

RECORD BOOK 770

northwardly, along the east line of the F. E. Mayer et al land, one hundred ninety(190) feet, more or less to the south line of a 10-ft. alley, as set out in deeds in Book S, Volume 17, page 54, and Book E, Volume 18, page 140, of said Register's Office; thence eastwardly, along the south line of said alley, ninety(90) feet, more or less, to the west line of Woodward Avenue, which is also the west line of the strip of ground conveyed to the City of Chattanooga, hereinafter referred to; thence southwardly along the west line of Woodward Avenue, one hundred ninety(190) feet, more or less, to the point of beginning."

TO HAVE AND TO HOLD the same to the said R. L. Howard and wife, Ferial Howard, their heirs and assigns forever in fee simple. I covenant that I am lawfully seized and possessed of said real estate, have good/right and lawful authority to sell and convey the same, and that the title thereto is clear, free and unincumbered, and I will forever warrant and defend the same against all lawful claims.

Witness my hand this the 23rd day of September, 1938.

Internal Revenue Stamps \$3.00 attached and canceled.

Mrs. J. W. (Polly) Martin

Mrs. J. W. (Polly) Martin, Trustee

STATE OF TENNESSEE

COUNTY OF HAMILTON Before me, Marguerite Lanham, a Notary Public, duly appointed, commissioned and qualified in and for the County and State aforesaid, personally appeared Mrs. J. W. (Polly) Martin, widow, individually, and as Trustee under the Will of James W. Martin, deceased, acting under the powers vested in her as such Trustee, under said Will, the within named bargainer, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

In Testimony Whereof, I have hereunto set my hand and Notarial Seal at office in said county and state, on this the 23rd day of September, 1938.

Marguerite Lanham

Marguerite Lanham, Notary Public, Hamilton Co. Tenn. Notary Public

My Commission Expires-----

My com. expires 8-28-39

STATE OF TENNESSEE

HAMILTON COUNTY The above Instrument and Certificate were filed Sept. 23, 1938, at 2:01 P. M. entered in Not. Book No. 38, Page 17, and recorded in Book 770, Page 20 et seq.

Witness my hand at office in Chattanooga, Tenn.

Register Dept. Reg.

Tax \$1.80, Fee 15¢ Total \$1.95, Paid Sep. 23, 1938. Jack Hixson, County Court Clerk

DEED

FOR AND IN CONSIDERATION of Twelve Hundred (\$1200.00) Dollars, paid and to be paid as follows: One Hundred Fifty and 00/100 (\$150.00) Dollars cash in hand paid, receipt of which is hereby acknowledged, and the execution by the grantees herein of Seven (7) notes, each in amount of one hundred fifty Dollars (\$150.00) the first of which series of seven notes is due and payable one year from date, and one note every year thereafter until paid in full. All notes are dated August 13th, 1938, and draw interest from date at the rate of six (6%) per cent. per annum, payable at maturity, the payment of which notes is secured by a Vendor's Lien which is hereby retained on the real estate hereinafter described and as a better security for the payment of said notes and to more easily enforce their collection, the Grantees hereinafter named have executed to the American Trust & Banking Company, Trustee, a deed of trust on said real estate containing full power of sale, etc. but it is agreed and understood that an entry of the real estate of said notes; either on the margin of the recorded copy of this lien deed or on said deed of trust in the office of the Register of Hamilton County, Tennessee, will release the lien retained in this deed, and the lien created by said deed of trust, whether said deed of trust be recorded or not, The Brainerd Hills Company, a corporation, organized under the laws of the State of Tennessee, does hereby sell, transfer and convey unto A. B. Lilly and wife, Vivian Lilly, the following described real estate in Hamilton County, Tennessee; and more particularly described

FULL RELEASE

Vertical text on the right margin, possibly a stamp or recording information.

# RECORD BOOK 770

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*Restrictions*

as follows:  
Lots 1 and 7, Block 9, sub-division of the McReynolds Farm by the Brainerd Hills Company, as per part of said sub-division recorded in Plat Book 13, page 22, Register's office Hamilton County, Tennessee."

The above described tract of land is conveyed by the Grantor to the Grantees with the following restrictions and reservations are to follow the land, and grantees agree to include these restrictions and reservations in any conveyance that is made by them covering the land herein described.

1. No resident shall be built on the within described tract of land that shall cost less than \$3,000.00 exclusive of the out-buildings.

2. All buildings erected on said tract of land shall be set back at least 40 feet from the front line thereof.

3. This being a sub-division for white people only, grantees agree not to convey title to the within described tract of land, to any person or persons of color.

TO HAVE AND TO HOLD the same unto the said A. E. Lilly and wife, Vivian Lilly, their heirs and assigns forever in fee simple.

We covenant that we are lawfully seized and possessed of said real estate, have full power and lawful authority to sell and convey the same, that the title is clear, free and unencumbered, and we will forever warrant and defend the same against all lawful claims.

IN WITNESS WHEREOF, and pursuant to the authority from its Board of Directors, said Brainerd Hills Company, Inc., has caused its corporate seal to be affixed to this instrument and this instrument to be executed, acknowledged, and delivered in the name of and on behalf of said company, by Ed Bass, its President and Fred B. Frazier, its Secretary, on this the 13th day of August, 1938.

BRAINERD HILLS COMPANY, INC.  
By E. D. Bass, President  
Attest: Fred B. Frazier, Secretary  
Internal Revenue Stamp \$1.50 attached and cancelled.

STATE OF TENNESSEE  
COUNTY OF HAMILTON. Before me, McKinley J. Hays, a Notary Public, duly appointed, commissioned, and qualified in and for the state and county aforesaid, personally appeared Ed Bass, and Fred B. Frazier, with whom I am personally acquainted, and who upon their oaths acknowledged themselves to be, respectively, the said Ed Bass, the President, and the said Fred B. Frazier, the secretary of Brainerd Hills Company, the within bargainor, a corporation, and that they as such President and Secretary, being authorized so to do, executed the foregoing deed for the purpose therein contained, the said Ed Bass, President, signing the name of the corporation by its said President, and by affixing to said deed the corporate seal of the corporation. WITNESS my hand and Notarial Seal at office in said State and County, on this the 13th day of August, 1938.

McKinley J. Hays, Notary Public, Hamilton Co. Tenn.  
My commission Expires Jan'y. 5, 1942  
My commission expires Jan'y. 5th, 1942.

STATE OF TENNESSEE  
HAMILTON COUNTY The above Instrument and certificate were filed Sept. 23, 1938, at 2:30 P. M. entered in Note Book No. 26, Page 17, and recorded in Book 770, Page 21, et seq. Witness my hand at office in Chattanooga, Tenn.

*William J. Thresher* Register  
*A. Pope* Dept. Reg

Tax \$1.50. Fee 15¢ Total \$1.65, Paid Sep. 23, 1938. Jack Hixson, County Court Clerk  
WHEREAS, in the suit of The First National Bank of Chattanooga versus Charles S. Correy, Trustee, et al. No. 25, 572, in Chancery Court, Chattanooga, Tennessee, the undersigned have been duly