LH-93-11-000 00 00/

Address New Owner as Follows:

Alley-Cassetty Coal Co.
(Name)

P. O. Box 23305
(Address)

Nashville, TN. 37202
(City) (State) (Zip Code)

Send Tax Bills To:

Security Federal Savings & Loan Assoc.
(Name)

P. O. Box 150809
(Address)

Nashville, TN. 37215
(City) (State) (Zip Code)

This instrument was prepared by
S. Brian Casey
Attorney
500 Water St., Jacksonville, FL. 32202

BOOK 6433 PAGE 609

FOR AND IN CONSIDERATION of the sum of One Hundred Sixty-seven Thousand Five Hundred Dollars ($167,500.00), cash in hand paid to SEABOARD SYSTEM RAILROAD, INC., a Virginia corporation, hereinafter called Grantor, and UNITED STATES TRUST COMPANY OF NEW YORK, Trustee under The Nashville, Chattanooga & St. Louis Railway First Mortgage, dated February 1, 1928, made by the former The Nashville, Chattanooga & St. Louis Railway and under the First and Refunding Mortgage dated August 1, 1921, made by the former Louisville and Nashville Railroad Company, to which Seaboard System Railroad, Inc. is successor by merger, hereinafter called Trustee, by ALLEY-CASSETTY COAL COMPANY, a Tennessee corporation, hereinafter sometimes called Grantee, the receipt of which is hereby acknowledged, SEABOARD SYSTEM RAILROAD, INC., a Virginia corporation, hereinafter sometimes called Grantor, has bargained and sold and by these presents does hereby bargain, sell, transfer and convey unto the Grantee, its successors and assigns, subject to the conditions hereinafter stated, two tracts or parcels of land in Nashville, Davidson County, Tennessee, being more particularly described as follows:

Tract #1

Beginning at an iron pin at the northeast corner of the intersection of Jo Johnston Avenue and 11th Avenue North; thence N 28° 35' 37" W along the east line of said 11th Avenue North a distance of four hundred eighty-seven and fifty-three hundredths (487.53) feet to an iron pin, said

31 11/27 430.00- CHECK

pin being fifty (50) feet measured southwardly along a radial line from a point in the centerline of the main track of the Nashville Division of the Seaboard System Railroad, Inc. at Valuation Station 25+39.41; thence southeastwardly along a line fifty (50) feet southwestwardly from and parallel to the centerline of said main track along a curve to the right having a radius of 710.90 feet, a central angle of 15° 48' 54" a chord bearing of S 82° 38' 27" E, 195.60 feet an arc distance of one hundred ninety-six and nine hundredths (196.09) feet to an iron pin opposite Valuation Station 23+27.60; thence southeastwardly continuing along a line fifty (50) feet southwestwardly from and parallel to the centerline of said main track, along a curve to the right having a radius of 932.64 feet, a central angle of 27° 43' 55" a chord bearing S 60° 52' 03" E, 447.02 feet, an arc distance of four hundred fifty-one and nineteen hundredths (451.19) feet to an iron pin in the north line of said Jo Johnston Avenue; thence S 62° 10' W along the north line of said Jo Johnston Avenue a distance of three hundred ninety-seven and seven hundredths (397.07) feet to the point of beginning, containing 121,854 square feet, 2.80 acres, more or less, being a part of the same property conveyed to The Nashville, Chattanooga & St. Louis Railway by Jacob McGavock by deed dated September 3, 1873, recorded in Deed Book 49, page 618, by George W. Cunningham by deed dated January 21, 1876, recorded in Deed Book 55, page 52 and acquired by the Louisville and Nashville Railroad Company through merger between the Louisville and Nashville Railroad Company and The Nashville, Chattanooga & St. Louis Railway on August 30, 1957, the Agreement of Merger being recorded in Book 2720, page 201 and acquired by the Seaboard Coast Line Railroad Company through merger between the Seaboard Coast Line Railroad Company and the Louisville and Nashville Railroad Company, effective December 29, 1982, recorded in Book 5992, page 495, and name of the surviving company changed to the Seaboard System Railroad, Inc., by virtue of name change effective December 29, 1982, recorded in Book 5992, page 498, all in the Register's Office, Davidson County, Tennessee.

