Bill Garrett Davidson County
Batch# 76218 DEEDWARRSP
04/04/2018 11:15:30 AM 6 pgs
Fees: $32.00 Taxes: $0.00
20180404-0031583

SPECIAL WARRANTY DEED

STATE OF TENNESSEE, COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS $0.00.

CONVEYANCE TO THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE- EXEMPT

Affiant

Subscribed and sworn to me on March 26, 2018.

NOTARY PUBLIC
My Commission Expires: 09-07-21

DIANNE R. KIRBY STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

THIS INSTRUMENT WAS PREPARED BY:

John Cobb Rochford
Community Title Company, LLC
2200 Abbott Martin Road
Nashville, TN 37215
(615)269-7676

NAME/ADDRESS OF NEW OWNER:	SEND TAX BILLS TO:	MAP – PARCEL #s
The Metropolitan Government of Nashville and Davidson County P.O. Box 196300 Nashville, TN 37219	EXEMPT	018-04-0-007.00, 018-08-0-003.00 & 018-00-0-125.00

FOR AND IN CONSIDERATION of the benefits afforded the people of Middle Tennessee by the Department of Parks and Recreation of the Metropolitan Government of Nashville and Davidson County and in the furtherance of its desire to see the public benefit from the use of public parkland, the CITY OF GOODLETTSVILLE, hereinafter called **"GRANTOR,"** for no monetary consideration, by these presents does transfer and convey unto the METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE, hereinafter called **"GRANTEE,"** its successors and assigns, all of its interest in certain tracts or parcels of land in Davidson County, State of Tennessee, described as follows:

See Exhibit B, LEGAL DESCRIPTION, attached and incorporated herein by reference

THIS DEED is made and accepted on the condition that the land conveyed by this Deed shall be used solely as the site of a **park**, as defined in the Code of the Metropolitan Government of Nashville and Davidson County, Tennessee, Chapter 13.24 Article 1, as codified through August 16, 2017, and as amended thereafter, and the Grantee, its successors, and/or assigns shall forever use the real property solely for the purpose of the said defined park. In the event the real property conveyed by this Deed is not used solely as the site of said defined park, then the real property and premises shall revert to the Grantor, its successors, and/or assigns and the Grantee, Grantee's successors and/or Grantee's assigns shall forever forfeit all rights, title and interest in the real property subject to this Deed. This covenant and restriction is appurtenant to the land described herein.

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THE CONVEYANCE OF THE PROPERTY, and all covenants and warranties contained herein, are made expressly subject to those Permitted Encumbrances set forth on EXHIBIT A, attached hereto and incorporated herein by reference (the "Permitted Encumbrances").

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, its successors and assigns, forever, and 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, unless otherwise herein set out; and GRANTOR does further covenant and bind itself, its heirs 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 claiming under Grantor.

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.

WITNESS our hand on March 26, 2018.

City of Goodlettsville

By: _____
Tim Ellis
City Manager

STATE OF Tennessee)
COUNTY OF Davidson)

On March 26, 2018 before me, the undersigned Notary Public, personally appeared Tim Ellis, to me known (or proved to me on the basis of satisfactory evidence) to be City Manager of the City of Goodlettsville, the bargainor described in the foregoing instrument, who acknowledged that he, being duly authorized, executed the foregoing instrument on behalf of the City of Goodlettsville for the purposes therein contained.

WITNESS MY HAND AND OFFICIAL SEAL ON March 26, 2018.

RUSSELL E. FREEMAN
STATE OF TENNESSEE NOTARY PUBLIC
SUMNER COUNTY

_____
NOTARY PUBLIC
My Commission Expires: 12/23/2020

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Exhibit A
PERMITTED ENCUMBRANCES

1. City of Nashville and Davidson County property taxes for 2018 and thereafter; and

2. Liability as to taxes resulting from supplemental, revised, or correction assessments pursuant to the provisions of Tennessee Code Ann.67-5-603, et seq.;

3. Covenants, conditions, restrictions, easements or servitudes, if any, appearing on the Final Plat of Bill Hitt Subdivision, of record in Book 7900, page 232, Davidson County, Register's Office;

4. Agreement for Dedication of Easement for Sanitary Sewers as set forth in instrument recorded in Book 4805, page 712, said Register's Office;

5. Permanent Easement and Right-of-Way for Street Purposes and Right of Entry for Temporary Construction Purposes as set forth in instrument recorded in Book 6821, page 867, said Register's Office;

6. Easement granted to the Tennessee Department of Transportation by instrument of record in Instrument No. 20101015-0082673, said Register's Office;

7. Agreement for Dedication of Easement for Sanitary Sewers as set forth in Instrument recorded in Book 8064, page 330, and Agreement for Dedication of Easement for Sanitary Sewers as set forth in instrument recorded in Book 8064, page 335, said Register's Office;

