

**ASSIGNMENT OF LESSOR'S INTEREST IN LEASE**

by  
**EZELL, L.L.C. (d/b/a EZELL ENTERPRISES in the state of Mississippi), E.E.E., L.L.C., W.C. EZELL, L.L.C.  
and J.C. EZELL, L.L.C. (collectively, "Borrower")**

to  
**BANK OF AMERICA, N.A. D/B/A NATIONSBANK, N.A. ("Lender").**

**THIS DOCUMENT IS ONE OF TWENTY (20) ORIGINAL COUNTERPARTS, ONE ORIGINAL WILL BE  
FILED IN EACH OF THE COUNTIES AND STATES LISTED BELOW**

COUNTY	STATE
Butler	AL
Colbert	AL
Cullman	AL
Jefferson	AL
Madison	AL
Montgomery	AL
Shelby	AL
Tuscaloosa	AL
Simpson	KY
Lamar	MS
Lauderdale	MS
Lee	MS
Coffee	TN
Cumberland	TN
Davidson	TN
Dickson	TN
Maury	TN
Putnam	TN
Rutherford	TN
Williamson	TN

Inst # 1999-32128

08/02/1999-32128  
12:12 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
041 HRS 108.50

## ASSIGNMENT OF LESSOR'S INTEREST IN LEASE

THIS ASSIGNMENT, made this 29<sup>th</sup> day of July, 1999, by EZELL, L.L.C. (d/b/a EZELL ENTERPRISES in the state of Mississippi), E.E.E., L.L.C., W.C. EZELL, L.L.C. and J.C. EZELL, L.L.C. (collectively, herein called "Borrower") to BANK OF AMERICA, N.A. D/B/A NATIONSBANK, N.A. (herein called "Lender").

### WITNESSETH:

FOR VALUE RECEIVED, Borrower hereby grants, transfers and assigns to Lender, its successors and assigns, all of the right, title and interest of Borrower in and to that certain Lease or those certain Leases, with modifications, if any, described in Schedule A hereof, covering premises (herein called "Premises") briefly described as:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

together with any extensions of any thereof and any guarantees of the Lessee's obligations under any thereof (each of said leases, together with all such guarantees, modifications and extensions, being hereinafter collectively referred to as "the Lease") for the purpose of securing (a) payment of all sums now or at any time hereafter due Lender and secured by a certain Multi-State Mortgage and Deed of Trust (herein called "Security Conveyance") made by Borrower to Lender dated of even date herewith and recorded, or to be recorded in the public records of counties and states listed on the cover page hereto, together with any renewals or extensions thereof and any future advances made thereunder to the extent permitted under the laws of the States listed on the cover page hereto, and (b) performance and discharge of each obligation, covenant and agreement of Borrower contained herein or contained in the Security Conveyance or note secured thereby.

Lender agrees that:

A. So long as there shall exist no event of default, as hereinafter defined, on the part of Borrower, Borrower shall have the right to collect, but not more than thirty (30) days prior to accrual, all rents, issues and profits from the Premises and to retain, use and enjoy the same.

B. Upon the payment in full of all indebtedness secured hereby, as evidenced by the recording or filing of an instrument of satisfaction or full release of the Security Conveyance without the recording of another Security Conveyance in favor of Lender affecting the Premises, this assignment shall become and be void and of no effect.

Borrower warrants that:

A. There is no other assignment of any of its rights under the Lease to any other person.

B. Borrower has done no act nor omitted to do any act which might prevent Lender from, or limit Lender in, acting under any of the provisions herein.

C. Borrower has not accepted rent under the Lease for more than thirty (30) days in advance of its due date.

D. There is no default by Lessee under the terms of the Lease to the knowledge of Borrower.

E. Borrower is not prohibited under any agreement with any other person or any judgment or decree from the execution and delivery of this assignment or Lease, the performance of each and every covenant of Borrower hereunder and in Lease, and the meeting of each and every condition herein contained.

F. No action has been brought or threatened which in any wise would interfere with the right of Borrower to execute this assignment and perform all of Borrower's obligations herein contained.

G. Lease, except as specifically recited in Schedule A, is in full force and effect and unmodified.

Borrower agrees, so long as it is indebted to Lender, that:

1. Borrower will (i) fulfill, perform and observe each and every condition and covenant of Borrower contained in the Lease; (ii) give prompt notice to Lender of any claim of default under Lease (a) given by Lessee to Borrower or (b) given by Borrower to Lessee, together with a complete copy of any such claim; (iii) at the sole cost and expense of Borrower, enforce, short of termination of the Lease, the performance and observance of each and every covenant and condition of the Lease to be performed or observed by Lessee; and (iv) appear in and defend any action growing out of, or in any manner connected with, the Lease or the obligations or liabilities of Borrower, as lessor thereunder, or of the Lessee or any guarantor thereunder.

2. The rights assigned hereunder include all of Borrower's right and title (i) to modify the Lease; (ii) to terminate the term or to accept the surrender thereof; (iii) to waive, or release the Lessee from the performance or observance by the Lessee of any obligation or condition of the Lease; (iv) to permit the prepayment of any rents under the Lease for more than thirty (30) days prior to accrual thereof; and (v) to give any consent to any assignment by the Lessee of the Lease or to sublease any part or portion of the Premises.

3. Borrower will not (i) modify the term of the Lease or accept the surrender thereof unless required so to do by the terms of the Lease; (ii) permit the lessee to anticipate the payment of any rents under the Lease by Lessee or any sublessee for more than thirty (30) days prior to accrual; (iii) waive, or release Lessee or any sublessee from, the observance or performance of any obligation to be performed by either under the terms of the Lease or liability on account of any warranty given by either of them.

4. Upon the occurrence of any one of the following events (herein called an "event of default"):

(i) the failure by Borrower to perform or observe any covenant of Borrower contained in this assignment, in any instrument evidencing any debt secured by this assignment, or in the Security Conveyance;

(ii) should any warranty of Borrower herein contained or contained in any evidence of debt given by Borrower to Lender and secured hereby, or contained in Security Conveyance, prove untrue or misleading in any material aspect;

(iii) failure by Borrower to meet any condition set forth in the Lease;

(iv) should any event occur under any agreement made by Borrower with any third person whereby that person might declare immediately due and payable any indebtedness owing by Borrower to such third person; or

(v) should Borrower fail promptly to pay, when due, any debt due any third person, then and thereupon Lender may; (a) declare the total indebtedness due by Borrower to Lender, secured by this assignment, immediately due and payable; (b) proceed to enter upon, take possession of, and operate the Premises under this assignment without becoming a mortgagee in possession; (c) proceed to perform any and all obligations of Borrower, contained under

Lease, and exercise any and all rights of Borrower therein contained as fully as Borrower itself could, and this without regard to the adequacy of security for the indebtedness hereby secured and with or without the bringing of any legal action or the causing of any receiver to be appointed by any court; (d) make, enforce, modify and accept the surrender of Lease, or any single Lease if more than one be assigned hereunder; (e) obtain and evict tenants; (f) fix or modify rent; and (g) do all other acts which Lender may deem necessary or proper to protect its security. Borrower does hereby specifically authorize Lender in Borrower's name or in Lender's name to sue for or otherwise collect and receive all rents, issues and profits, including those past due and unpaid, and apply the same first against all costs and expenses of operation of the Premises, of the performance of Borrower's obligation under Lease and of collection, including reasonable attorney's fees. Any amounts remaining after such application shall be applied next to interest on, and then to the principal of, the indebtedness secured hereby and upon the payment in full thereof, both principal and interest, then this assignment and all rights of Lender hereunder shall cease and terminate. Entry upon and taking possession of the property and the collection of the rents and the application thereof, as aforesaid, shall in no wise operate to cure or waive any default under any other instrument given by Borrower to Lender, or prohibit the taking of any other action by Borrower under any such instrument or at law or in equity to enforce payment of the indebtedness secured by Lease or to realize on any other security.

Borrower further agrees that:

1. Should Borrower fail to perform or observe any covenant or comply with any condition contained in the Lease, then Lender, but without obligations so to do and without notice to or demand on Borrower or releasing Borrower from its obligations so to do, may perform such covenant or conditions and to the extent that Lender shall incur any costs or pay any monies in connection therewith, including any costs or expenses of litigation, then costs, expense or payment shall be included in the indebtedness secured hereby and shall bear interest from the incurring or payment thereof at the maximum rate allowed by law, or, if none, twenty-five percent (25%) per annum.

2. No action taken by Borrower of Lender shall cause or permit the estate of any Lessee under any Lease to merge with Borrower's reversionary interest.

3. Lender shall not be obligated to perform or discharge any obligation of Borrower under Lease, and Borrower agrees to indemnify and hold Lender harmless against any and all liability, loss or damage which Lender may incur under the Lease or under or by reason of the Assignment and of and from all claims and demands whatsoever which may be asserted against it by reason of an act of Lender under this Assignment or under Lease.

The parties agree that wherever used in this Assignment, unless the context clearly indicated a contrary intent or unless otherwise specifically provided herein, the words "Borrower" and "Lender" shall include individuals, corporations (and if a corporation, its officers, employees, agents or attorneys) and any and all other persons or entities and the respective heirs, executors, legal representatives, administrators, successors and assigns of the parties hereto, and all those holding under either of them; the word "note" shall also include one or more notes or bonds, and the pronouns used herein shall include, when appropriate, either gender and both singular and; plural, and the grammatical construction of sentences shall conform thereto.


IN WITNESS WHEREOF, Borrower has caused these presents to be executed on the date hereinabove written.

BORROWER:


EZELL, L.L.C., a Nevada limited liability company (d/b/a EZELL ENTERPRISES in the state of Mississippi)

By:  (Seal)  
William E. Ezell, III, Manager


E.E.E., L.L.C., a Nevada limited liability company

By:  (Seal)  
William E. Ezell, III, Manager

W.C. EZELL, L.L.C., a Nevada limited liability company

By:  (Seal)  
William E. Ezell, III, Manager

J.C. EZELL, L.L.C., a Nevada limited liability company

By:  (Seal)  
William E. Ezell, III, Manager

-ACKNOWLEDGMENT ON NEXT PAGE-

Alabama Acknowledgment

STATE OF GEORGIA  
COUNTY OF GWINNETT

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that William E. Ezell, III whose name as Manager of Ezell, L.L.C. a Nevada limited liability company, E.E.E., L.L.C. a Nevada limited liability company, J.C. EZELL, L.L.C. a Nevada limited liability company and W.C. EZELL, L.L.C. a Nevada limited liability company, is signed to the foregoing, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing, William E. Ezell, III an as such Manager and with full authority executed the same voluntarily for and as the act of said limited liability companies on the day the same bears date.

