

SPECIAL CONDITIONS
TR. #14-08-002

Easement Retention:

- a. The State hereby retains an easement area for purposes including, but not limited to, ingress and egress for State and the general public, use of existing and future roadway(s) and parking area(s) by State and the general public, and for development of a passive recreation area open to use by the general public. The easement area, containing 19.82 +/- acres, is described in the attached Exhibit A Property Description and illustrated on Exhibit B Map.
- b. Said easement may also be developed to provide the State with access to the adjoining State of Tennessee real property, which is described at Deed Book 196, Page 1022, Register's Office for Coffee County, Tennessee.
- c. The easement area outside the roadway and parking, hereinafter referred to as the Passive Recreation Area, shall be utilized by the State for the development of passive recreation activities including, but not limited to, hiking, fishing, wildlife observation, and picnics. The easement shall be open to use by the general public. State shall determine, in its sole discretion, on what date the Passive Recreation Area shall become open to public use.
- d. Grantee shall not disturb Passive Recreation Area. This area shall remain in its natural condition, except as altered by the State in order to enhance public recreation.
- e. Grantee shall not mow, cut, prune, remove, disturb, burn or otherwise destroy vegetation in the Passive Recreation Area, except in cooperation with State, to achieve the following:
 - i. safety purposes; or
 - ii. vegetation control in accordance with accepted scientific forestry management practices for diseased, infested, or dead vegetation; or
 - iii. control of non-native species and noxious weeds; or
 - iv. scientific study.
- f. Grantee shall not remove, excavate, disturb, or dredge sod, soil, sand, peat, gravel, stone, or aggregate material of any kind from the Passive Recreation Area. In addition, Grantee shall not change the topography of the land, including any discharges of dredged or fill material, ditching, extraction, drilling, driving of piles, mining or excavation of any kind.
- g. Grantee shall not authorize any third party including, but not limited to, utility providers, to engage in any activity in the easement area, which is prohibited by the Restrictive Covenants set forth below.
- h. With the exception of the roadways and parking areas, no motorized or mechanized vehicles/devices shall be used on the Passive Recreation Area, unless authorized by the State.

Restrictive Covenants:

Grantee, by accepting this conveyance, covenants and agrees on behalf of itself, its successors and assigns that the following constitute real covenants, which attach to and run with the land hereby conveyed and will be binding upon anyone who may hereafter come into ownership thereof or be authorized to use said land whether by purchase, devise, descent, or succession; that these covenants may be enforced by Grantor; and that any failure to enforce any of these covenants shall not be construed to be a waiver of such covenant or any other covenant. All references to "Grantee" shall include the Grantee's heirs, successors, and assigns.

1. Recreation Development:

- a. A portion of the property was previously operated as a nine hole golf course, with clubhouse with amenities, pro shop and equipment shed. The property also contains miscellaneous structures associated with the golf course including tee markers and other items associated with play on the course. The State does not warrant that the premises or any structure is suitable for the previous uses.
- b. The golf course area includes an underground irrigation system. The State does not warrant that this system is operational.
- c. The property may be utilized for re-establishment of the nine hole golf course, structures and amenities, and may be developed to expand the golf course. Should additional structures be constructed as part of the golf course operation, no structure may be more than two stories in height.

2. Residential Development:

The State does not warrant that the property is suitable for residential development. Should the grantor elect to place any of the property into residential development, then the following shall apply:

- a. Said development of the property shall be limited to single family dwellings placed on lots of no less than one acre. No building may be more than two stories in height.
- b. No apartments or manufactured homes, such as mobile homes, shall be permitted.
- c. New utility construction on the property shall be limited to underground placement. No overhead utilities shall be constructed.

3. General Limitations:

- a. No structures, except those associated with a golf course, or with residential development shall be constructed on the property. Excluded structures include, but are not limited to, cell towers, barns, churches, offices or schools.