8. Power Line Easement to Davidson Light and Power Company in Book 653, page 165, said Register's Office in Book 653, page 165, said Register's Office;

9. Terms, conditions, and provisions of an agreement dated May 27, 1949 between the Louisville and Nashville Railroad Company and Nashville Electric Service, Electric Power Board of the City of Nashville, Tennessee, referenced in deed recorded in Book 2272, page 303, said Register's Office;

10. Rights reserved by Grantor in deed from Louisville and Nashville Railroad Company to Maxine G. Hitt, of record in Book 2272, page 303, said Register's Office;

11. Any mineral or mineral rights leased, granted, or retained by current or prior owners; and

12. Terms and conditions as set forth in this instrument regarding a reversionary interest in the subject property retained by the City of Goodlettsville.

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Exhibit B
LEGAL DESCRIPTION

Tract One:

Being a tract of land in the Second Civil District of Metropolitan Nashville, Davidson County, Tennessee and being a part of Parcel 7 on Tax Map 18-4 and Parcels 3 and 4 on Tap Map 18-8 and lying between the center of old abandoned L & N Railroad and the center of Mansker Creek and being more particularly described as follows:

Beginning at an iron pin at a corner of Tract "A"; said iron pin being N37°01'20"W, 49.43 feet from the common easterly corner of Tracts "A" and "B"; thence, N85°00'E, 30.00 feet, more or less, to the center of Mansker Creek; thence with the center of Mansker Creek as it meanders in a Southeasterly direction and with the Westerly line of L. Kenneth Johnson as of record in Deed Book 244, Page 61, R.O.S.C., Tennessee, 1,100 feet, more or less, to a point where Lumsey Branch intersects Mansker Creek and being a corner of Tract "B"; thence, with Tract "B" S50°58'40"W, 33.00 feet, more or less, to a point in the center of old abandoned L & N Railroad; thence, with the center of old abandoned L & N Railroad and with the Easterly line of Tracts "A" and "B" N37'01'20"W, 1,124.86 feet to the point of beginning and containing 54,870 square feet, more or less, or 1.26 acres, more or less, by planimeter.

Less and Except any portion of the above described property which makes up Map/Parcel 01808000400.

Being a portion of the same property conveyed to City of Goodlettsville by Quitclaim Deed from William W. Benz and wife, Margaret P. Benz, recorded on the 14th day of June, 1991 in Deed Book 8375, Page 136, in the Register's Office of Davidson County, Tennessee.

Tract Two:

Being two tracts of land in the Second Civil District of Metropolitan Nashville, Davidson County, Tennessee and together being part of Parcel 7 on Tax Map 18-4 and Parcels 3 and 4 on Tax Map 18-8 and being more particularly described as follows:

Tract "A"

Beginning at an existing iron pin at the Easterly right-of-way line of Old Springfield Pike at Southwesterly corner of Lot No. 2 on the plan of Bill Hitt Subdivision as of record in Book 7900, Page 232, R.O.D.C., Tennessee; thence, with the line of said Lot No. 2 N50°10'46"E, 159.38 feet to an existing iron pin, corner of Lot No. 2; thence, continuing with the line of Lot No. 2 S39°08'38"E, 241.43 feet to an existing iron pin; thence, S03°20'18"W, 12.63 feet to an iron pin set in the center of old abandoned L & N Railroad; thence, with the center of old abandoned L & N Railroad and part of West line of Tract "C" S37°01'20"E, 49.43 feet to a point at the common corner of Tracts "A" and "B" of this subdivision; thence, with the common line between Tracts "A" and "B" S50°10'46"W, 174.60 feet to a point on the Easterly right-of-way line of Old Springfield Pike; thence, with the Easterly right-of-way line of Old Springfield Pike being 25 feet East of and parallel to present center of pavement and with a curve to the left (radius 1144.32 feet) Northwestwardly a distance of 25.36 feet to an iron pin set and having a chord bearing and distance of N27°42'24"W, 25.364 feet; thence, N28°20'30"W, 92.33 feet to an iron pin set at the beginning and a curve; thence, with said curve to the left (radius 541.99 feet) Northwestwardly a distance of 185.72 feet to the point of beginning and having a chord bearing and distance of N38°09'30"W, 184.816 feet. Tract "A" contains 48,264 square feet or 1.108 acres.

