

696
RETURN TO: Nat Parham, Attorney
6250 Poplar Avenue
Memphis, Tennessee 38119
NP 2776 Mustin

SPECIAL WARRANTY DEED

STATE OF TENNESSEE
SHELBY COUNTY

THIS INDENTURE is made and entered into this ^{17th} day of June, 1990, by and between THEODORE J. JOHNSON, JR., Executor and Trustee of the Estate of John Cash King, party of the first part, and FRANK E. MUSTIN, SR., and wife, REBECCA A. MUSTIN, parties of the second part;

WITNESSETH: That for the consideration hereinafter expressed the said party of the first part has bargained and sold and does hereby bargain, sell, convey and warrant unto the said parties of the second part the following described real estate, situated and being in the County of DeSoto, State of Mississippi, to-wit:

A part of the East Half and a part of the Southwest Quarter of Section 15, Township 4 South, Range 8 West, DeSoto County, Mississippi, and being particularly described as beginning at the Southeast corner of the said Section 15, run thence West along the South line thereof for a distance of 4348 feet, thence run North 1 deg. 44 min. for a distance of 1122 feet, thence run East for a distance of 175 feet, thence run North 1 deg. 08 min. East for a distance of 1470 feet, thence run North 88 deg. 53 min. East for a distance of 1482 feet to the Southwest corner of the Northeast Quarter of said Section, run thence North 2 deg. 09 min. West along the West line of the said Northeast Quarter for a distance of 2608 feet to the North line of the said Section 15, run thence North 89 deg. 17 min. East along the North line of the said Section 15 and along and within the limits of a public graveled road for a distance of 2312 feet; run thence Southwardly along and within an old road-way the following courses and distances: South 14 deg. 13 min. West 157 feet; South 30 deg. 40 min. West 1260 feet; South 8 deg. 42 min. West 375 feet; South 10 deg. 29 min. East 633 feet; South 25 deg. 21 min. East 297 feet; South 39 deg. 39 min. East 548 feet; South 6 deg. 13 min. East 346 feet; South 32 deg. 42 min. East 149 feet; South 58 deg. 21 min. East 431.6 feet; South 30 deg. 55 min. East 102.7 feet; South 0 deg. 49 min. East 1553.6 feet to the point of beginning and containing 347.43 acres of land, more or less; and being the same property conveyed to Dr. J. Cash King, Sr. (who was one and the same as John Cash King) by warranty deed of record in Book 88, page 79, of the records of warranty deeds of the Chancery Court Clerk of DeSoto County, Mississippi.

This conveyance is made expressly subject to (i) governmental regulations, recorded restrictions and easements, if any; (ii) the rights of the public or others in and to any portion of said real estate which lies in the right of way of any road; and (iii) the mineral rights as reserved in that certain Deed dated June 22, 1945, by George Clark and wife to Paul H. Bowdre, and that certain Deed dated February 5, 1946, executed by Moody Williams and wife and George Clark and wife to Mrs. Cora S. Barbee recorded in Book 32 at page 279 of the land records on file in the office of the Chancery Clerk of DeSoto County, Mississippi.

The party of the first part has been advised that the afore-said real estate, at one time, was owned by Monroe W. Copeland by Warranty Deed in Book 38, Page 166, in said Chancery Clerk's office, and that the said Monroe W. Copeland died intestate on June 9, 1968, in the First Civil District of Panola County, Mississippi. A certified copy of the Order discharging Administratrix of the Estate of Monroe W. Copeland, deceased, entered in Cause No. 5907 in the Chancery Court of the First

Judicial District, Panola County, Mississippi, is attached hereto and made a part hereof as though fully copied herein verbatim.

TO HAVE AND TO HOLD the aforesaid real estate, together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said parties of the second part, their heirs and assigns in fee simple forever. Party of the first part covenants with parties of the second part that he is lawfully seized in fee of the above described real estate, that he has a good right to sell and convey the same as hereinafter set forth, and that the same is unencumbered except as set forth above; and party of the first part will warrant and forever defend the title and quiet possession to the above described real estate against the lawful claims of persons claiming the same by, through, or under a conveyance from party of the first part, but not further or otherwise. Notwithstanding the foregoing, party of the first part executes this indenture and makes the covenants and warranties hereof solely in his capacity as Executor and Trustee of the Estate of John Cash King, under and pursuant to the terms and provisions of the Last Will and Testament of John Cash King, deceased, of record in Will Book 11, page 521 of the records of Wills of the Chancery Clerk of Tate County, Mississippi, and of record in Will Book 18, pages 517-537 of the records of Wills of the Chancery Clerk of DeSoto County, Mississippi, and not in his individual capacity, or otherwise.

THE CONSIDERATION for this conveyance is as follows: Three Hundred Eight Thousand and No/100 Dollars (\$308,000.00) paid by delivery by parties of the second part to party of the first part, upon delivery of this indenture, of the sum of One Hundred Two Thousand Six Hundred Sixty-six and 78/100 Dollars (\$102,666.78) in cash and that certain Purchase Money Annual Amortized Note of even date herewith in the principal sum of Two Hundred Five Thousand Three Hundred Thirty-three and 22/100 Dollars (\$205,333.22), having a maturity of June 14, 1995, and bearing interest and being payable as therein provided; the receipt and sufficiency of all of which is hereby acknowledged by party of the first part.

WITNESS the signature of the said party of the first part the day and year first above written.



Theodore J. Johnson, Jr., Executor and Trustee of the Estate of John Cash King

STATE OF TENNESSEE
COUNTY OF SHELBY

Personally appeared before me, the undersigned Notary Public, in and for the State and County aforesaid, the within named Theodore J. Johnson, Jr., Executor and Trustee of the Estate of John Cash King, who acknowledged that he signed and delivered the foregoing instrument on the day and year therein mentioned as his voluntary act and deed.

Given under my hand and seal this 14th day of June, 1990.



Notary Public

My Commission Expires:

3/16/91



698

Grantor's Mailing Address:

5100 Poplar Avenue, Suite 420
Memphis, TN 38127

Grantee's Mailing Address:

Frank Mustin

5637 Lamar Avenue

Memphis, Tennessee 38118

johnson.swd

NP 2776 Mustin

This instrument prepared by:

James C. Warner, Esq.
Martin, Tate, Morrow &
Marston, P.C.
6060 Poplar Avenue, Suite 295
Memphis, Tennessee 38119-3901

IN THE CHANCERY COURT OF THE FIRST JUDICIAL DISTRICT
PANOLA COUNTY, MISSISSIPPI

ESTATE OF MONROE W. COPELAND,
DECEASED

VS.

MRS. FREDIE W. COPELAND,
ADMINISTRATRIX

FILED
FEB 17 1969

NO. 5907

C. B. VANCE, JR. CHANCERY CLERK

By Wanda S. Ladd D.C.
Rec. mca-177 273

ORDER DISCHARGING ADMINISTRATRIX

This cause came on this day, a day in vacation, to be heard upon the sworn petition of Mrs. Fredie W. Copeland, Administratrix of the estate of Monroe W. Copeland, requesting that said administratrix be finally and fully discharged.

The Court having maturely considered the petition and sworn testimony taken in open court finds and adjudicates as follows:

1. That Mrs. ~~Freddie W. Copeland~~ was appointed administratrix of the estate of ~~Monroe W. Copeland, deceased~~, on the 18th day of June, 1968, by order of this Court;

2. That she did cause to be published Notice to Creditors on June 20, June 27, and July 4, 1968, in the Southern Reporter, a newspaper published in the town of Sardis and having a general circulation in the First Judicial of Panola County, Mississippi, as required by law.

That all claims against said estate have been paid and that the Administratrix, Mrs. Fredie W. Copeland, has fully administered the estate.

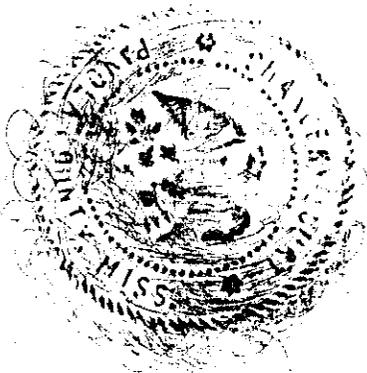
3. That Mrs. Fredie W. Copeland and Monroe Copeland Jr. are the only heirs at law of Monroe W. Copeland, deceased.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

That Mrs. Freddie W. Copeland, Administratrix of the estate of Monroe W. Copeland, deceased, together with her bondsmen, be and they are hereby fully and finally discharged upon her paying all court cost accrued herein and upon her paying to Roy E. Johnson the sum of \$1300.00 being a reasonable solicitor's fee in representing the said administratrix and paying to herself the sum of \$ 650.⁰⁰ commission as Administratrix.

ORDERED, ADJUDGED AND DECREED on this the 14th day of February, 1969.

Herrin
Chancellor



STATE OF MISSISSIPPI
PANOLA COUNTY

I certify that the above and foregoing is a true and correct copy of *Order* as the same now appears of record in Book *A-1* Page *223* records of my office at Sardis, Mississippi.

Given under my hand and seal of office, this the *8th* day of *May* 19*62*.

SALLY H. FISHER, Chancery Clerk

By *Bernice P. Fawell* S.C.

FBI

FEB 17, 1969

LS STATE MS. - DE SOTO CO. FILED

JUN 18 11 08 AM '90

RECORDED *6-21-90*
DEED BOOK *206*
PAGE *296*
W.E. DAVIS CH. CLK.

C. B. VANCE
BY *C. Vance*