- b. With the exception of the golf course operation, no non-residential building shall be constructed on the property. This prohibition shall not include a building directly associated with a residence, such as a garage or storage building.
- c. With the exception of a golf course, no commercial or business enterprises shall be constructed or operated on the property.
- d. Native trees, grasses and other native plants will be used by Grantee in any common area landscaping.
- e. As required by applicable federal, state and local statutes and regulations, all land-disturbing activities on the property shall be conducted pursuant to an approved Storm Water Pollution Prevention Plan, which has been prepared in accordance with best management practices to control erosion and sedimentation so as to prevent adverse impact on water quality and related aquatic interests, including threatened and endangered species. These best management practices shall, at a minimum, conform to the practices identified in the *Tennessee Erosion and Sediment Control Handbook*, fourth edition, compiled by the Tennessee Department of Environment and Conservation.
- f. Grantee shall not cause or suffer the storage, dumping, depositing, abandonment, discharge, or release of any gaseous, liquid, solid or hazardous waste substance, material or debris of whatever nature on, in, over or underground, or into surface or groundwater, except for approved storm water discharges.
- g. Grazing or other use for domesticated animals, other than household pets, is prohibited.
- h. Cultivation of crops is prohibited. The management and maintenance of the golf course surface, is excluded from this prohibition.
- i. Quarrying, mining, drilling and hydraulic fracturing are prohibited.

4. Property Transfers:

Grantee shall include the following notice on all deeds, mortgages, plats, or any other legal instrument used to convey any interest in or use of the property:

NOTICE: This Property is subject to Restrictive Covenants set out in the Deed recorded at _____, Register's Office for Coffee County, Tennessee.

EXHIBIT A

RE: LEGAL DESCRIPTION OF INGRESS & EGRESS EASEMENT AT END OF COUNTRY CLUB DRIVE, COFFEE COUNTY FOR THE STATE OF TENNESSEE TRANSACTION NUMBER 14-08-002.

Point of Beginning and commencing at a point at the intersection of Country Club Drive with Country Club Road extended thence

SOUTH 62 degrees 32 minutes 21 seconds WEST a distance of 85.19 feet to an iron rod old (capped #86 on Bingham Plat) having a northing and easting of [N 420126.91 E 1933921.33]

on the north side of said Country Club Drive and same being our TRUE POINT OF BEGINNING; thence with OUR TRUE POINT OF BEGINNING and being the extreme northeast corner of the herein described ingress & egress easement and crossing over said Country Club Drive

SOUTH 30 degrees 21 minutes 39 seconds EAST a distance of 23.06 feet to an iron pipe old (capped #87 on Bingham Plat) having a northing and easting of [N 420107.01 E 1933932.99];

SOUTH 30 degrees 51 minutes 53 seconds EAST a distance of 7.88 feet to an iron rod new having a northing and easting of [N 420100.24 E 1933937.03];

SOUTH 59 degrees 08 minutes 07 seconds WEST a distance of 45.66 feet to an iron rod new having a northing and easting of [N 420076.82 E 1933897.84];

SOUTH 70 degrees 23 minutes 40 seconds WEST a distance of 82.81 feet to an iron rod new having a northing and easting of [N 420049.03 E 1933819.83];

SOUTH 79 degrees 31 minutes 23 seconds WEST a distance of 44.92 feet to an iron rod new having a northing and easting of [N 420040.86 E 1933775.66];

SOUTH 73 degrees 42 minutes 07 seconds WEST a distance of 98.26 feet to an iron rod new having a northing and easting of [N 420013.29 E 1933681.35];

SOUTH 67 degrees 03 minutes 07 seconds WEST a distance of 97.04 feet to an iron rod new having a northing and easting of [N 419975.45 E 1933591.98];

SOUTH 63 degrees 11 minutes 07 seconds WEST a distance of 97.55 feet to an iron rod new having a northing and easting of [N 419931.45 E 1933504.92];

SOUTH 58 degrees 03 minutes 07 seconds WEST a distance of 95.21 feet to an iron rod new having a northing and easting of [N 419881.07 E 1933424.13];

SOUTH 46 degrees 16 minutes 07 seconds WEST a distance of 99.49 feet to an iron rod new having a northing and easting of [N 419812.29 E 1933352.24];

SOUTH 55 degrees 44 minutes 07 seconds WEST a distance of 104.51 feet to an iron rod new having a northing and easting of [N 419753.45 E 1933265.88];

thence SOUTH 66 degrees 06 minutes 07 seconds WEST a distance of 317.61 feet to an iron rod new having a northing and easting of [N 419624.79 E 1932975.50];

thence NORTH 76 degrees 51 minutes 11 seconds WEST a distance of 115.15 feet to an iron rod new having a northing and easting of [N 419650.98 E 1932863.36];

thence NORTH 58 degrees 33 minutes 11 seconds WEST a distance of 92.80 feet to an iron rod new having a northing and easting of [N 419699.39 E 1932784.19];

thence NORTH 36 degrees 02 minutes 38 seconds WEST a distance of 108.40 feet to an iron rod new having a northing and easting of [N 419787.04 E 1932720.41];

thence SOUTH 70 degrees 46 minutes 28 seconds WEST a distance of 112.63 feet to an iron rod new having a northing and easting of [N 419749.95 E 1932614.07];

thence SOUTH 08 degrees 29 minutes 20 seconds EAST a distance of 103.00 feet to an iron rod new having a northing and easting of [N 419648.09 E 1932629.27];
thence SOUTH 58 degrees 33 minutes 23 seconds WEST a distance of 9.09 feet to an iron rod new having a northing and easting of [N 419643.34 E 1932621.51];
thence crossing over pavement SOUTH 15 degrees 54 minutes 50 seconds EAST a distance of 162.74 feet to an iron rod new and running parallel with a cart path and having a northing and easting of [N 419486.84 E 1932666.14];
thence SOUTH 71 degrees 41 minutes 15 seconds WEST a distance of 17.48 feet to an iron rod new having a northing and easting of [N 419481.34 E 1932649.54];
thence SOUTH 18 degrees 22 minutes 32 seconds EAST a distance of 154.00 feet to an iron rod new having a northing and easting of [N 419335.19 E 1932698.09];
thence SOUTH 03 degrees 29 minutes 20 seconds EAST a distance of 105.52 feet to an iron rod new having a northing and easting of [N 419229.87 E 1932704.51];
thence SOUTH 09 degrees 28 minutes 32 seconds WEST a distance of 119.14 feet to an iron rod new having a northing and easting of [N 419112.36 E 1932684.90];
thence SOUTH 20 degrees 34 minutes 23 seconds WEST a distance of 147.54 feet to an iron rod new and running parallel with the Duck River and said cart path and having a northing and easting of [N 418974.23 E 1932633.05];
thence SOUTH 05 degrees 27 minutes 09 seconds EAST a distance of 87.55 feet to an iron rod new having a northing and easting of [N 418887.08 E 1932641.37];
thence SOUTH 13 degrees 49 minutes 53 seconds EAST a distance of 297.65 feet to an iron rod new having a northing and easting of [N 418589.06 E 1932712.53];
thence SOUTH 20 degrees 11 minutes 45 seconds EAST a distance of 211.43 feet to an iron rod new having a northing and easting of [N 418399.62 E 1932785.52];
thence splitting off from said cart path and continuing to run parallel with the Duck River SOUTH 12 degrees 03 minutes 12 seconds EAST a distance of 805.40 feet to an iron rod new having a northing and easting of [N 417611.98 E 1932953.71];
thence picking up a cart path and running parallel with said cart path and the Duck River SOUTH 12 degrees 01 minutes 34 seconds WEST a distance of 60.05 feet to an iron rod new having a northing and easting of [N 417553.25 E 1932941.20];
thence SOUTH 22 degrees 46 minutes 22 seconds EAST a distance of 618.85 feet to an iron rod new at the corner of a pump station and having a northing and easting of [N 416982.65 E 1933180.74];
thence with the pump station line SOUTH 41 degrees 36 minutes 04 seconds EAST a distance of 19.50 feet to an iron rod new at the end of said pump station and having a northing and easting of [N 416968.07 E 1933193.68];
thence SOUTH 67 degrees 22 minutes 53 seconds EAST a distance of 128.69 feet to an iron rod new having a northing and easting of [N 416918.57 E 1933312.48];
thence SOUTH 72 degrees 03 minutes 53 seconds EAST a distance of 122.17 feet to an iron rod new having a northing and easting of [N 416880.95 E 1933428.71];
thence NORTH 89 degrees 03 minutes 29 seconds EAST a distance of 342.88 feet to an iron rod new having a northing and easting of [N 416886.59 E 1933771.55];
thence NORTH 86 degrees 42 minutes 17 seconds EAST a distance of 170.42 feet to an iron rod new on the south side of a cart path and having a northing and easting of [N 416896.38 E 1933941.69];