Tract "B"

Beginning at an iron pin set at the intersection of the Northerly right-of-way line of Old Springfield Pike and the Westerly right-of-way line of Dickerson Pike, U.S. 41; thence, with the Northerly right-of-way line of Old Springfield Pike, being 25 feet North of and parallel to the present center of pavement, N58°23'42"W, 330.44 feet to an iron pin set at the beginning of a curve; thence, with said curve to the left (radius 1125.0 feet) Northwestwardly a distance of 124.90 feet to an iron pin set and having a chord bearing and distance of N61°34'32"W, 124.836 feet; thence, N64°45'22"W, 205.95 feet to an iron pin set at the beginning of a curve; thence, with said curve to the right (radius 329.09 feet) Northwestwardly a distance of 145.08 feet to an iron pin set and having a chord bearing and distance of N52°07'35"W, 143.911 feet; thence, with a curve to the right (radius 650.07 feet) Northwestwardly a distance of 204.81 feet to an iron pin set and having a chord bearing and distance of N30°127'48"W, 203.969 feet; thence, N21°25'50"W, 348.60 feet to an iron pin set at the beginning of a curve; thence, with said curve to the left (radius 1144.32 feet) Northwestwardly 112.67 feet to a point at common corner of Tracts "A" and "B" of this survey and having a chord bearing and distance of N24°15'04"W, 112.620 feet; thence, with the common line between Tracts "A" and "B" N50°10'46"E, 174.60 feet to a point in the center of abandoned L & N Railroad and being in the West line of Tract "C"; thence, with the center of old abandoned L & N Railroad

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and with the West line of Tract "C" S37°01'20"E, 1075.43 feet to a point in the center of Lumsey Branch; thence, with the Southerly line of Tract "C" N50°58'40"E, 33.00 feet, more or less, to the center of Mansker Creek, corner of Tract "C" and in the West line of L. Kenneth Johnson property as of record in Book 244, Page 61, R.O.S.C., Tennessee; thence, with the center of Mansker Creek and line of Johnson S56°54'49"E, 111.35 feet, more or less, to a point in the Westerly right-of-way line of Dickerson Road, U.S.41; thence, with the Westerly right-of-way line of Dickerson Pike, U.S. 41 S16°43'47"E, 235.00 feet to the point of beginning and containing 302,367 square feet or 6.941 acres.

Being the same property conveyed to City of Goodlettsville by Warranty Deed from William W. Benz and wife, Margaret P. Benz, recorded on the 14th day of June, 1991 in Deed Book 8375, Page 138, in the Register's Office of Davidson County, Tennessee.

Tract Three:

LAND in Davidson County, Tennessee, being:

A tract of land in the 2nd Civil District of Nashville, Davidson Co., Tenn., being generally located in the northeast quadrant of the intersection of Old Springfield Pike and Dickerson Road and being all of Lot 2, on the final plat of the Bill Hitt Subdivision as evidenced in Book 7900, page 232, R.O.D.C., TN, and being more particularly described as follows:

Beginning at a point in the easterly margin of said Old Springfield Pike, said point being 1,692' more or less northerly along said margin from the westerly margin of Dickerson Road, said point being the northwest corner of the William W. Benz, et us, tract as evidenced in Book 6677, page 969, R.O.D.C., TN., thence

1) with the margin of Old Springfield Pike, N43°32'12" W a distance of 636.54' to a point, thence

2) continuing with said margin, N33°58'57" W a distance of 145.49' to a point, the southerly most corner of Lot 1 of said Bill Hitt Subdivision, thence

3) with the southerly line of said Lot One, and leaving the margin of Old Springfield Pike, N56°01'03" E a distance of 270.00' to a point, the easterly most corner of said Lot 1, thence

4) with the easterly line of said Lot 1 N33°58'57" W a distance of 326.31' to a point in Walkers Creek, thence

5) with Walkers Creek N39°37'28" E a distance of 210.06' to a point, thence

6) continuing, S69°24'07" E a distance of 166.02' to a point, thence

7) continuing, S34°37'47" E a distance of 250.00' to a point in Manskers Creek, thence

8) with said Manskers Creek, S29°04;35" E a distance of 150.00' to a point, thence

9) continuing, S 28°47'00" E a distance of 350.00' to a point, thence

10) continuing, S15°47'13" E a distance of 300.00' to a point, thence

11) continuing, S01°06'47" W a distance of 263.20' to a point in the easterly line of said William W. Benz tract, thence

12) with said easterly line of Benz, N39 08'47" W a distance of 241.49' to a point, the northerly most corner of said Benz tract, thence

13) with the northerly line of said Benz tract, S50 11'48" W a distance of 154.42' to the point of beginning and containing 11.336 acres more or less.

Being the same property conveyed by Warranty Deed by Billy Hitt and wife, Rebecca Hitt, on December 18, 1990 to the City of Goodlettsville, and filed of record on February 1, 1994 in Book 9236, page 486 in the Register's Office for Davidson County, Tennessee.

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Certificate of Authenticity

I, John Cobb Rochford, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Signature

State of Tennessee

County of Davidson

Personally appeared before me, Dianne R. Kirby, a notary public for this county and state, John Cobb Rochford who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Notary's Signature

DIANNE R. KIRBY
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

My Commission Expires: 09-07-21.

Notary's Seal (If on paper)