Given under my hand and official seal this the 29<sup>th</sup> day of July, 1999.

Corry Ann Grigg  
Notary Public



# SCHEDULE "A"

(Here set forth the following information for each lease and to the extent appropriate, each modification thereof: name of lessor, name of lessee (the "Lessee"), date, book and page of recording, remaining length of current term, and address or other identification of leased premises.)

All leases now or hereafter entered into by Borrower with respect to the Premises, including but not limited to the following:

1. Those certain Thirty five Seller Sublease Agreements dated April 29, 1999 by and between Treetop Enterprises, Inc., as Sublessor and SouthEast Waffles, LLC, as Sublessee for Waffle House restaurants located on the real property described in Exhibit "A".
2. That certain Supplemental Sublease Payment Agreement dated April 29, 1999 by and between Treetop Enterprises, Inc. and SouthEast Waffles, LLC for Waffle House restaurants located on the real property described in Exhibit "A".
3. Those certain Third Party Sublease Agreements dated April 29, 1999 by and between Treetop Enterprises, Inc., as Sublessor and SouthEast Waffles, LLC as Sublessee for the following locations:

287	3913 University Dr. Huntsville, AL 35805-3172	Madison	AL
490	2321 Hwy 46-S Dickson, TN 37055-9579	Dickson	TN
931	1079 S. Willow Ave. Cookeville, TN 38501-4106	Putnam	TN
1033	1440 Gadsden Hwy. Birmingham, AL 35235-3126	Jefferson	AL
1095	318 Harding Pl. Nashville, TN 37211-3910	Davidson	TN
1160	1123 Smithville Hwy. McMinnville, TN 37110-1635	Warren	TN
1218	794 Nissan Blvd. Smryna, TN 37167-4407	Rutherford	TN
1264	828 Hwy. 76 White House, TN 37188-9209	Robertson	TN
1283	2501 Florence Blvd. Florence, AL 35630-2867	Lauderdale	AL
1295	1985 Highway 31 S Birmingham, AL 35244-1117	Shelby	AL
1328	8299 Tridon Drive Smryna, TN 37167-6600	Rutherford	TN
1329	1593 Bear Creek Pike Columbia, TN 38401-7658	Maury	TN
819	1090 W. Main Street Hendersonville, TN 37075-2821	Sumner	TN
834	2727 McGavock Pk. Nashville, TN 37214-1310	Davidson	TN
835	985 W. South Blvd. Montgomery, AL 36105-3038	Montgomery	AL
843	556 Donelson Pike Nashville, TN 37214-3730	Davidson	TN
848	326 S. Mount Juliet Road Mt. Juliet, TN, 37122-6309	Wilson	TN
865	949 Louisville Highway Goodlettsville, TN 37072-1106	Sumner	TN
886	1119 Woodbury Highway Manchester, TN 37355-3103	Coffee	TN
906	13020 Old Hickory Blvd. Antioch, TN 37013-2411	Davidson	TN
916	Rt. 1, Box 1125 Monteagle, TN 37356-9776	Grundy	TN
940	14991 Old Hickory Blvd. Nashville, TN 37211-6411	Davidson	TN

## EXHIBIT A

All that tract or parcel of land located in Tuscaloosa County, Alabama, and being more particularly described as follows:

Start at the NE corner of Lot 11 of the Martha Caroline Albright Survey, as recorded in Plat Book 6 at Page 9 in the Probate Office of Tuscaloosa County, Alabama; thence run in a Westerly direction and along the North boundary of said Lot 11 for a distance of 184.89 ft. to the point of beginning; thence continue in a Westerly direction and along the North boundary of Lot 11 for a distance of 280.44 ft. to a point, said point lying on the East boundary of the U.S. 82 By-Pass; thence with a deflection angle of 97 degrees 45 minutes to the left, run in a Southerly direction and along the East boundary of Lot 11 for a distance of 70.0 ft. to a point; thence with a deflection angle of 82 degrees 15 minutes to the left, run in an Easterly direction for a distance of 270.64 ft. to a point; thence with a deflection angle of 89 degrees, 42 minutes to the left, run in a Northerly direction for a distance of 69.36 ft. to the point of beginning.

Located at: 3421 McFarland Blvd. E. & I-59  
Tuscaloosa, AL 35401

## EXHIBIT "A"

Commence at the Northeast corner of the Southeast Quarter of the Northeast Quarter of Section 9, Township 21 South, Range 10 West, in Tuscaloosa County, Alabama; thence run South 5 degrees 17 minutes 30 seconds East along the East line of said Southeast Quarter of Northeast Quarter (SE 1/4 of NE 1/4) for 504.63 feet to a point on the Southerly right of way line of U.S. Highway No. 82; thence to the right with a deflection angle of 113 degrees 18 minutes 00 seconds and run North 71 degrees 59 minutes 30 seconds West along said Southerly right of way line for 53.47 feet to a point; thence to the left with an interior angle of 90 degrees 00 minutes 00 seconds and run South 18 degrees 00 minutes 30 seconds West for 15 feet to a point; thence to the right with an interior angle of 270 degrees 00 minutes 00 seconds and run North 71 degrees 59 minutes 30 seconds West for 27.11 feet to the point of beginning; thence continuing Catalina Motel property; thence to the left with an interior angle of 87 degrees 23 minutes 00 seconds and run South 15 degrees 23 minutes 30 seconds West for 194.39 feet along the Easterly line of said Motel property to the Southeast corner of said property on the North line of 32nd Street; thence to the left with an interior angle of 79 degrees 35 minutes 02 seconds and run South 85 degrees 01 minutes 28 seconds East for 76.26 feet; thence to the left with an interior angle of 100 degrees 24 minutes 58 seconds and run North 15 degrees 23 minutes 30 seconds East for 177.17 feet to the point of beginning, being in the County of Tuscaloosa, State of Alabama.

SOURCE OF TITLE: Deed from Lee E. Faulkner to Treestop Enterprises, Inc. as recorded in Deed Book 817, at Page 650 in the Probate Office of Tuscaloosa County, Alabama.

Located at: U.S. 82 By-Pass W. & Alabama 69  
Northport, AL 35476



## EXHIBIT "A"

Unit No. 152, Manchester, Coffee County, Tennessee:

Land near the city of Manchester, Coffee County, Tennessee, as shown on Plat of record in Trust Deed Book 145, page 469, and being more particularly described as follows:

TO REACH THE POINT OF BEGINNING from the intersection of the northwesterly margin of U. S. 41, State Route No. 2, and the westerly margin of Expressway Drive; thence with said westerly margin, north 22 degrees, 38 minutes east, a distance of 200 feet to an iron pin, to the northeasterly corner of Lot 2, Section 1, Expressway Park, the point of beginning; thence with the northerly line of Lot 2; north 67 degrees 22 minutes west a distance of 200 feet to an iron pin; thence north 22 degrees 38 minutes east a distance of 100 feet to an iron pin; thence south 67 degrees 22 minutes east a distance of 174.13 feet to an iron pin on the westerly margin of Expressway Drive; thence with the same in a southerly direction with a 206.18 foot radius curve to the right, a distance of 104.40 feet to the beginning, and containing 19,160 square feet or 0.44 acres, more or less.

Being the same property conveyed to Treetop Enterprises, Inc., a Tennessee corporation, by Deed from Falsue Properties, a partnership, of record in Book 182, page 630, Register's Office for Coffee County, Tennessee.

• Located at: I-24 & U.S. 41  
Manchester, TN 37355



## EXHIBIT "A"

Begin at the northeast corner of the southeast quarter of the southeast quarter of Section 10, Township 10, Range 14, Butler County, Alabama; run then North 88 degrees 13 minutes West 1,285.0 feet to a concrete marker, said marker being the point of beginning of the herein described real property; run thence South 01 degrees 47 minutes west 90.0 feet to a concrete marker; thence north 88 degrees 13 minutes west 178.7 feet to a concrete marker on the east right of way line of Alabama Highway Number 185; run thence north 11 degrees 24 minutes west along said right of way 92.4 feet to an iron pin; thence south 88 degrees 13 minutes east 200.0 feet to the point of beginning; situated, lying and being in the south one-half of the southeast quarter of Section 10, Township 10, Range 14, Greenville, Butler County, Alabama, and containing 17,041.5 feet, more or less.

Located at: I-65 & Alabama Hwy. 185  
Greenville, AL 36037

## EXHIBIT "A"

Unit No. 215. Sparta Road, Cookeville, Putnam County, Tennessee

Beginning at a point in the north margin of a 40 foot access road that parallels Interstate 40, also being the southeast corner of Texaco, Inc.; thence north 14 degrees 30 minutes east 215.5 feet to Texaco, Inc., northeast corner; thence south 84 degrees 25 minutes east 95.00 feet; thence south 14 degrees 30 minutes west 215.5 feet to the said access road; thence north 84 degrees 25 minutes west 95 feet to the beginning.

Being the same property conveyed to Treetop Enterprises, Inc., by Deed from William Doyle Tidwell, Sr., and THT Foods, Inc., Profit Sharing Trust, by Deed of record in Volume 280, page 444, Register's Office for Putnam County, Tennessee.

Located at: I-40 & State Hwy. 42  
Cookeville, TN 38501

## EXHIBIT "A"

All that tract or parcel of land lying and being in the South 99.03 feet of Lot 10, Block A, of Nickerson's Addition to Alabaster, as recorded in Map Book 3, Page 61, in the Probate Office of Shelby County, Alabama, more particularly described as follows:

Beginning at the Southwest corner of said Lot 10; thence, running North 3 degrees 56 minutes West along the West line of said lot for 99.03 feet; thence 91 degrees 41 minutes right (recorded 92 degrees 0 minutes) and running North 87 degrees 45 minutes East and parallel with the South line of said lot for 145.0 feet to a point on the East line of said Lot 10; thence 88 degrees 19 minutes right (recorded 88 degrees 0 minutes) and running South 3 degrees 56 minutes East along the East line of said Lot 10 for 99.03 feet to the Southeast corner of said Lot 10; thence 91 degrees 42 minutes right (recorded 92 degrees 0 minutes) and running South 87 degrees 45 minutes West along the South line of said Lot 10 for 145.0 feet to the point of beginning. Situated in the Town of Alabaster, Shelby County, Alabama.