thence NORTH 83 degrees 42 minutes 47 seconds EAST a distance of 59.27 feet to an iron rod new having a northing and easting of [N 416902.87 E 1934000.59];
thence SOUTH 74 degrees 29 minutes 54 seconds EAST a distance of 106.66 feet to an iron rod new having a northing and easting of [N 416874.36 E 1934103.38];
thence SOUTH 89 degrees 20 minutes 40 seconds EAST a distance of 377.02 feet to an iron rod new having a northing and easting of [N 416870.05 E 1934480.37];
thence NORTH 77 degrees 30 minutes 51 seconds EAST a distance of 195.91 feet to an iron rod new having a northing and easting of [N 416912.41 E 1934671.65];
thence NORTH 65 degrees 45 minutes 08 seconds EAST a distance of 278.69 feet to an iron rod new having a northing and easting of [N 417026.86 E 1934925.75];
thence NORTH 89 degrees 05 minutes 46 seconds EAST a distance of 153.29 feet to an iron rod new having a northing and easting of [N 417029.28 E 1935079.02];
thence NORTH 72 degrees 47 minutes 47 seconds EAST a distance of 187.97 feet to an iron rod new having a northing and easting of [N 417084.87 E 1935258.58];
thence NORTH 36 degrees 27 minutes 34 seconds EAST a distance of 158.10 feet to an iron rod new having a northing and easting of [N 417212.03 E 1935352.53];
thence NORTH 00 degrees 51 minutes 53 seconds WEST a distance of 64.64 feet to an iron rod new having a northing and easting of [N 417276.66 E 1935351.55] to a point at the end of said easement and being South 85 degrees 38 minutes 51 seconds East 944.44 feet from an iron rod old (capped #120 on Bingham Plat);
thence crossing over the Duck River
NORTH 89 degrees 08 minutes 07 seconds EAST a distance of 166.68 feet to a point in the center of said river;
thence with said center of river the following calls:
SOUTH 06 degrees 02 minutes 07 seconds WEST a distance of 442.14 feet to a point at the intersection of the Duck River with the Little Duck River and having a northing and easting of [N 416839.48 E 1935471.73]
and being the southeast corner of the herein described easement area;
thence with the center of said Duck River the following calls:
SOUTH 68 degrees 54 minutes 07 seconds WEST a distance of 300.85 feet;
thence SOUTH 80 degrees 03 minutes 36 seconds WEST a distance of 252.35 feet;
thence NORTH 81 degrees 33 minutes 19 seconds WEST a distance of 524.18 feet in the north line of the Hickerson property (D.B. 36; Pg. 36);
thence NORTH 87 degrees 09 minutes 38 seconds WEST a distance of 985.83 feet to a point in Beechwood Acres Resubdivision (of record in T.B. 118; Pg. 35, Block A)
thence NORTH 75 degrees 51 minutes 40 seconds WEST a distance of 237.62 feet;
thence NORTH 46 degrees 29 minutes 34 seconds WEST a distance of 162.54 feet;
thence NORTH 24 degrees 58 minutes 37 seconds WEST a distance of 492.20 feet;
thence NORTH 18 degrees 31 minutes 25 seconds WEST a distance of 121.45 feet;
thence NORTH 22 degrees 54 minutes 43 seconds WEST a distance of 128.82 feet;
thence NORTH 11 degrees 27 minutes 33 seconds WEST a distance of 364.73 feet;
thence NORTH 06 degrees 09 minutes 30 seconds WEST a distance of 483.61 feet to a point in the east line of the Spaulding property (D.B. 349; Pg. 713);
thence NORTH 14 degrees 18 minutes 24 seconds WEST a distance of 487.08 feet;
thence NORTH 37 degrees 16 minutes 09 seconds WEST a distance of 189.12 feet;
thence NORTH 40 degrees 04 minutes 05 seconds WEST a distance of 281.38 feet to a point at the intersection of Duck River with Bashaw Creek in the east line of the Powers property (D.B. 213; Pg. 526) and having a northing and easting of [N 419339.45 E 1932254.13];
thence leaving the Duck River and with the center of said Bashaw Creek the following calls:
NORTH 73 degrees 13 minutes 29 seconds EAST a distance of 196.76 feet to a point in the State of Tennessee property (D.B. 196; Pg. 1022)
thence SOUTH 49 degrees 38 minutes 34 seconds EAST a distance of 43.17 feet;
thence NORTH 22 degrees 45 minutes 22 seconds EAST a distance of 200.26 feet;

