Karen Johnson Davidson County
Batch# 1056210 DEEDTRS
10/02/2023 01:40:32 PM 4 pgs
Fees: $23.00 Taxes: $17,205.00
20231002-0077263

FROM: **STEPHEN M. MONTGOMERY**
SUBSTITUTE TRUSTEE

TO: **LUCIUS E. BURCH III**
LUCIUS E. BURCH IV, TRUSTEE OF THE LUCIUS E. BURCH III TRUST DATED FEBRUARY 26, 2014
NEW OWNERS

Address New Owner as Follows:	Send Tax Bills To:	Map-Parcel No:
Lucius E. Burch III Lucius E. Burch IV, Trustee of the Lucius E. Burch III Trust dated February 26, 2014 6200 Highway 100, Suite 302 Nashville, TN 37205	same	144-01-0-010.00

This instrument prepared by:
Dickinson Wright, PLLC
424 Church Street, Suite 800
Nashville, Tennessee 37219

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is **$4,650,000.00**.

AFFIANT

Subscribed and sworn to before me, this the 28th day of September, 2023.

PAULA CHAMBERS
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON
My Commission Expires Nov. 2, 2026

NOTARY PUBLIC

My Commission Expires: Nov 2, 2026

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by deed of trust dated **March 29, 2021**, of record as Instrument **20210405-0043548**, Register's Office for Davidson County, Tennessee, hereinafter referred to as "Deed of Trust," **Page Road Enterprises, a Tennessee limited liability company and Sylvia C.**

Roberts, unmarried, conveyed to **Carla L. Lovell,** Trustee, the hereinafter described real estate, hereinafter referred to as "Property," to secure an indebtedness evidenced by a **Promissory Note** of even date therewith, which note is fully described in the Deed of Trust, hereinafter referred to as the "Note"; and

WHEREAS, default having occurred in the payment of the Note, and in accordance with the terms of the Note and Deed of Trust, the holder thereof declared the entire indebtedness due and owing; and

WHEREAS, the lawful owner and holder of the indebtedness, by the terms of a certain instrument of record in Instrument **20230804-0060401,** Register's Office for Davidson County, Tennessee, appointed **Stephen M. Montgomery**, Substitute Trustee, in the place and stead of **Carla L. Lovell**, Trustee; and

WHEREAS, the owner and holder of the indebtedness directed **Stephen M. Montgomery,** Substitute Trustee, to sell the Property; and

WHEREAS, **Stephen M. Montgomery,** Substitute Trustee, did advertise the Property for sale as provided in the Deed of Trust and Note, and the Property was advertised to be sold on **Friday, September 15, 2023, at 11:00 a.m.**, on the steps of the Davidson County Historic Courthouse, 1 Public Square, Nashville, Davidson County, Tennessee, at public outcry, to the highest and best bidder for cash, free from the equity of redemption, homestead and dower, and all other exemptions of every kind, all of which are expressly waived in the Deed of Trust, and advertisement of sale was duly published in the ***Nashville Ledger***, a newspaper of general circulation in Davidson County, Tennessee, on **August 25, September 1 and September 8, 2023**; and

WHEREAS, at the time and place of said sale, and upon the Property being offered under the terms hereinabove set forth, **Lucius E. Burch III and Lucius E. Burch IV, Trustee of the Lucius E. Burch III Trust dated February 26, 2014**, was the highest and best bidder, the Substitute Trustee thereby concluding the sale as of 11:29 a.m., by announcing that the Property had sold;

NOW, THEREFORE, the undersigned, **Stephen M. Montgomery**, Substitute Trustee, pursuant to the bid of **Lucius E. Burch III and Lucius E. Burch IV, Trustee of the Lucius E. Burch III Trust dated February 26, 2014**, acknowledges **credit in the sum** of **Four Million Six Hundred Fifty Thousand Dollars ($4,650,000.00)** against the indebtedness evidenced by the Note which was the highest bid, and for and in consideration of said bid, has bargained and sold, and by these presents does hereby transfer and convey unto **Lucius E. Burch III and Lucius E. Burch IV, Trustee of the Lucius E. Burch III Trust dated February 26, 2014, as tenants-in-common,** and their heirs, successors and assigns, the following described real estate in **Davidson County**, Tennessee:

Land in the 7th Civil District of Davidson County, Tennessee, being part of Block J on the Map of Belle Meade Subdivision No. 2, of record in Book 421, page 51, said Register's Office and

further described as Lot No. 1 of a survey prepared by R.L. Montoya-Land Surveying, Inc. Tn. #697 dated January 17, 1996 described as follows:

BEGINNING at an iron rod in the northwesterly margin of Chickering Road, said point being the southeast corner for this easement and the southwest corner of the Maclin P. Davis, Jr. property as evidenced in Deed Book 5232, page 38, Register's Office for Davidson County, Tennessee; thence running with a common line North 39 deg. 34 min. 30 sec. West 568.00 feet to an iron rod; thence, North 22 deg. 36 min. 53 sec. East 685.67 feet to an iron rod, said rod being the actual point of beginning for this hereon described tract; thence, North 82 deg. 39 min. 07 sec. West 734.68 feet to an iron rod in the easterly margin of Page Road; thence, running with said margin of Page Road North 22 deg. 53 min. 53 sec. East 369.64 feet to a concrete monument, said rod being the northwest corner for this tract and the southwest corner of the Robert A. Frist property as evidenced in Deed Book 5848, page 188, Register's Office for Davidson County, Tennessee; thence running with a common line to the Frist property South 82 deg. 40 min. 00 sec. East 732.82 feet to an iron rod; thence leaving said common line South 22 deg. 36 min. 53 sec. West 369.33 feet to the point-of-beginning containing 261,360 square feet or 6.00 acres more or less.

TOGETHER with, and as an appurtenance to the above described tract, grantor hereby grants and conveys to Grantee, Grantee's heirs and assigns, a permanent 25 foot non-exclusive easement and a temporary 15 foot construction easement for utility and drainage purposes, said easements described as follows:

PERMANENT PRIVATE EASEMENT

BEGINNING at an iron rod in the northwesterly margin of Chickering Road, said point being the southeast corner for this easement and the southwest corner of the Maclin P. Davis, Jr. property, as evidenced in Deed Book 5232, page 38, Register's Office for Davidson County, Tennessee; thence running with a common line North 39 deg. 34 min. 30 sec. West 568.00 feet to an iron rod; thence North 22 deg. 36 min. 53 sec. East 685.67 feet to an iron rod, said rod being the southeast corner of a 6 acre tract; thence running with a new line of the 6 acre tract and the remaining portion of the Christine A. Strother property North 82 deg. 39 min. 07 sec. West 25.92 feet to a point; thence, departing from said line South 22 deg. 36 min. 53 sec. West 693.92 feet to a point; thence, South 39 deg. 34 min. 30 sec. East 580.53 feet to a point in the northwesterly margin of aforementioned road; thence running with said margin North 56 deg. 15 min. 00 sec. East 25.13 feet to a point-of-beginning containing 31,601 square feet or 0.73 acres more or less.

The maintenance and repair of utility lines and facilities placed in the utility easement, and the restoration of land within the easement area should maintenance work be required, shall be the responsibility of the party or parties who use such lines and facilities. No party other than Grantee, or Grantee's successors in interest may (i) use lines of facilities installed by or for Grantee or Grantee's successors in interest without the prior written consent of Grantee or Grantee's successors in interest and of the entity furnishing the utility service in question or (ii) install additional lines and facilities or conduct activities that would unreasonably interfere with the lines and facilities installed by or for Grantee or Grantee's successors in interest.

TEMPORARY PRIVATE EASEMENT

WEST of and immediately adjacent to the above-described easement for a distance of 693.92 feet and southwest of and immediately adjacent to the easement for a distance of 580.53, and additional 15 foot temporary construction easement (to be abandoned upon completion of construction). In no event shall the abandonment of the 15 foot temporary easement be deemed an abandonment of the 25 foot utility and drainage easement.

The property is further known as 1358 Page Road, Nashville, TN 37205 (Map & Parcel Number 144-01-0-010.00)

Being the same property conveyed to Page Road Enterprises, LLC from Sylvia Caldwell Labry Roberts by Quitclaim Deed of Record at Instrument No. 20160330-0029667, Register's Office for Davidson County, Tennessee.

TO HAVE AND TO HOLD the Property, with the appurtenances, estate, title and interest thereto belonging to **Lucius E. Burch III and Lucius E. Burch IV, Trustee of the Lucius E. Burch III Trust dated February 26, 2014, as tenants-in-common,** and their heirs, successors and assigns, forever; and **Stephen M. Montgomery**, Substitute Trustee, does hereby transfer, assign, and set over unto **Lucius E. Burch III and Lucius E. Burch IV, Trustee of the Lucius E. Burch III Trust dated February 26, 2014, as tenants-in-common**, all of his right, title and interest in the said property as Substitute Trustee, but no further or otherwise.

IN WITNESS WHEREOF, the said **Stephen M. Montgomery**, Substitute Trustee, has executed this instrument on this the **28th** day of **September, 2023**.

Stephen M. Montgomery, Substitute Trustee

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Stephen M. Montgomery, Substitute Trustee, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged that he executed the within instrument for the purposes therein contained in his capacity as Substitute Trustee.

Witness my hand and seal, at office in Nashville, Tennessee, this the 28th day of September, 2023.

NOTARY PUBLIC

My Commission Expires: Nov 2, 2026

PAULA CHAMBERS
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON
My Commission Expires Nov. 2, 2026