Located at: I-65 & U.S. 31  
Alabaster, AL 35007

EXHIBIT A

A Tract of land in Rutherford County, Tennessee, as shown on Section III Interchange City Industrial Park, as of record in Plat Book 3, page 94, Register's Office of Rutherford County, Tennessee, and described by survey of Hart Freeland Roberts, Inc., dated May 8, 1973, as follows:

Starting at the point of intersection of the west right-of-way of Waldron Road with the north right-of-way of proposed Enterprise Blvd; thence proceeding with the north right-of-way of proposed Enterprise Blvd. south 89 degrees 26 minutes west a distance of 200.00 feet to the point of beginning; thence continuing with said right-of-way south 89 degrees 26 minutes west a distance of 100.00 feet to a point; thence departing said right-of-way and proceeding north 0 degrees 34 minutes west a distance of 200.00 feet to a point; thence north 89 degrees 26 minutes east a distance of 100.00 feet to a point; thence south 0 degrees 34 minutes east a distance of 200.00 feet to the point of beginning, containing 0.46 acres, more or less.

Being the same property conveyed to Treetop Enterprises, Inc., a Tennessee corporation by deed from Treetop Enterprises, Inc., Profit Sharing Plan and Trust, by its Trustees, Nathaniel P. Harris, Jr., and William E. Ezell, III of record in Book 319, page 963, said Register's Office.

## TRACT NO. 2

A tract of land in the City of LaVergne, Rutherford County, Tennessee, and being north of Enterprise Boulevard and west of Waldron Road and being more fully described according to a survey dated August 5, 1983, prepared by Theodore L. Martin, Jr. as follows:

Beginning at an iron pin on the west right-of-way of Waldron Road at the northeast corner of Lot No. 1, Section 7, Interchange City Industrial Park as evidenced in Plat Book 5, page 63, Register's Office for Rutherford County, Tennessee; thence, south 89 degrees 26 minutes west, a distance of 195.22 feet with the north line of Lot No. 1 and Lot No. 2 to an iron pin in the east line of Lot No. 1, Section 3, Interchange City Industrial Park as evidenced in Plat Book 3, page 94, Register's Office for Rutherford County, Tennessee; thence north 0 degrees 34 minutes west a distance of 60.00 feet with the east line of Lot No. 1, Section 3, to an iron pin; thence north 89 degrees 26 minutes east, a distance of 193.78 feet severing the lands of McDowell Development Corporation to an iron pin on the west right-of-way of Waldron Road; thence, south 8 degrees 21 minutes 36 seconds west, a distance of 3.23 feet with the west right-of-way of Waldron Road to a disturbed concrete highway monument; thence, South 2 degrees 31 minutes 24 seconds East, a distance of 56.84 feet with the west right-of-way of Waldron Road to the point of beginning and containing 11,653 square feet.

Being the same property conveyed to Treetop Enterprises, Inc. by deed from McDowell Development Corporation, a Tennessee corporation of record in Book 323, page 658, said Register's Office.

Located at: Enterprise Blvd. & I-24  
LaVergne, TN 37086

## EXHIBIT "A"

Beginning at the Southeast corner of the Southwest Quarter of the Northwest Quarter of Section 4, Township 11 South, Range 3 West; thence North 2°42' West a distance of 394.7 feet to a point; thence North 71°45' West a distance of 736.4 feet to the right-of-way line of Alabama Highway No. 69; thence North 30°58' East along said right-of-way a distance of 100 feet to the Point of Beginning of the herein described parcel; thence North 30°58' East along said right-of-way 75.35 feet to an Iron Pin; thence North 58°58' West a distance of 40 feet to an Iron Pin; thence North 32°54' East run the arc of a 2° curve having a chord distance of 20 feet to an Iron Pin; thence South 67°06' East a distance of 200 feet to an Iron Pin; thence South 30°58' West a distance of 95 feet to an Iron Pin; thence North 69°10' West a distance of 162.8 feet to the true point of beginning. Situated, lying and being in Cullman County, State of Alabama.

An easement for sewer purposes more particularly described as follows:

Beginning at the Southeast corner of the Southwest Quarter of the Northwest Quarter of Section 4, Township 11 South, Range 3 West; thence North 2°42' West a distance of 394.7 feet to a point; thence North 71°45' West a distance of 736.4 feet to the right-of-way line of Alabama Highway No. 69; thence North 30°58' East along said right-of-way a distance of 100 feet; thence North 30°58' East along said right-of-way 75.35 feet to an Iron Pin; thence North 58°58' West a distance of 40 feet to an Iron Pin; thence North 32°54' East run the arc of a 2° curve having a chord distance of 20 feet to an Iron Pin; thence South 67°06' East a distance of 200 feet to an Iron Pin; thence South 30°58' West a distance of 10 feet to the beginning and center line of a 10 foot wide easement being 5 feet each side of the following described center line; South 55°02' East 400.63 feet to the center of an existing drainage ditch. Situated, lying and being in Cullman County, State of Alabama.

Located at: Alabama 69 & I-65  
Cullman, AL 35055

## EXHIBIT "A"

Unit No. 472, Longhollow Pike, Nashville, Davidson County,  
Tennessee:

A tract of land in the Second Civil District of Metropolitan  
Nashville-Davidson County, Tennessee, being more fully described  
as follows:

Being Lot No. 8 on the Final Plat of Northgate Industrial Park, Section 7, of  
record in Book 5800, page 107, Register's Office for Davidson County, Tennessee, to  
which plat reference is here made for a more complete description of said lot.

Being the same property conveyed to Treatop Enterprises, Inc., by deed from  
Parthenon, Inc. of record in Book 5956, page 484, said Register's Office.

Located at: 941 Conference Drive  
Goodlettsville, TN 37072

## EXHIBIT "A"

Unit No. 473, Sidco Drive and Elysian Fields Road, Nashville,  
Davidson County, Tennessee:

Being a parcel of land in the First Civil District, Davidson County, Tennessee, located in the southwest quadrant of Sidco Drive and Elysian Fields Road, being Lot No. 4 shown on South Plaza of record in Book 5200, page 289, Register's Office of Davidson County, Tennessee, and being more particularly described as follows:

Beginning at a point in the westerly margin of Sidco Drive, as widened, said point being the south end of a 25 foot radius return into Elysian Fields Road and being 25.12 feet south of the southerly margin of said road;

Thence, with said margin of Sidco Drive south 7 degrees 8 minutes east 116.68 feet; thence, leaving said drive at right angles south 82 degrees 52 minutes west, 101.00 feet; thence, at right angles and 101.00 feet distant from and parallel to said Sidco Drive north 7 degrees 8 minutes west, 159.79 feet to the southerly margin of Elysian Fields Road; thence, with said margin in an easterly direction with a curve to the right 72.14 feet, said curve having a radius of 2,849.86 feet, a central angle of 1 degree 27 minutes 16 seconds and a tangent distance of 16.17 feet; thence, continuing with said margin north 82 degrees 9 minutes east, 5.38 feet; thence, in a southeasterly direction with a curve to the right having a radius of 25.00 feet, a central angle of 90 degrees 43 minutes 00 seconds, a tangent distance of 25.12 feet, with arch of said curve 39.58 feet to the point of beginning.

Containing 16,459 square feet or 0.38 acres, more or less.

Located at: 4301 Sidco Drive & I-65  
Nashville, TN 37204



## EXHIBIT "A"

Commence at the Southwest corner of the Southwest 1/4 of Northwest 1/4, Section 20, Township 6 North, Range 16 East, Meridian, Lauderdale County, Mississippi; thence North 0 degrees 34 minutes West 147.87 feet to a point; thence North 89 degrees 25 minutes East 121.51 feet to the point of beginning of the herein described land; thence North 0 degrees 34 minutes West 127.21 feet to a point; thence North 12 degrees 17 minutes East 94.0 feet to a point; thence South 77 degrees 40 minutes East 140.87 feet to a point; thence South 12 degrees 17 minutes West 42.0 feet to a point; thence South 89 degrees 25 minutes West 40.0 feet to a point; thence South 11 degrees 59 minutes West 150.0 feet to a point; thence South 89 degrees 25 minutes West 76.28 feet to the point of beginning; being part of Lot 7, Block 4, Mountain View Subdivision, and part of Lots 4, 5, 6 and 7, Hamilton Park Addition, No. 2, of part of the Southwest 1/4 of Northwest 1/4, Section 20, Township 6 North, Range 16 East, Meridian, Lauderdale County, Mississippi.

AND ALSO: An easement for sign purposes described as follows, to-wit:

✓ Commence at the Southwest corner of the Southwest 1/4 of Northwest 1/4, Section 20, Township 6 North, Range 16 East, Meridian, Lauderdale County, Mississippi; thence North 0 degrees 34 minutes West 147.87 feet to a point; thence North 89 degrees 25 minutes East 121.51 feet to a point; thence North 0 degrees 34 minutes West 127.21 feet to a point; thence North 12 degrees 17 minutes East 56.0 feet to the point of beginning of an easement for a sign; thence North 44 degrees 50 minutes West 36.47 feet to a point; thence North 45 degrees 10 minutes East 10.0 feet to a point; thence South 44 degrees 50 minutes East 30.0 feet to a point; thence South 12 degrees 17 minutes West 11.91 feet to the point of beginning; being a part of Lot 7, Block 4, Mountain Subdivision and part of Lot 7, Hamilton Park Addition No. 2 of part of the Southwest 1/4 of Northwest 1/4, Section 20, Township 6 North, Range 16 East, Meridian, Lauderdale County, Mississippi.

Located at: 1208 Roebuck Dr.  
Meridan, MS 39301

## EXHIBIT "A"

Unit No. 483, I-65 and Highway 96, Franklin, Williamson County,  
Tennessee:

Land in the 9th Civil District of Williamson County, Tennessee, beginning at a concrete monument at the Southwest intersection of relocated Tennessee Highway 96 and U. S. Highway I-65; thence north 73 degrees 33' west 310.0 feet to an iron pin in the South margin of said relocated Highway 96, the point of beginning; thence with the margin of relocated Highway 96, north 73 degrees 33' west 111.4 feet to an iron pin; thence leaving said Highway 96 south 9 degrees east 200 feet to an iron pin; thence south 73 degrees 00' east 108.18 feet to an iron pin at the southwest corner of the Shell Service Station property; thence north 8 degrees 01' 25" west, 199.47 feet to the point of beginning; being 0.476 acres, more or less, as shown on a survey plat, dated, March 3, 1976, prepared by Stanford and Associates, Inc., registered surveyors, for the proposed Omelet Shoppe.

Together with an 18 foot wide perpetual easement running across the remainder of Grantor's land to the south of the above described property, for ingress and egress from the above described property to Old Highway 96, with the right vested in Grantee, its successors and assigns, to pave and maintain said easement. The exact location of said easement shall be mutually determined by Grantor and Grantee after Grantee has finalized its plans for the improvement of the above described property.

Together with an easement for the erection and maintenance of an Omelet Shoppe Sign, described as follows:

beginning at a point in the west margin of Highway I-65, the southeast corner of property conveyed to Mrs. Edward C. Kennedy from Shell Oil Company by deed of record in Book 252, page 710, Register's office for Williamson County, Tennessee; thence westwardly with the north margin of Old Highway 96 a distance of 40 feet; thence north and parallel with the west margin of Highway I-65 a distance of 40 feet; thence in an eastwardly direction and parallel to the north margin of Old Highway 96 a distance of 40 feet to the west margin of Highway I-65; thence in a southeastwardly direction with the margin of Highway I-65 a distance of 40 feet to the point of beginning.

Being the same property conveyed to Treestop Enterprises, Inc., a Tennessee corporation, by Warranty Deed recorded in Book 448, page 689, in the Register's Office of Williamson County, Tennessee.

Located at: I-65 & U.S. 96  
Franklin, TN 37064

## EXHIBIT "A"

Unit No. 485, West Trinity Lane, Nashville, Davidson County,  
Tennessee

Being Lot No. 2 on the Plan of the Resubdivision of Lot No. 1, Texaco Park, of record in Book 5190, page 14, Register's Office for said county, to which reference is here made.

Being the same property conveyed to Treetop Enterprises, Inc. by Deed from Themis G. Poulos Cramer of record in Book 1088, page 332, Register's Office for Davidson County, Tennessee.

Located at: 228 W. Trinity Lane & I-65  
Nashville, TN 37207

EXHIBIT A

Land situated in the 13th Civil District of Rutherford County, Tennessee, and described according to survey of W. Henry Huddleston, III, Civil Engineer, made February 19, 1971, as follows:

Beginning at an iron pipe in the west line of proposed Oliver Drive, North 10 degrees 30 minutes East, 189.2 feet from the north line of the State Highway No. 96 Frontage Road and at the northeast corner of the Humble Oil Company lot; thence North 79 degrees 30 minutes West 175.0 feet along Humble's north line to an iron pipe; thence South 10 degrees 30 minutes West, 175.2 feet along Humble's west line to an iron pipe in the north line of Frontage Road; thence North 70 degrees 18 minutes West, 90.2 feet along said north line to a steel pin; thence westward 63.9 feet along said north line on a 7.2663 degree curve to the right on a deflection of 27 degrees 06 minutes to a steel pin in Alsup's east line; thence North 0 degrees 05 minutes West 663.1 feet along Alsup's east line to a steel pin; thence South 79 degrees 30 minutes East, 447.4 feet to a steel pin in the west line of the proposed Oliver Drive; thence South 10 degrees 30 minutes West, 504.0 feet along said west line to the point of beginning being an area of 5.25 acres.

Being the same property conveyed to Treetop Enterprises, Inc. by deed from Commerce Union Bank, a Tennessee banking corporation of record in Deed Book 318 page 382, said Register's Office.

Located at: SR 96 & I-24  
Murfreesboro, TN 37130

Unit No. 1, Highway 70 and I-40, Nashville, Davidson County, Tennessee.

located at: Land in the Ninth Civil District, County of Davidson, State of Tennessee, more particularly described as follows:

-40 & U.S. 70 S. Beginning at an iron stake beside a broken concrete monument, said stake being in the northerly margin of U. S. 70-S, State Route 1, the Memphis-Bristol highway, and south 53 degrees 12 minutes east a distance of 275.20 feet from a concrete highway monument at the northeasterly intersection of U. S. 70-S and Interstate Highway I-40; thence north 15 degrees 5 minutes east a distance of 200.0 feet to an iron stake; thence south 53 degrees 12 minutes east a distance of 225.00 feet to an iron stake; thence south 15 degrees 5 minutes west a distance of 200.00 feet to an iron stake in the northerly margin of U. S. 70-S; thence north 53 degrees 12 minutes west a distance of 225.00 feet to the beginning. Being the same property conveyed to Treetop Enterprises, Inc., a Tennessee corporation, by Deed from Chevron U.S.A., Inc., a California corporation (successor to Chevron Oil Company), by Deed of record in Book 6486, page 296, Register's Office for Davidson County, Tennessee.

Together with an easement for sewerage lines acquired by Chevron Oil Company (now Chevron U.S.A., Inc.) from Gail S. Teter and wife, Frances W. Teter, by Deed of easement dated January 25, 1972, and recorded in Book 4571, page 799, in the Register's Office for Davidson County, Tennessee, over and across a tract of land in the Ninth Civil District of Davidson County, Tennessee, more particularly described as follows:

Beginning at a point in the northerly line of Chevron Oil site. Said point being north 53 degrees 12 minutes west, 26.0 feet from the northeasterly corner of said Chevron Oil site. Thence south 87 degrees 23 minutes east, 107.2 feet. Thence south 65 degrees 53 minutes east, 125.0 feet. Thence south 39 degrees 7 minutes west, 125.0 feet. Thence north 45 degrees 53 minutes west, 175.0 feet to a point in the easterly line of Chevron Oil site. Thence north 15 degrees 5 minutes east, 16 feet to the northeast corner of Chevron Oil site. Thence north 53 degrees 12 minutes west, 26.0 feet to the point of beginning.

Together with an easement for an ingress/egress driveway connecting the entrance drives of Treetop Enterprises, Inc. and Gate Petroleum Company described as follows:

Beginning at an iron pin in the north right-of-way line of U. S. Highway 70-S, said pin being a common corner of Treetop Enterprises, Inc. and Gate Petroleum Company;

Thence with the north right-of-way line of U. S. Highway 70-S, north 53 degrees 12 minutes 0 seconds west, 38.50 feet to a point;

Thence leaving U. S. Highway 70-S, north 17 degrees 10 minutes 13 seconds east, 25.48 feet to a point;

Thence south 53 degrees 12 minutes 0 seconds east, 37.50 feet to a point in the property line between Gate Petroleum Company and Treetop Enterprises, Inc.;

Thence with the common line between Gate Petroleum Company and Treetop Enterprises, Inc., south 15 degrees 5 minutes 0 seconds west, 25.83 feet to the point of beginning. Containing 912 square feet, more or less, such easement being of record in Book 6614, page 257, Register's Office for Davidson County, Tennessee.

## EXHIBIT "A"

To reach the point of beginning from the intersection of the East side of Ann Street and the North side of Third Street in the City of Montgomery, Alabama, run North 2 degrees 15 minutes West along the East side of Ann Street 250.0 feet; thence North 87 degrees 43 minutes East 266.8 feet to the point of beginning; thence from the point of beginning run South 87 degrees 43 minutes West along the North side of Zelda Road 103.75 feet to the beginning of a curve to the right having a central angle of 65 degrees 22 minutes 20 seconds and a radius of 146.0 feet; thence Northwesterly along said curve to a point on the South property line of the Gulf Oil Company station, one chord being North 59 degrees 35 minutes 49 seconds West 137.20 feet; thence North 5 degrees 59 minutes East 1.75 feet; thence North 87 degrees 36 minutes East along said property 200.0 feet; thence North 87 degrees 43 minutes East 37.45 feet to the property of the Econo Lodge; thence South 1 degree 27 minutes 47 seconds East along said property 87.3 feet to the point of beginning, the said land being Lot B according to the Plat No. 4 of Southwest Part of Lot 41, Primrose Heights, as recorded in the Probate Office of Montgomery County, Alabama, in Plat Book 28, at Page 113, and additional property East and South thereof, and being in the Southwest Quarter of Section 16, Township 16 North, Range 18 East, Montgomery City and County, Alabama, and containing 17,475.969 square feet, or 0.401 acres, more or less.

Said Parcel also being described as Lot 88, according to the Replat of Plat No. 4 of Southwest Part of Lot 41, Primrose Heights and the Southwest corner of Lot A of Matador Plat No. 1, and additional property Southwest thereof in Southwest Quarter of Section 16, Township 16 North, Range 18 East, as said Replat appears of record in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 33, at Page 127.

TOGETHER with a non-exclusive easement for ingress, egress and parking across the following described property:

Commence at the intersection of the Southwest corner of Lot A, according to the Plat of Matador Plat No. 1, as the same appears of record in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 24, at Page 139, and Zelda Road; thence North 02 degrees 17 minutes West 87.3 feet; thence North 05 degrees 59 minutes East 200.00 feet; thence continue North 05 degrees 59 minutes East to the Northern boundary of said Lot A; thence run Easterly along the Northern boundary of said Lot A a distance of 70 feet; thence turn on run South to Zelda Road; thence run West along the North right-of-way of Zelda Road to the point of beginning.

Less and except therefrom the following described property:

To reach the point of beginning from the intersection of the East side of Ann Street and the North side of Third Street in the City of Montgomery, Alabama, run North 02 degrees 15 minutes West along the East side of Ann Street 250.0 feet; thence North 87 degrees 43 minutes East 230.6 feet to the point of beginning; thence from the point of beginning run North 02 degrees 17 minutes West 87.3 feet; thence North 87 degrees 43 minutes East 37.45 feet; thence South 01 degree 27 minutes 47 seconds East 87.3 feet to the North side of Zelda Road; thence South 87 degrees 43 minutes West along Zelda Road 36.2 feet to the point of beginning, the said land being in part of Lot 41, according to the Plat of Primrose Heights as recorded in the Probate Office of Montgomery County, Alabama, in Plat Book 4, at Page 58, and being in the Southwest Quarter of Section 16, Township 16 North, Range 18 East, Montgomery City and County, Alabama.

TOGETHER with an easement for sign across the following described property:

Beginning at the Southeast corner of Lot A, according to the Replat of the Northwest corner of Lot 41 of Primrose Heights as recorded in the Probate Office of Montgomery County, Alabama, in Plat Book 24, at Page 114, and running thence North 05 degrees 59 minutes East along said Lot A, 200.0 feet; thence North 87 degrees 43 minutes East 13.16 feet; thence South 05 degrees 59 minutes West 200.0 feet; thence South 87 degrees 43 minutes West 13.16 feet to the point of beginning, the said land being in the Southwest Quarter of Section 16, Township 16 North, Range 18 East, Montgomery County, Alabama, and containing 3000.0 square feet, or 0.069 acres, more or less.

Located at: 2615 Zelda Road  
Montgomery, AL 36107

EXHIBIT 'A'

Lot A-2, according to the Map of the Replat of Fifth Quarter Plat No. 1, as said replat is recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 33, Page 142.

Located at: 5180 Carmichael Road  
Montgomery, AL 36106



## EXHIBIT "A"

Lot 2, according to the plat of Bill G. King Subdivision, Madison Alabama, as recorded in the Office of the Judge of Probate of Madison County, Alabama, in Plat Book 15, page 79, which is also described as follows:

All that part of the Southeast quarter of Section 20, Township 4 South, Range 2 West of the Huntsville Meridian, Madison County, Alabama, more particularly described as beginning at an iron stake on the southerly right of way for Alabama Highway 20, said point of true beginning is further described as being West 40.00 feet; South 05 degrees 53 minutes West, 222.36 feet; South 63 degrees 18 minutes West 657.98 feet; and South 26 degrees 42 minutes East, 175.00 feet from the center of the East boundary of Section 20, Township Madison South, Range 2 West; thence from the point of true beginning, North 63 degrees 18 minutes East, along the southerly margin of Alabama Highway 20, 80.00 feet to a point; thence South 26 degrees 42 minutes East, 150.00 feet to a point; thence South 63 degrees 18 minutes West, 80.00 feet to an iron stake; thence North 26 degrees 42 minutes West, 150.00 feet to the point of true beginning.

ALSO, a perpetual, non-exclusive easement for ingress, egress and parking on the east 40 feet of Lot 1, according to the plat of Bill G. King Subdivision, Madison, Alabama, as recorded in the Office of the Judge of Probate of Madison County, Alabama in Plat Book 15, Page 79, by a deed recorded in Deed Book 666, Page 1156, Bill G. King as Grantor granted to Treatop Enterprises, Inc., as Grantee, the right to construct and maintain, at Grantee's expense a 25-foot wide driveway connecting Grantor's and Grantee's parking lots, in a location mutually acceptable to both parties.

Located at: 8979 Highway 20, West  
Madison, AL 35758

## EXHIBIT "A"

Unit No. 584, Elm Hill Pike, Nashville, Davidson County,  
Tennessee:

Being a parcel of land situated in Nashville, Davidson County,  
Tennessee, said parcel being a portion of the M. Lynn Garrett  
property as of record in Deed Book 3279, page 129, Register's  
Office for Davidson County, Tennessee and being more particularly  
described by metes and bounds as follows:

Beginning at a point in the northerly margin of Elm Hill Pike  
(120 foot right-of-way) said point being the southeast corner of  
Lot One, The Atrium, Phase One, as of record in Book 5200, page  
338, Register's Office for Davidson County, Tennessee, said point  
also being the southwest corner of the property herein described;  
thence with said margin of Elm Hill Pike, north 84 degrees 27  
minutes 22 seconds east a distance of 70.00 feet to a point;  
thence north 12 degrees 4 minutes 42 seconds east a distance of  
273.18 feet to a point; thence north 77 degrees 48 minutes 30  
seconds west a distance of 71.10 feet to a point; thence south 11  
degrees 19 minutes 23 seconds west a distance of 301.97 feet to  
the point of beginning and containing 0.45 acres of land, more or  
less.

Being the same property conveyed to Treetop Enterprises, Inc., by  
Deed from M. Lynn Garrett and wife, Gladys S. Garrett, of record  
in Book 4932, page 367, Register's Office for Davidson County,  
Tennessee.

Located at: 2340 Elm Hill Pike  
Nashville, TN 37210

EXHIBIT A

Being property located in the First Civil District of Cumberland County, Tennessee, and being described as follows:

BEGINNING on a concrete R.O.W. marker in the Eastern R.O.W. of a controlled access into the property now belonging to Ben Lamb and Richard H. Phillips, said R.O.W. marker being North 86 deg. 52 min. 3 $\frac{1}{4}$  sec East 62.7 $\frac{1}{4}$  feet from a concrete R.O.W. in the Eastern R.O.W. of U.S. Highway 127 North and South 16 deg 11 min 01 sec East 429.07 feet from a concrete R.O.W. marker where the Eastern R.O.W. of U.S. Highway 127 North intersects the Southern R.O.W. of Interstate 40; thence leaving the said controlled access North 86 deg 52 min 3 $\frac{1}{4}$  sec East (Tenn. Grid) 200.00 feet to an iron pin; thence South 1 $\frac{1}{4}$  deg 31 min 47 sec East 122.44 feet to an iron pin; thence South 86 deg. 52 min 3 $\frac{1}{4}$  sec West 85.24 feet to a bolt in the pavement, a corner of Cumberland Energy, Inc.; thence with the line of the same North 58 deg 19 min 06 sec West 49.24 feet to a bolt in the pavement and South 73 deg 28 min 45 sec West 104.11 feet to a bolt in the pavement in the aforementioned controlled access; thence with said access line North 21 deg 52 min 39 sec East 45.00 feet to an iron pin; thence continuing with said access line North 15 deg 20 min 13 sec West 77.00 feet to the BEGINNING. Containing .513 acres, more or less.

TOGETHER with a 30-foot wide mutual, perpetual easement for sign, access, and utilities as more particularly described as follows:

BEGINNING on an iron pin in the Southern line of Ben Lamb, said pin being the Northeast corner of the above described .513 acre tract; thence with the lines of Lamb North 86 deg 52 min 3 $\frac{1}{4}$  sec East (Tenn Grid) 129.96 feet to an iron pin and North 07 deg 10 min 24 sec West 336.06 feet to an iron pin in the Southern R.O.W. of Interstate 40; thence with the line of the same South 71 deg 21 min 57 sec East 33.32 feet to a point; thence leaving the Southern R.O.W. line of Interstate 40 South 07 deg 10 min 24 sec East 353.75 feet to a point; thence South 86 deg 52 min 3 $\frac{1}{4}$  sec West 156.11 feet to a point in the Eastern line of the above described .513 acre; thence with the line of the same North 1 $\frac{1}{4}$  deg 31 min 47 sec West 30.60 feet to the BEGINNING.

Located at: 3116 N. Main Street  
Crossville, TN 38555

EXHIBIT "A"

Lot 1, according to the Survey of Vestavia Waffle House, as recorded in Map Book 155, Page 28, in the Probate Office of Jefferson County, Alabama.

Located at: 3023 Columbiana Road  
Vestavia Hills, AL 35216

## EXHIBIT "A"

A part of the Northwest Quarter of the Southeast Quarter (NW1/4 of the SE1/4) of Section 12, Township 4 North, Range 14 West, Lamar County, Mississippi, and being more particularly described as commencing at a point of the East right-of-way line of Oak Grove Public Road (Westover Drive), said point being 172 feet North of and 137 feet East of the Southwest Corner of said Northwest Quarter of the Southeast Quarter and thence run North 00°49' East along said right-of-way line of said road for 668 feet to and for the Point of Beginning, thence continue North 00°49' East along said right-of-way line of said road for 40 feet to the intersection with the South right-of-way line of U.S. Highway No. 98, thence run North 48°15' East along the South right-of-way line of U.S. Highway 98 for 236.3 feet, thence run North 84°43' East along the South right-of-way line of U.S. Highway No. 98 for 146.7 feet, thence run North 83°54' East along the South right-of-way line of U.S. Highway No. 98 for 14.83 feet, thence run South 00°29'42" West for 150 feet, thence run South 84°43' West for 220 feet, thence run South 70°13'39" West for 124.68 feet to the Point of Beginning.

AND ALSO, the following described easement for ingress, egress, driveway and walkway purposes: A part of the Northwest Quarter of the Southeast Quarter (NW1/4 of the SE1/4) of Section 12, Township 4 North, Range 14 West, in the City of Hattiesburg, County of Lamar, State of Mississippi, and being more particularly described as follows, to-wit:

Commencing at a point on the East right-of-way line of Oak Grove Public Road (Westover Drive), said point being 172 feet North of and 137 feet East of the Southwest Corner of said NW1/4 of the SE1/4, and thence run North 00°49' East along the East right-of-way line of said road for 599.31 feet to and for the Point of Beginning, thence run North 84°43' East for 337.94 feet, thence run North 00°29'42" East for 250 feet to the South right-of-way line of U.S. Highway No. 98, thence run North 83°54' East along the South right-of-way line of said Highway for 50.33 feet, thence run South 00°29'42" West for 300.98 feet, thence run South 84°43' West for 388.48 feet to the East right-of-way line of the Oak Grove Public Road, thence run North 00°49' East along the East right-of-way line of said road for 50.28 feet to the Point of Beginning.

Located at: 4406 W. Hardy Street  
Hattiesburg, MS 39402

EXHIBIT A

Land in Davidson County, Tennessee, being Lot No. 1 on the Plan of Treetop Enterprises, Inc., as of record in Plat Book 7900, page 45, Register's Office for said County, to which plan reference is made for a more complete description.

Being part of the same property conveyed to Treetop Enterprises, Inc., a Tennessee corporation by deed from R. E. Godshall and wife, Mildred Hinshaw Godshall of record in Book 7505, Page 707, Register's Office for Davidson County, Tennessee.

Located at: 3304 Dickerson Road  
Nashville, TN 37207

## EXHIBIT "A"

Part of the SE 1/4, Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:  
Commence at the Southwest corner of said 1/4 Section; thence run East along the South line of same for 1,826.71 feet; thence 122 degrees 59 minutes 33 seconds left and run Northwesterly for 399.47 feet to a point on the Northerly right of way line of Oak Mountain Park Road; thence continue Northwesterly along the same course for 846.69 feet; thence 91 degrees 16 minutes 39 seconds right and run Northwesterly for 132.01 feet; thence 90 degrees 0 minutes left and run Northwesterly for 149.62 feet; thence 90 degrees left and run Southwesterly for 160.00 feet; thence 88 degrees 41 minutes 21 seconds right and run Northwesterly for 23.0 feet to a point on the South right of way line of Alabama Highway 119; thence 91 degrees 16 minutes 39 seconds right and run Northwesterly along said right of way line for 253.07 feet; thence 14 degrees 02 minutes 10 seconds right and continue Northwesterly for 9.31 feet to a point on the Southerly right of way line of a County Road; thence 30 degrees 37 minutes 50 seconds right and run Easterly along said right of way line for 62.56 feet to an angle point in said right of way; thence 45 degrees 00 minutes right and run Southeasterly along said right of way line for 390.67 feet to an angle point in said right of way; thence 90 degrees left and run Northwesterly for 575.98 feet to a point on the Westerly right of way line of I-65 service drive; thence 86 degrees 19 minutes 31 seconds right and run Southeasterly along said right of way line for 142.98 feet; thence 22 degrees 07 minutes 10 seconds right and run Southeasterly along said right of way line for 23.50 feet to the point of beginning; thence continue Southeasterly along said right of way line for 161.81 feet to a point on the approximate floodway line of Bishop Creek; thence 104 degrees 36 minutes 32 seconds right and run Northwesterly along said floodway line for 178.84 feet; thence 34 degrees 36 minutes 47 seconds right and run Northwesterly for 95.24 feet; thence 100 degrees 30 minutes 00 seconds right and run Northwesterly for 105.16 feet to the point of beginning.

