portions of the following described property (the "Leased Premises") as are not occupied by or designated by Regal Cinemas, Inc., as lessee of the Leased Premises, for occupancy by the theater building or by the Retail Center (as defined in the Declaration); said easement shall include, without limitation, gas, electricity, water, sewer, telephone and similar utilities together with an easement for drainage of surface water over, upon and across the Leased Premises and through any drainage facilities constructed on the Leased Premises:

Being a parcel of land in Nashville, Second Civil District, Twenty-Third Councilmanic District, Davidson County, Tennessee, located in the northwesterly quadrant on the intersection of Interstate 40 and U.S. Highway 70 South being a part of the property conveyed to Dan W. Maddox and Margaret H. Maddox, Co-Trustees, by deed of record in Book 9364, Page 923, Register's Office for Davidson County, Tennessee ("R.O.D.C."), being a portion of Lot No. 1 on the plan of the Corcoran/Maddox Property as of record in Book 7900, Page 727, R.O.D.C. and being more particularly described as follows:

BEGINNING at a point in the southerly right-of-way line of U.S. Highway 70 South; as widened, said point being westerly 921 feet more or less from the northerly right-of-way line of Interstate 40;

THENCE, S 15° 48' 44" E, 152.36 feet to the true point of beginning of the herein described parcel; said point also being the southwest corner of Lot No. 2 as shown on the plan of Corcoran/Maddox property as of record in Book 7900 Page 727, R.O.D.C.;

THENCE, N 83° 54' 40" E, 97.03 feet to a point;

THENCE, with the southerly line of said Lot No. 2 the following calls:

N 72° 47' 34" E, 388.67 feet to a point;
S 43° 18' 24" E. 238.90 feet to a point;

THENCE, leaving said southerly line of Lot No. 2 along a severance line the following calls:

S 47° 50' 02" W, 795.57 feet to a point;
N 42° 22' 41" W, 286.70 feet to a point;
N 37° 22' 42" E, 281.00 feet to a point;
N 07° 26' 48" W, 148.80 feet to the point of beginning.
Containing 267,383 square feet or 6.14 acres, more or less.

Tracts I and II being the same property conveyed to Highway 70 South Restaurant Partners, a Tennessee general partnership by Special Warranty Deed from Sholand Properties Group 4, LLC, a Delaware limited liability company f/k/a Shoney's Properties Group 4, LLC, of record in Instrument No. 20080527-0054007, Register's Office for Davidson County, Tennessee.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, their successors and assigns, forever; and the Grantor further covenants and binds itself, its successors and assigns, to warrant and forever defend the title to the said land to the said Grantee, their successors and assigns, against the lawful claims of all persons claiming by, through or under Grantor, but not further or otherwise. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

This conveyance is made subject to the following exceptions:

1. Taxes and assessments for the year 2014, a lien but not yet due and payable, and subsequent years.

2. Rights of tenants in possession, as tenants only, under unrecorded lease agreements.

3. Subject to all matters shown on the Plan of Corcoran-Maddox Property in Plat Book 7900, page 742, Register's Office for Davidson County, Tennessee.

4. Lack of direct access to Interstate 40, such right of access having been condemned in the suit styled D. W. Moulton, Commissioner, Department of Highways of the State of Tennessee vs. Edward M. Polk and wife, Martha R. Polk, Paul Shiel, Trustee, No. 58912 in the Second Circuit of Davidson County, Tennessee, dated March 5, 1962, of record in Book 3346, page 133, Register's Office for Davidson County, Tennessee.

5. TVA transmission line easements of record in Book 2274, page 96, and Book 3184, page 87, Register's Office for Davidson County, Tennessee.

6. Terms and conditions of Declaration of Reciprocal Easements and Restrictive Covenants by and among Dan W. Maddox and Margaret H. Maddox as Co-Trustees, Regal Cinemas, Inc. and Shoney's, Inc. dated June 1, 1994 recorded in Book 9364, page 926, Register's Office for Davidson County, Tennessee.

7. Matters shown on the survey of Rocky L. Montoya, TN RLS No. 697, of R. L. Montoya Land Surveying Inc., as Job No. 08-04-12, dated April 25, 2008, last revised May 15, 2008.

8. Subject to any and all right of ways, easements, building lines, covenants, restrictions, reservations of record, encroachments, encumbrances, violations or adverse circumstances that would be disclosed by an accurate and complete updated survey of the land.

This is improved property commonly known as 7745 Highway 70 South, Nashville, Davidson County, Tennessee.

IN WITNESS WHEREOF, the Grantor has executed this deed as of the 8th day of September, 2014.

HIGHWAY 70 SOUTH RESTAURANT PARTNERS,
a Tennessee General Partnership

By: George N. Spiva
Its: Managing Partner

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, an official Notary Public of the said county and state, George N. Spiva, 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 partner of HIGHWAY 70 SOUTH RESTAURANT PARTNERS, a Tennessee general partnership, the within named bargainor, and who acknowledged that as such managing partner, he executed the foregoing instrument for the purposes therein contained, by signing the name of the general partnership by himself as managing partner.

WITNESS MY HAND, at office, this 8th day of September, 2014.



Notary Public

My Commission Expires: