

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that Cross Creek – Millington, L.L.C., a Tennessee limited liability company, party of the First Part, for consideration received does hereby bargain, sell, release, remise, quit claim and convey unto the City of Millington, a Tennessee municipal corporation, Party of the Second Part, all its right, title and interest in and to the following described real estate (the "Property"), to-wit:

Beginning at a pk nail set in the centerline of Millwood Road (formerly known as Wilkinsville Road) 664.80 feet south of the centerline of West Union Road; thence South 87 Degrees 06 Minutes 53 Seconds East a distance of 387.81 feet to an iron pin set at a point of curvature; thence southeastwardly along a curve to the right having a radius of 184.0 feet a distance of 78.45 feet (chord = South 74 Degrees 54 Minutes 03 Seconds East 77.86 feet, Delta = 24 Degrees 25 Minutes 44 Seconds) to an iron pin set at a point of tangency; thence South 62 Degrees 41 Minutes 14 Seconds East a distance of 165.56 feet to an iron pin set in the west line of U.S. Highway 51; thence South 22 Degrees 42 Minutes 12 Seconds West with the west line of U.S. Highway 51 a distance of 68.22 feet to a point; thence North 62 Degrees 41 Minutes 14 Seconds West a distance of 171.04 feet to a point of curvature; thence northwestwardly along a curve to the left having a radius of 116.00 feet a distance of 49.46 feet (chord = North 74 Degrees 54 Minutes 03 Seconds West 49.08 feet, Delta = 24 Degrees 25 Minutes 44 Seconds) to a point of tangency; thence North 87 Degrees 06 Minutes 53 Seconds West a distance of 388.51 feet to a point in the centerline of Millwood Road (formerly known as Wilkinsville Road); thence North 03 Degrees 28 Minutes 52 Seconds East with the centerline of Millwood Road (formerly known as Wilkinsville Road) a distance of 68.00 feet to the point of beginning and containing 0.97 acres.

The purpose of this Quit Claim Deed is to vest title to the Property in the City of Millington, a Tennessee as a public improvement to be maintained by the City of Millington as a public road. ~~The Grantor hereby reserves an easement upon the southeast corner of the Property for the purpose of maintaining, improving or replacing the existing sign.~~ 

Being part of the same property conveyed to party of the first part by Warranty Deed of record under Instrument No. 05065441 in said Shelby County Register's Office.

Property Address: 0 N Highway 51, Millington, Tennessee  
Property Tax I.D. No: M0115 000947

\*\*\*TITLE NOT SEARCHED\*\*\*

all situated, lying and being in the County of Shelby, State of Tennessee, and it does hereby quitclaim the title herein conveyed unto the said Party of the Second Part.

15 IN TESTIMONY WHEREOF, the Party of the First Part has hereunto executed this Quit Claim Deed this day of March, 2012.

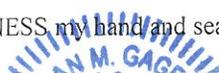
Cross Creek Millington, L.L.C.

By:   
Jerry Sisson, Managing Member

STATE OF TENNESSEE:  
COUNTY OF SHELBY:

Before me, a notary public in and for said State and County, personally appeared Jerry Sisson, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, acknowledged himself to be the managing member of Cross Creek – Millington, L.L.C., and that he as such member, executed the foregoing instrument for the purpose therein contained, by signing the name of the Limited Liability Company by himself as a managing member.

WITNESS my hand and seal this 15 day of March, 2012.







*Tom Leatherwood*

Shelby County Register

As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.

*Re-recording*

	
<b>13010300</b>	
<b>01/23/2013 - 10:45 AM</b>	
2 PGS	
DONALD	1044139-13010300
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	0.00
WALK THRU FEE	2.00
<b>TOTAL AMOUNT</b>	<b>14.00</b>
<b>TOM LEATHERWOOD</b>	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	



*Tom Leatherwood*  
Shelby County Register

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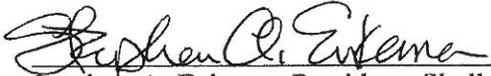
	
12133198	
11/20/2012 - 11:23 AM	
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LIZ 1020463-12133198	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	0.00
WALK THRU FEE	0.00
TOTAL AMOUNT	12.00
TOM LEATHERWOOD	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

SHELBY MALL AGENCY CORPORATION

Shelby Mall Agency Corporation ("Shelby") is involved in a lawsuit concerning the fee ownership of the Copper Creek Drive road right of way in the City of Millington, Tennessee. Shelby sold land for an apartment project that required the construction of Copper Creek Drive and Shelby also agreed to provide an easement over land it owned for the construction of Copper Creek Drive.

Shelby is seeking, among other things, a reformation of the deed that it executed in connection with the construction of the apartment project. Shelby contends there was an error in the deed. Based on that deed Shelby does not own the right of way any more. If reformed as requested, Shelby will be confirmed as the current owner of the Copper Creek Drive road right of way. Accordingly, in consideration of the undertaking by the City of Millington to dedicate and maintain Copper Creek Drive as a public street, Shelby covenants and agrees that once this suit is completed it will convey without consideration to the City of Millington either (1) a warranty deed of the fee for the road right of way if the deed is reformed as requested or (2) a quit claim deed of all its right, title and interest in and to the Copper Creek Drive road right of way.

Executed and delivered this 28<sup>th</sup> day of January, 2012.



Stephen A. Enkema, President, Shelby  
Mall Agency Corporation

Witness:



Stephen E. DeVoe, attorney for Shelby  
Mall Agency Corporation