Also, all that tract or parcel lying and being in Shelby County, in the City of Pulask, Alabama, and being more particularly described as follows:  
Beginning at the Northeasterly property corner at the right of way of Oak Mountain Park Circle of the Thriftlodge Motel site; thence run South 36 degrees 37 minutes 3 seconds West a distance of 22.0 feet to a point, the **TERMINUS POINT OF BEGINNING**; thence run South 33 degrees 2 minutes 57 seconds East, a distance of 75.60 feet to a point; thence run South 53 degrees 45 minutes 49 seconds East, a distance of 76.46 feet to a point; thence run South 78 degrees 31 minutes 1 second East, a distance of 40.70 feet to a point; thence run South 6 degrees 53 minutes 4 seconds East, a distance of 22.07 feet to a point; thence run North 78 degrees 11 minutes 1 second West, a distance of 68.67 feet to a point; thence run North 53 degrees 45 minutes 49 seconds West, a distance of 90.41 feet to a point; thence run North 33 degrees 2 minutes 57 seconds West, a distance of 79.62 feet to a point; thence run North 56 degrees 37 minutes 3 seconds East a distance of 22.0 feet to a point; the **TERMINUS POINT** of this description.

LESS AND EXCEPT that portion of caption lands conveyed to Torco Motel International, Inc., by deed recorded in Real Record 283, Page 519, more particularly described as follows:  
Part of SE 1/4 of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:  
Commence at the southwest corner of said 1/4 Section; thence run East along the South line of same for 1,826.71 feet; thence 122 degrees 59 minutes 33 seconds left and run Northwesterly for 399.47 feet to a point on the Northerly right of way line of Oak Mountain Park Road; thence continue Northwesterly along the same course for 846.69 feet; thence 91 degrees 16 minutes 39 seconds right and run Northwesterly for 132.01 feet; thence 90 degrees 0 minutes left and run Northwesterly for 149.62 feet; thence 90 degrees 0 minutes left and run Southwesterly for 160.00 feet; thence 88 degrees 41 minutes 21 seconds right and run Northwesterly for 23.0 feet to a point on the South right of way line of Alabama Highway 119; thence 91 degrees 16 minutes 39 seconds right and run Northwesterly along said right of way line for 253.07 feet; thence 14 degrees 02 minutes 10 seconds right and continue Northwesterly for 9.31 feet to a point on the Southerly right of way line of a County Road; thence 30 degrees 37 minutes 50 seconds right and run Easterly along said right of way for 62.56 feet to an angle point in said right of way; thence 45 degrees 00 minutes right and run Southeasterly along said right of way line for 390.67 feet to an angle point in said right of way; thence 90 degrees 0 minutes left and run Northwesterly for 575.98 feet to a point on the Westerly right of way line of I-65 service drive; thence 86 degrees 19 minutes 31 seconds right and run Southeasterly along said right of way line for 142.98 feet; thence 22 degrees 7 minutes 10 seconds right and run Southeasterly along said right of way line for 167.31 feet to a point on the approximate floodway line of Bishop Creek; thence 104 degrees 36 minutes 32 seconds right and run Northwesterly along said floodway line for 144.84 feet to the point of beginning; thence continue Northwesterly along the same line for 34.0 feet; thence 34 degrees 36 minutes 47 seconds right and run Northwesterly for 95.24 feet; thence 100 degrees 30 minutes 00 seconds right and run Northwesterly for 78.30 feet; thence 103 degrees 34 minutes 45 seconds right and run Southerly for 110.73 feet to the point of beginning; being situated in Shelby County, Alabama.

Located at: 1020 Oak Mountain Park Road  
Helena, AL 35080



## EXHIBIT "A"

## PARCEL 1:

Commence at the SW Corner of the NE 1/4 of the SW 1/4 of Section 14, Township 16 South, Range 1 West; thence run Northerly along 1/4 line for a distance of 181.82 feet to the Northerly Right of Way of Valley Road; thence right 53° 48' and run Northeasterly along said Right of Way for a distance of 253.21 feet for Point of Beginning; thence continue along last described course for a distance of 238.42 feet; thence left 137° 20' 40" and run Northwesterly for a distance of 20.47 feet to a Point of a Curve having a radius of 1382.08 feet and a delta angle of 3° 43' 55"; thence along said curve an arc distance of 90.02 feet to a monument; thence left 31° 26' 20" and run Southwesterly for a distance of 162.84 feet; thence left 101° 17" and run Southwesterly for a distance of 94.09 feet to Point of Beginning.

Two Parcels situated in the NE 1/4 of the SW 1/4 of Section 14, Township 16 South, Range 1 West, situated in Jefferson County, Alabama, being more particularly described as follows, and set out for informational purposes only. Both parcels are contained in Parcel 1 described above.

## PARCEL A:

Commence at the SW corner of the NE 1/4 of the SW 1/4 of Section 14, Township 16 South, Range 1 West, Jefferson County, Alabama, and run North along the West line thereof for 169.53 feet; thence 53° 44' 26" right for 260.98 feet; thence 89° 05' left for 102.35 feet to the Southeasterly right of way line of Interstate Highway #59; thence 96° 38' right and run along said right of way for 113.72 feet; thence 118° 38' 18" right for 108.35 feet; thence 53° 48' 42" right for 50.0 feet to the point of beginning.

## PARCEL B:

Commence at the SW corner of the NE 1/4 of the SW 1/4 of Section 14, Township 16 South, Range 1 West, Jefferson County, Alabama; thence run North along the West line of said 1/4-1/4 section a distance of 181.82 feet; thence turn right 53° 48' and run Northeasterly a distance of 311.13 feet to the point of beginning; thence continue along the last described course a distance of 180.50 feet to the Southerly right-of-way line of a public road; thence turn left 137° 20' 40" and run Westerly along said right-of-way line a distance of 20.47 feet to a point of curve, said curve being to the left, having a radius of 1382.08 feet and an interior angle of 3° 43' 55"; thence continue westerly along said right-of-way line an arc distance of 90.02 feet; thence from the tangent of the last described course turn left 31° 25' 20" and run Southwesterly a distance of 40.59 feet; thence turn left 61° 17' and run Southerly a distance of 96.60 feet to the point of beginning.

Located at: 1128 Chalkville Road  
Trussville, AL 35173

**EXHIBIT A**

Land in Davidson County, Tennessee, being part of Lot 18 in Trabue Subdivision of the 19th Congressional District of Davidson County, Tennessee, plat of which is recorded in Minute Book I pages 190 and 191, as filed in the U.S. Circuit Court of said Davidson County, Tennessee, and as shown as the Harris Property (25 year lease to Trabue) on the Plan of Edward Trabue Property of record in Book 4550, page 12, Registrar's Office for said County, described as follows:

Beginning at an iron pin located where the Northeast right-of-way line of Murfreesboro Road (U.S. 41-70, South, 112 ft. right-of-way) intersects the southeasterly right-of-way line of Spence Lane (130 ft. right-of-way); thence running North 24°43' East along said right-of-way line of Spence Lane, a distance of 200 feet to an iron pin; thence running South 48°25' East a distance of 200 ft. to an iron pin; thence running South 24°43' West a distance of 200 feet to an iron pin on the aforementioned right-of-way line of Murfreesboro Road; thence running North 48°25' West along said right-of-way line of Murfreesboro Road a distance of 200 feet back to the point of beginning.

Unit No. 950  
816 Murfreesboro Road  
Nashville, TN 37217-1140  
Davidson County

The land referred to in this policy is situated in the State of Tennessee and is described as follows:

TRACT 1:

SITUATE in the Ninth (9th) civil district of Maury County, Tennessee, and more particularly described as follows:

To locate the true point of beginning, commence at the intersection of the right of way of Alpine Drive and James Campbell Boulevard, thence southeast along the southern right of way of James Campbell Boulevard 1148.85 feet to a 5/8 inch rebar set, said point being the true point of beginning; thence South 51 degrees 07 minutes 01 seconds East 105.00 feet to a 1/2 inch crimped top pipe found at the base of a power pole; thence South 38 degrees 52 minutes 38 seconds West 200.00 feet to a 5/8 inch rebar found; thence North 51 degrees 07 minutes 01 seconds West 105.00 feet to a 5/8 inch rebar set; thence North 38 degrees 52 minutes 38 seconds East 200.00 feet to a 5/8 inch rebar set, said point being the true point of beginning. Also being the property shown as Tract two on the Final Plat of Checkmate Properties, Inc., and Treatop Enterprises, Inc. of record in Plat Book 9 at page 277 in the Maury County, Tennessee Register of Deeds office.

BEING the same property conveyed to Treatop Realty Corp., a Tennessee corporation by instrument dated December 30, 1993 of record in Book 1209 at page 514 in the Maury County, Tennessee Register of Deeds office.

Tract 2:

That certain Reciprocal Easement Agreement, dated February 18, 1992 of record in Book 1139 at page 780 in the Maury County, Tennessee Register of Deeds office.

Tract 3:

That certain Easement dated December 30, 1993 of record in Book 1204 at page 541 in the Maury County, Tennessee Register of Deeds office.

Tract 4:

That certain Easement and Restrictive Covenant Agreement dated December 30, 1993 of record in Book 1209 at page 517 in the Maury County, Tennessee Register of Deeds office.