BOOK 6433 PAGE 610

Tract #2

Beginning at an iron pin at the northwest corner of the intersection of Clinton Street and 11th Avenue North; thence S 62° 15' 34" W along the north line of said Clinton Street, a distance of one hundred eighty-five (185.00) feet to an iron pin, in the southeast property of Evelyn J. Condra, Trustee; thence N 27° 44' 26" W along the east property line of said Evelyn J. Condra, Trustee a distance of ninety-two and thirty-five hundredths (92.35) feet to an iron pin, said pin being ten (10) feet measured southwardly along a radial line from a point in the centerline of Track #9-A of the Nashville Division of the Seaboard and ninety-four and sixty-nine hundredths (94.69) feet south of Valuation Station 27+93.77; thence southeastwardly along a line ten (10) feet southwest of the centerline of said Track #9-A along a curve to the right having a radius of 754.49 feet, a central angle of 12° 45' 42", a chord bearing N 78° 39' 06" E, 167.70 feet, an arc distance of one hundred sixty-seven and ninety-three hundredths (167.93) feet to an iron pin; thence N 84° 31' 57" E continuing along a line ten (10) feet southwest of the centerline of said Track #9-A a distance of twenty-five and two hundredths (25.02) feet to an iron pin in the west line of said 11th Avenue North; thence S 28° 35' 37" E along the west line of said 11th Avenue North a distance of thirty-six and ninety-five hundredths (36.95) feet to the point of beginning, containing 12,647 square feet, 0.29 acre, more or less, being a part of the same property conveyed to The Nashville, Chattanooga & St. Louis Railway by Issac Litton, Executor of Samuel Watkins by deed dated July 7, 1881, recorded in Deed Book 69, page 488 and acquired by the Louisville and Nashville Railroad Company through merger between the Louisville and Nashville Railroad Company and The Nashville, Chattanooga & St. Louis Railway on August 30, 1957, the Agreement of Merger being recorded in Book 2720, page 201 and acquired by the Seaboard Coast Line Railroad Company through merger between the Seaboard Coast Line Railroad Company and the Louisville and Nashville Railroad Company,

effective December 29, 1982, recorded in Book 5992, page 495, and name of the surviving company changed to the Seaboard System Railroad, Inc., by virtue of name change effective December 29, 1982, recorded in Book 5992, page 498, all in the aforesaid office and county. BOOK 6433 PAGE 612

The Grantor reserves for itself, its successors and assigns, an easement for railroad or other business purposes covering all land lying northwest of a line ten (10) feet southeastwardly from and parallel to the centerline of the Grantor's Track No. 7. This railroad easement shall be valid until Grantor's Track No. 7 is abandoned, whereupon the easement herein granted shall cease and determine and all rights shall revert to the Grantee.

Grantor grants to the Grantee an aerial easement for the maintenance of a portion of Grantee's overhead coal chutes located on Grantor's right of way. If the Grantee ceases to use the overhead coal chutes, Grantee agrees to remove the chutes, at its expense, and the easement herein granted shall cease and determine and all rights shall revert to the Grantor.

The Grantee agrees to assume and be bound by all obligations assumed by the Grantor in deeds or contracts of record affecting the above-described premises, and to recognize all easements to which the above-described premises are servient, whether such easements be apparent or created by instruments of record or otherwise.

It is agreed that all taxes for the year 1984 will be prorated between the Grantor and Grantee as of the date of closing.

The recitals of facts made hereinabove are to be taken only as recitals made by Grantor and not by Trustee.

TO HAVE AND TO HOLD the said tracts or parcels of land, with all the appurtenances thereunto belonging, to the Grantee, its successors and assigns forever in fee simple, and the Grantor warrants the title against all persons whomsoever.

The property hereinabove conveyed is subject to the lien of the First and Refunding Mortgage made by the former Louisville and Nashville

Railroad Company, dated as of August 1, 1921, as supplemented and modified, and in addition, is also subject to the prior lien of that mortgage from The Nashville, Chattanooga and St. Louis Railway, dated February 1, 1928, as supplemented and modified, under which mortgages the United States Trust Company of New York is Trustee, and the Trustee joins herein for the purpose of releasing and does hereby release the property hereinabove conveyed from the liens of said mortgages pursuant to the provisions of Section 1 of Article Ten thereof of the August 1, 1921 mortgage and to the provisions of Section 1 of Article Ten thereof of the February 1, 1928 mortgage.

BOOK 6433 PAGE 613

IN WITNESS WHEREOF, the Grantor and Trustee have hereunto subscribed their names, this 15th day of October, 1984.

SEABOARD SYSTEM RAILROAD, INC.

Attest:
Corporate Secretary

By
Vice President

UNITED STATES TRUST COMPANY OF NEW YORK

Attest:
ASST. SECRETARY

By
ASSISTANT VICE PRESIDENT

ALLEY-CASSETTY COAL COMPANY

Attest:

By Fred Cassetty president

STATE OF FLORIDA)
)
COUNTY OF DUVAL)

Personally appeared before me, Angelia C. Goodell, a Notary Public of the State and County aforesaid, J. T. Rice and R. A. Bernard with whom I am personally acquainted, and who, upon oath, acknowledged themselves to be the Vice President

and Corporate Secty. , respectively, of the Seaboard System Railroad, Inc., a corporation, and that they as such Vice President and Corporate Secretary , being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation thereto by J. T. Rice , as its Vice President and attesting the same by R. A. Bernard , as its Corporate Secretary , and affixing the corporate seal thereto.

Witness my hand and seal at office in Jacksonville, Duval County, Florida, this 15th day October , 19 84 . BOOK 6433 PAGE 614

My commission expires NOTARY PUBLIC, STATE OF FLORIDA My commission expires Sept. 15, 1987 Bonded Thru Patterson-Bocht Agency

Angelia C. Goodell
Notary Public

STATE OF NEW YORK)
)
COUNTY OF NEW YORK)

Personally appeared before me, JOHN M. GUILIANO , a Notary Public of the State and County aforesaid, JAMES E LOGAN and WILLIAM JENNINGS with whom I am personally acquainted, and who, upon oath, acknowledged themselves to be the Assistant Vice President and Assistant Secretary, respectively, of the United States Trust Company of New York, a corporation, the within-named Trustee of the aforesaid mortgage, and that they as such Assistant Vice President and Assistant Secretary, being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation thereto by JAMES E. LOGAN , as its Assistant Vice President and attesting the same by WILLIAM JENNINGS , as its Assistant Secretary, and affixing the corporate seal thereto.

Witness my hand and seal at office in NEW YORK , this 19 day of OCTOBER , 19 84 .

My commission expires _____ .

John M. Guiliano
Notary Public

JOHN M. GUILIANO
Notary Public, State of New York
No. 41-4633878
Qualified in Suffolk County
Commission Expires March 30, 1986

(Notarial Seal)

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Before me, Carole L Clark, a Notary Public of the State and County aforesaid, personally appeared Fred Cassetty with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who, upon oath, acknowledged themselves to be the President and _____ BOOK 6433 PAGE 615 of Alley-Cassetty Coal Company, the within named bargainor, a _____ corporation, and that Fred Cassetty as such President and _____ executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by the said President as _____ and attesting the same by the said Fred Cassetty as President.

Witness my hand and seal at office in Nashville, Davidson County, Tennessee, this 31st day of October, 1984.

My Commission Expires: 7-21-85

Carole L Clark
Notary Public

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration for this transfer or value of property (whichever is greater) is $167,500.00. This is equal to or greater than the property would bring at a fair and voluntary sale.