thence NORTH 25 degrees 55 minutes 16 seconds WEST a distance of 129.96 feet;
thence NORTH 10 degrees 42 minutes 11 seconds EAST a distance of 86.01 feet;
thence NORTH 58 degrees 10 minutes 20 seconds EAST a distance of 131.79 feet;
thence NORTH 43 degrees 49 minutes 52 seconds EAST a distance of 77.94 feet to a point in the center of said creek in the south line of the Jackson property (D.B. 288; Pg. 637);
thence SOUTH 63 degrees 56 minutes 04 seconds EAST a distance of 71.59 to an iron rod old feet and having a northing and easting of [N 419848.63 E 1932742.30];
thence SOUTH 29 degrees 37 minutes 55 seconds EAST a distance of 145.29 feet to an iron rod old and having a northing and easting of [N 419722.34 E 1932814.14];
thence SOUTH 58 degrees 26 minutes 04 seconds EAST a distance of 73.06 feet to an iron rod old and having a northing and easting of [N 419684.10 E 1932876.38];
thence SOUTH 76 degrees 44 minutes 21 seconds EAST a distance of 106.26 feet to an iron rod old and having a northing and easting of [N 419659.72 E 1932979.81];
thence NORTH 66 degrees 05 minutes 27 seconds EAST a distance of 297.09 feet to an iron rod old and having a northing and easting of [N 419780.13 E 1933251.40];
thence NORTH 55 degrees 38 minutes 12 seconds EAST a distance of 99.92 feet to an iron rod old and having a northing and easting of [N 419836.52 E 1933333.88];
thence NORTH 46 degrees 17 minutes 06 seconds EAST a distance of 99.47 feet to an iron rod old and having a northing and easting of [N 419905.27 E 1933405.78];
thence NORTH 58 degrees 04 minutes 06 seconds EAST a distance of 99.65 feet to an iron rod old and having a northing and easting of [N 419957.97 E 1933490.35];
thence NORTH 63 degrees 12 minutes 06 seconds EAST a distance of 99.91 feet to an iron rod old and having a northing and easting of [N 420003.02 E 1933579.53];
thence NORTH 67 degrees 04 minutes 06 seconds EAST a distance of 99.80 feet to an iron rod old and having a northing and easting of [N 420041.90 E 1933671.44];
thence NORTH 73 degrees 43 minutes 46 seconds EAST a distance of 99.91 feet to an iron rod old and having a northing and easting of [N 420069.90 E 1933767.35];
thence NORTH 72 degrees 40 minutes 54 seconds EAST a distance of 18.25 feet to an iron rod old and having a northing and easting of [N 420075.33 E 1932876.38];
thence NORTH 78 degrees 05 minutes 42 seconds EAST a distance of 25.32 feet to an iron rod old and having a northing and easting of [N 419684.10 E 1933784.78];
thence NORTH 70 degrees 28 minutes 50 seconds EAST a distance of 94.05 feet to an iron rod old and having a northing and easting of [N 420080.56 E 1933809.56];
thence NORTH 57 degrees 09 minutes 32 seconds EAST a distance of 27.53 feet to an iron rod old and having a northing and easting of [N 420111.98 E 1933898.20];
which is the Point of Beginning, and containing 19.82 acres or 863207.6 Square feet an easement for ingress and egress to the State of Tennessee, Transaction Number 14-08-002, and based on a survey by Steve Northcutt, RLS # 1721, dated 7/29/2015 and located at 113 E Depot Street, Shelbyville, Tennessee. This property is subject to all easements as shown and any other easements and/or restriction either recorded or by prescription that a complete title search may reveal. Portions of the north line and other tie downs are based on monumentation that was located in the field based on a plat by Bingham Engineering titled Boundary Survey of Old Stone Fort State Park dated June 30, 1986.

For title source see Warranty Deed Book 144; Page 303 in the Office of the Coffee County Register of Deeds.

EXHIBIT B