Unit No. 963  
811 S. James Campbell Blvd.  
Columbia, TN 38401-4337  
Maury County

lying and being situated in the Fifth Civil District of Dickson County, State of Tennessee, and in the City of Dickson, Tennessee, as follows:

TRACT 1: BEGINNING at the Northwest corner of the property conveyed to Sam Luter of record in Book 241, Page 341, RODC, said point being the Northeast corner of the property herein described; thence along the Westerly line of the Luter property, South 29 degrees 56 minutes 35 seconds West a distance of 207.29 feet to an iron rod situated in the Northerly line of the McDonald's Corporation property of record in Book 57, Page 2, RODC, TN; thence along the Northerly line of the McDonald's Corporation property, North 36 degrees 59 minutes 50 seconds West a distance of 120.00 feet to an iron rod; thence North 32 degrees 02 minutes 36 seconds East a distance of 210.03 feet to the Southerly margin of Highway 70 By-Pass; thence along said road, around a curve to the left having a central angle of 2 degrees 18 minutes 48 seconds, a radius of 2786.48 feet, a tangent of 56.26 feet, a length of 112.50 feet, a chord which bears South 55 degrees 27 minutes 56 seconds East for a distance of 112.49 feet to the point of beginning

TRACT 2: BEGINNING at the Northwest corner of the property conveyed to Treetop Realty Corporation by James Preston Thompson and wife, Branda Thompson, of record in Volume 355, Page 209, Register's Office of Dickson County, Tennessee, said point being the northeast corner of the property herein described; thence along the westerly line of the Treetop Realty Corporation property, South 32 degrees 02 minutes 36 seconds West a distance of 30.06 feet to a point; thence around a curve to the right and being 30.00 feet south of Highway 70 By-Pass having a central angle of 01 degree 13 minutes 14 seconds, a radius of 2816.48 feet, a tangent of 30.00 feet, a length of 60.00 feet, a chord which bears North 53 degrees 44 minutes 15 seconds West for a distance of 60.00 feet to a point; thence North 32 degrees 03 minutes 00 seconds east a distance of 30.11 feet to a point situated in the southerly margin of Highway 70 By-Pass; thence along said road, around a curve to the left having a central angle of 01 degree 14 minutes 01 second, a radius of 2786.48 feet, a tangent of 30.00 feet, a length of 60.00 feet, a chord which bears south 53 degrees 41 minutes 31 seconds east for a distance of 60.00 feet to the point of beginning

TRACT 3: (A) BEGINNING at the northwest corner of the property conveyed to Sam Luter of record in Book 241, Page 341, in the Register's Office of Dickson County, Tennessee, said point being the northeast corner of the property herein described; thence along said road, around a curve to the left having a central angle of 00 degrees 06 minutes 10 seconds, a radius of 2786.48 feet, a tangent of 2.50 feet, a length of 5.00 feet, a chord which bears south 56 degrees 40 minutes 25 seconds east for a distance of 5.00 feet to a point; thence South 29 degrees 56 minutes 34 seconds West a distance of 30.05 feet to a point; thence around a curve to the right and being 30.00 feet south of Highway 70 By-Pass having a central angle of 00 degrees 06 minutes 06 seconds, a radius of 2816.48 feet, a tangent of 2.50 feet, a length of 5.00 feet, a chord which bears north 56 degrees 42 minutes 35 seconds west for a distance of 5.00 feet to a point; thence north 29 degrees 56 minutes 35 seconds east a distance of 30.05 feet to the point of beginning and containing 150.00 square feet or 0.0034 acres of land, more or less.

Unit No. 971  
300 Henslee Drive  
Dickson, TN 37055-2050  
Dickson County

TRACT 3(B) COMMENCING at a point in the Westerly margin of Mathis Drive, said point being the Southeast corner of the Sam Luter property of record in Book 241, Page 341, in the Registrar's Office of Dickson County, Tennessee; thence along said road, North 15 degrees 40 minutes 40 seconds East a distance of 99.28 feet to the point of beginning; thence leaving said road, North 74 degrees 19 minutes 20 seconds West a distance of 15.00 feet to a point; thence North 15 degrees 40 minutes 40 seconds East a distance of 8.00 feet to a point; thence South 74 degrees 19 minutes 20 seconds East a distance of 15.00 feet to the Westerly margin of Mathis Drive; thence along said road, South 15 degrees 40 minutes 40 seconds West a distance of 8.00 feet to the point of beginning

TRACT 4: Being a twenty foot wide sanitary sewer easement, said easement being ten foot either side of the herein described center line. BEGINNING at a point in the northerly line of the David Powell property of record in Book 289, Page 74, in the Registrar's Office for Dickson County, Tennessee, said point is North 56 degrees 59 minutes 50 seconds West a distance of 115.22 feet from the southeast corner of and in the southerly line of the James and Brenda Thompson property of record in Book 232, Page 114, in the Registrar's Office for Dickson, Tennessee; thence with the center line of said easement through the David Powell property, South 25 degrees 09 minutes 04 seconds West a distance of 50.43 feet to a point; thence South 22 degrees 26 minutes 37 seconds West a distance of 136.87 feet to a point; thence North 85 degrees 12 minutes 11 seconds West a distance of 112.87 feet to a point ten feet past an existing sanitary sewer manhole.

Unit No. 971  
300 Henslee Drive  
Dickson, TN 37055-2050  
Dickson County

Tract 1 - Lots Numbered 2, 3, and 4, Block Numbered 3, and part vacated Maingate Avenue, known and designated according to the map and survey of MAIN PLANT GATE SUBDIVISION, "C", as the same appears of record in the office of the Judge of Probate of Colbert County, Alabama, in Plat Book 2, Page 385.

Tract 2 - Lot Numbered 5, Block Numbered 3, and part vacated Maingate Avenue, known and designated according to the map and survey of MAIN PLANT GATE SUBDIVISION, "C", as the same appears of record in the office of the Judge of Probate of Colbert County, Alabama, in Plat Book 2, Page 385.

The above tracts are also described on a survey by S. K. Alexander, Registered Land Surveyor, dated February 8, 1994, as follows:

A tract of land in the City of Sheffield, Colbert County, Alabama, being part of Block 3, Main Plant Gate Subdivision, Section C, as same appears of record in the Office of the Judge of Probate, Colbert County, Alabama, in Plat Book 2, Page 385, and being more particularly described as follows: Begin at the Northwest corner of Lot 2, Block 3, Main Plant Subdivision, Section C, said point being on the East right of way line of Nathan Boulevard, thence leave said right of way line, East 162.00 feet to a point; thence North 25.00 feet to a point on the South right of way line of 16th Street; thence along the South right of way line of 16th Street, East 18.00 feet to a point; thence leave said right of way, South 100.00 to a point; thence West 18.00 feet to a point; thence South 25.00 feet to a point; thence West 162.00 feet to a point on the East right of way line of Nathan Boulevard, thence along the East right of way line of Nathan Boulevard North 100.00 feet to the point of beginning of the tract of land hereby described.

Being the same property conveyed by warranty deed from Oscar Medley, a married man, to Treetop Realty Corp., a Tennessee Corporation, dated April 20, 1994, and recorded in the office of the Judge of Probate of Colbert County, Alabama, at Microfiche Record 9409, Frame 475.

ALSO by warranty deed from RBH Company, a Tennessee general partnership, to Treetop Realty Corp., a Tennessee Corporation, dated April 20, 1994, and recorded in the office of the Judge of Probate of Colbert County, Alabama, at Microfiche Record 9409, Frame 480.

Unit No. 990  
4116 Jackson Hwy.  
Sheffield, AL 35660-1822  
Colbert County

## Description of property:

### TRACT I:

Lot 6, Resubdivision of Tract 5 of Warnke Subdivision as recorded in Map Book 7, Page 269, in the Office of Probate Judge of Cullman County, Alabama, being more particularly described as follows:

Begin at the Southeastern Corner of said Lot 6; thence run Westerly along the Southern property line of said Lot 6 for 251.01 feet measures (251.72 feet map) to a point, said point being on the Easterly right of way line of Commerce Avenue; thence turn an angle to the right of  $89^{\circ}54'35''$  and run Northerly along said Easterly right of way line of Commerce Avenue for 106.66 feet to a point, said point being on a curve to the left, said curve subtending a central angle of  $44^{\circ}33'14''$ , having a radius of 213.06 feet, and chord of 161.34 feet; thence run Northwesternly along the arc of said curve for 165.68 feet to a point; thence turn an angle to the right of  $158^{\circ}50'47''$  from the chord of said curve, and run Southeasterly for 248.43 feet measures (248.38 feet map) to a point; thence turn an angle to the left of  $10^{\circ}00'00''$  and run 99.94 feet measures (100.00 feet map) to a point; thence turn an angle to the left of  $15^{\circ}48'10''$  and run 60.85 feet measures (61.22 feet map) to the point of beginning.

### TRACT II:

Legal description of gap between Lot 6, Resubdivision of Tract 5 of Warnke Subdivision, as recorded in Map Book 7, Page 269, in the Office of Probate Judge of Cullman County, Alabama, and Lot 1, Hudson's Addition to Cullman, as recorded in Map Plat B-126A, in the Office of Probate Judge of Cullman County, Alabama, and an easement as recorded in Real Book 412, Page 718, in the Office of Probate Judge of Cullman County, Alabama, being more particularly described as follows:

Commence at the Southeast Corner of said Lot 6, Resubdivision of Tract 5 (best rebar) of Warnke Subdivision, as recorded in Map Book 7, Page 269, in said Probate Office, Cullman County, Alabama; thence run Northwesternly along the property line of said Lot 6, Resubdivision of Tract 5 for 37.09 feet to the point of beginning; thence continue along the same course and property line for 23.72 feet to a 1" open top iron; thence turn an angle to the right of  $15^{\circ}48'10''$  and run for 99.94 feet measured (100.00 feet record) to a  $5/8$ " rebar; thence turn an angle to the right of  $10^{\circ}00'00''$  and run 160.33 feet to a point; thence turn an angle to the right of  $83^{\circ}37'33''$  and run 0.56 feet to a 1" iron, said point also being on the Southern line of an easement described in Real Book 412, Page 718, in said Probate Office, Cullman County, Alabama; thence turn an angle to the right of  $90^{\circ}00'00''$  and run along the South line of said easement for 196.00 feet to the Southeast Corner of said Lot 1, (an open top 1" iron) Hudson's Addition to Cullman; thence turn an angle to the left of  $03^{\circ}28'00''$  and run along the Southern property line of said Lot 1, Hudson's Addition to Cullman, for 85.23 feet to a point; thence turn an angle to the right of  $90^{\circ}19'47''$  and run 7.22 feet to the point of beginning.

### TRACT III:

#### An Easement for Ingress/Easement:

Begin at the Southwest Corner of Lot 1, Hudson's Addition to Cullman, as recorded in Map Plat B-126A, in the Office of Probate Judge of Cullman County, Alabama, said corner also being the Southeast Corner of an easement as described and recorded in Real Book 412, Page 718, in the Office of Probate Judge of Cullman County, Alabama; thence Northerly along the West line of said Lot 1 for 50.65 feet to a  $5/8$  inch rebar; thence turn an angle to the left of  $56^{\circ}00'00''$  and run Northwesternly for 112.00 feet to a point; thence turn an angle to the left of  $12^{\circ}12'08''$  and run Northwesternly for 146.52 feet to a point, said point being on the Easterly right of way line of Commerce Avenue and the Northwesternly Corner of Lot 6, Resubdivision of Tract 5 of Warnke Subdivision, as recorded in Map Book 7, Page 269, in the Office of Probate Judge of Cullman County, Alabama; thence turn an angle to the left of  $161^{\circ}21'39''$  and run Southeasterly along the most Northerly line of said Lot 6 a distance of 88.10 feet to a point; thence turn an angle to the left of  $96^{\circ}22'19''$  and run Northeasterly for 0.56 feet to a point; thence turn an angle to the right of  $90^{\circ}46'06''$  and run Southeasterly for 196.00 feet to the point of beginning.

Unit No. 1004  
1900 Commerce Street  
Cullman, AL 35055-6150  
Cullman County



## EXHIBIT "A"

<u>DEED NO.</u>	<u>ADDRESS</u>	<u>COUNTY</u>
1036	1919 N. Jackson Street Tullahoma, TN 37388	Coffee

LAND lying in the Ninth Civil District of Coffee County, Tennessee, being more particularly described as follows:

BEGINNING at a point marked by paint on the edge of the concrete at the easterly margin of North Jackson Street, said point of beginning being the northwesterly corner of the property conveyed to Calfee Company of Dalton, Inc., by deed of record in Deed Book 203, page 467, Register's Office for Coffee County, Tennessee; thence from said point of beginning North 38° 19' West 110 feet along the easterly margin of North Jackson Street to an iron pin set at the northwest corner of the property herein described; thence North 52° 4' East 225.0 feet to an iron pin set at the northeast corner of the property herein described; thence South 38° 18' East 110 feet to an iron pin set at the southeast corner of the property herein described and the northeast corner of the Calfee Company of Dalton, Inc. property; thence South 52° 4' West 225.0 feet to the point of beginning, according to a survey dated September 3, 1994, by R. M. Raper, Registered Land Surveyor #1063, whose address is 102 Meadowbrook Lane, Tullahoma, Tennessee 37388.

BEING the same property conveyed to Treetop Enterprises, Inc., by Deed of Record in Book 242, page 420, Register's Office for Coffee County, Tennessee.

TOGETHER with easements appurtenant thereto as set forth in Easement Agreement of record in Book 242, page 424 and Book 242, page 420, Register's Office for Coffee County, Tennessee.

EXHIBIT "A"

Legal Description for the Waffle House Unit listed below at the address listed:

UNIT NO.	ADDRESS
1140	3994 N. Gloster Street Tupelo, MS 38801

Description of 0.580 Acre.

Commencing at the intersection of the centerlines of Barnes Crossing Road and U. S. Highway 45 (said intersection is 2608.63 feet North of, and 918.00 feet East of the Southeast corner of Section 7, Township 9 South, Range 6 East, City of Tupelo, Lee County, Mississippi); run thence N 89° 46' 56" W 2093.30 feet to a point on the East right-of-way line of Old U.S. Highway 45 (North Gloster Street) (100-foot right-of-way width); run thence S 2° 52' 31" W along the East right-of-way line of said Old Highway 284.13 feet to a set iron pin on the East right-of-way line of North Gloster Street and the Point of Beginning; run thence N 89° 47' 53" E 219.75 feet to a set iron pin; run thence S 2° 52' 31" W 111.18 feet to a set iron pin; run thence S 39° 47' 53" W 219.75 feet to a set iron pin on the East right-of-way line of Old U.S. Highway 45; run thence N 2° 52' 31" E along said East right-of-way line 111.18 feet to the Point of Beginning; containing 0.580 acre (24,392 square feet), lying and being in the Northeast Quarter of the Southeast Quarter of Section 7, Township 9 South, Range 6 East, City of Tupelo, Lee County, Mississippi.

# EXHIBIT "A"

Legal Description for the Waffle House Unit listed below at the address listed:

UNIT NO.	ADDRESS
1183	790 Old Hickory Boulevard Brentwood, TN 37027-4527

LAND in Nashville, First (1st) Civil District, Thirty-Second Councilmanic District, Davidson County, Tennessee, located in the northwesterly quadrant of the intersection of Old Hickory Boulevard and Franklin Pike Circle and being more particularly described as follows:

BEGINNING at an iron pin at the point of intersection of the northerly right of way line of Old Hickory Boulevard and the westerly right of way line of Franklin Pike Circle; thence with said northerly right of way line, with a curve to the left, 66.53 feet to a concrete monument, said curve having a central angle of  $04^{\circ} 49' 06''$ , a radius of 791.12 feet, a tangent of 33.28 feet and a chord of South  $56^{\circ} 11' 10''$  West, 66.51 feet; thence continuing with said right of way line, South  $53^{\circ} 46' 37''$  West, 257.60 feet to an iron pin; thence leaving said right of way line with the easterly line of property conveyed to Gail P. Pigg, Trustee, by deed of record in Book 6475, page 369, Register's Office for Davidson County, Tennessee, North  $05^{\circ} 50' 08''$  East, 300.56 feet to an iron pin in the westerly right of way line of Franklin Pike Circle; thence with said right of way line, South  $82^{\circ} 02' 12''$  East, 101.83 feet to an iron pin; thence continuing with said right of way line with a curve to the right, 170.45 feet to the point of beginning, said curve having a central angle of  $60^{\circ} 05' 42''$ , a radius of 162.51 feet, a tangent of 94.01 feet and a chord of South  $53^{\circ} 59' 56''$  East, 162.74 feet, containing 42,346 square feet or 0.972 acres.

BEING the same property conveyed to Treecop Enterprises, Inc., by Deed of Record in Book 10301, page 151, Register's Office for Davidson County, Tennessee.

## EXHIBIT "A"

Legal Description for the Waffle House Unit listed below at the address listed:

UNIT NO.	ADDRESS
1197	2635 Congressman W.L. Dickinson Drive Montgomery, AL 36109-1105

Commence at the Southwest Corner of Section 26, T-17-N, R-18-E, Montgomery County, Alabama; thence N 01°30'17" W 495.29' to a point; thence S 88°18'20" E 2419.51' to an iron pin located on the West Right-of-Way of Congressman William L. Dickinson Drive (formerly U. S. Highway No. 231/Federal Drive); thence along said West Right-of-Way N 35°44'55" E 353.76' to an iron pin; thence continue along said West Right-of-Way N 37°16'40" E 303.38' to an iron pin and point of beginning for the herein described parcel of land; thence leaving said West Right-of-Way N 54°15'05" W 135.00' to an iron pin; thence N 86°49'08" W 119.82' to an iron pin; thence N 23°10'52" E 98.18' to an iron pin located on the South Right-of-Way of Northern Boulevard; thence along said South Right-of-Way the following two (2) courses: (1) S 66°49'08" E 142.29'; (2) S 45°35'05" E 137.95' to a concrete monument located on the West Right-of-Way of said Congressman William L. Dickinson Drive; thence along said West Right-of-Way S 37°16'40" W 80.00' to the point of beginning. Containing 25,133.3 square feet, more or less, and lying in and being a part of the South 1/2 of Section 26, T-17-N, R-18-E, Montgomery County, Alabama.

Above described parcel is and is intended to be Lot "D", Northchase Plat No. 1, as recorded in Plat Book 41 at Page 182 in the Office of the Judge of Probate, Montgomery County, Alabama.

EXHIBIT "A"

Beginning at a set iron pin corner monument, with a 1" plastic cap stamped ODS PLS 2062, on a corner common to the subject tract and at a southeastern boundary line corner of a tract of the lands of Laxmi Hotels, Holiday Inn Express, (Deed Book 212, Page 118) on the western right-of-way line of U. S. Highway 31-W in the southwestern section of the City of Franklin, Simpson County, Kentucky about 3.80 miles/6.114 kilometers south-southeast of the Courthouse in Franklin, Simpson County, Kentucky, said point of beginning being located westwardly 50.00 feet from and at right angles to the centerline of said U. S. Highway 31-W and referenced, North 08 degrees 19 minutes 23 seconds West, 322.39 feet from an existing concrete right-of-way monument at the intersection of the western right-of-way line of U. S. Highway 31-W and the northern right-of-way line of Butts Road; thence along the western right-of-way line and parallel with the centerline of said U. S. Highway 31-W, South 07 degrees 59 minutes 06 seconds East, 50.99 feet to a set iron pin corner monument, with a 1" plastic cap stamped ODS PLS 2062, said iron pin being located westwardly 50.00 feet from and at right angles to the centerline of said U. S. Highway 31-W; thence 23.97 feet with the arc of curve to the left (Delta Angle: 00 degrees 14 minutes 15 seconds; Radius: 5,779.58 feet), chord bearing and distance, South 08 degrees 06 minutes 14 seconds East, 23.97 feet to a set iron pin corner monument on a corner common to the subject tract and at a northwestern boundary line corner of a tract of the lands of Arthur Lemuel Johnson (Deed Book 91, Page 493) on the western right-of-way line of said U. S. Highway 31-W, said iron pin being located westwardly 50.00 feet from and at right angles to the centerline of said U. S. Highway 31-W; thence along a northern and eastern boundary line of said Johnson, South 72 degrees 07 minutes 26 seconds West, 334.94 feet to a set iron pin corner monument with a 1" plastic cap stamped ODS PLS 2062; thence North 07 degrees 50 degrees 54 seconds West, 75.00 feet to an existing iron pipe corner monument with a plastic cap stamped Chas. White 906 at a northeastern boundary line corner of said Johnson on a southern boundary line of said Laxmi Hotels; thence along the southern boundary line of said Laxmi Hotels, North 72 degrees 07 minutes 26 seconds East, 334.71 feet to the point of beginning containing 24,726.62 square feet/0.57 acres/0.23 more or less according to this survey made in December 1998 by SMITH AND ASSOCIATES, ENGINEERING AND SURVEYING, Dennis D. Smith, Kentucky PLS 2062, Enzley Wright, Reaia Ramsey and Jeff Smith, last revised January 5, 1999.

Unit 1225  
3833 Nashville Road  
Franklin, Kentucky 42134-6982

Simpson County, Kentucky

Inst # 1999-32128

08/02/1999-32128  
12:12 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
041 NMS 108.50