Fred Cassetty

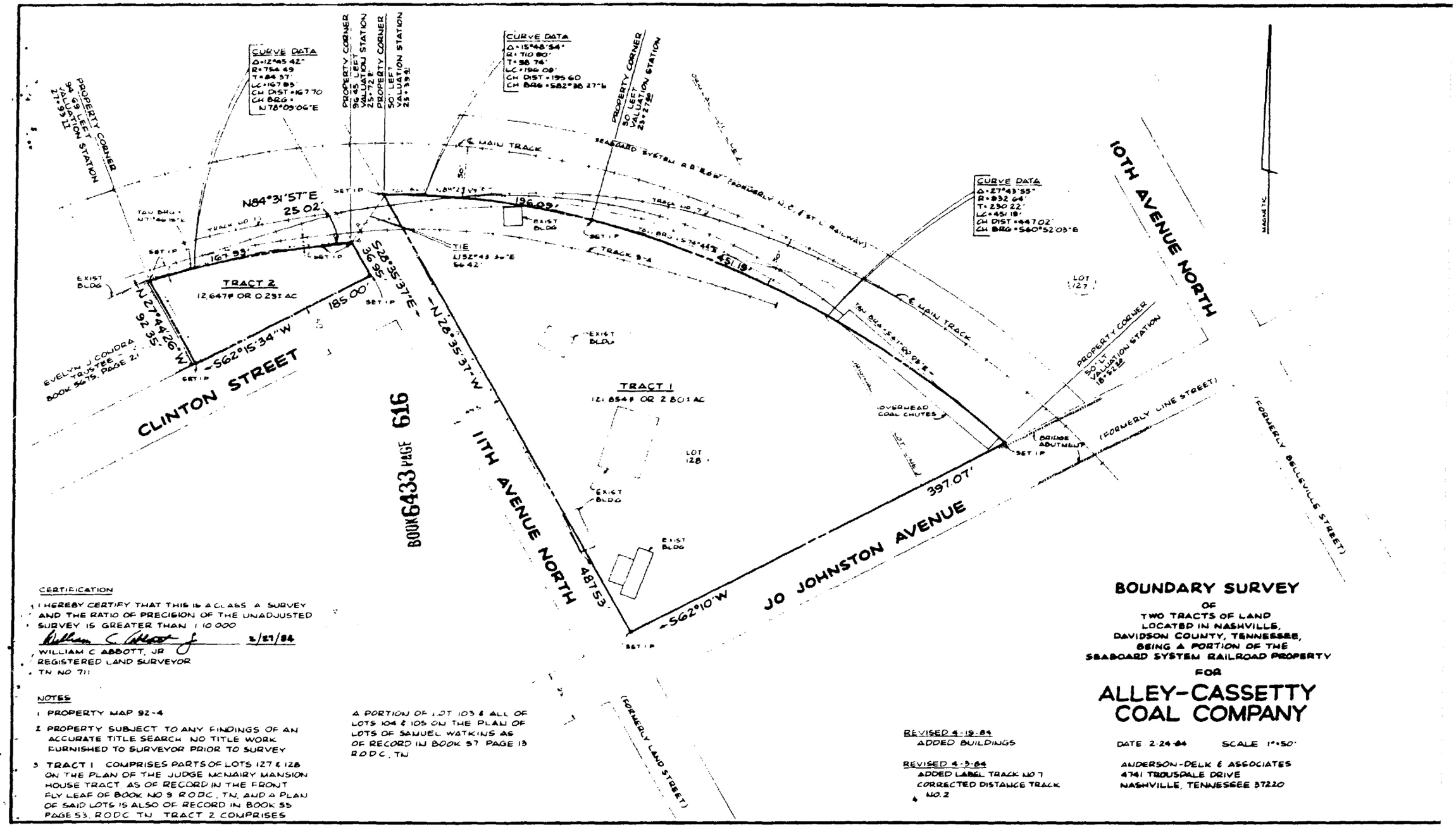
Sworn to and subscribed before me this 31st day of October, 1984.

Starla Pearson
NOTARY PUBLIC

My Commission Expires 1-20-85

I 6 5 8 8 9

IDENTIF. REFERENCE
NOV 27 10 32 AM '84
DAVIDSON COUNTY, TN



CERTIFICATION

I HEREBY CERTIFY THAT THIS IS A CLASS A SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS GREATER THAN 1 10 000

William C Abbott Jr 5/27/84

WILLIAM C ABBOTT, JR
REGISTERED LAND SURVEYOR
TN NO 711

NOTES

1 PROPERTY MAP 92-4

2 PROPERTY SUBJECT TO ANY FINDINGS OF AN ACCURATE TITLE SEARCH NO TITLE WORK FURNISHED TO SURVEYOR PRIOR TO SURVEY

3 TRACT 1 COMPRISES PARTS OF LOTS 127 & 128 ON THE PLAN OF THE JUDGE MCNAIRY MANSION HOUSE TRACT AS OF RECORD IN THE FRONT FLY LEAF OF BOOK NO 9 RODC, TN, AND A PLAN OF SAID LOTS IS ALSO OF RECORD IN BOOK 55 PAGE 53, RODC TN TRACT 2 COMPRISES A PORTION OF LOT 103 & ALL OF LOTS 104 & 105 ON THE PLAN OF LOTS OF SAMUEL WATKINS AS OF RECORD IN BOOK 57 PAGE 13 RODC, TN

REVISED 4-19-84
ADDED BUILDINGS

REVISED 4-3-84
ADDED LABEL TRACK NO 7
CORRECTED DISTANCE TRACK NO 2

BOUNDARY SURVEY

OF

TWO TRACTS OF LAND
LOCATED IN NASHVILLE,
DAVIDSON COUNTY, TENNESSEE,
BEING A PORTION OF THE
SEABOARD SYSTEM RAILROAD PROPERTY

FOR

ALLEY-CASSETTY COAL COMPANY

DATE 2-24-84 SCALE 1"=50'

ANDERSON-DELK & ASSOCIATES
4741 TROUSDALE DRIVE
NASHVILLE, TENNESSEE 37220

84-16 5

OFFICIAL RECEIPT

FELIX Z. WILSON, II
REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

BOOK 6433 PAGE 617

CO -CONVEYANCE
MO -MORTGAGE
WD -WARRANTY DEED
TD -TRUST DEED

CC -CERTIFIED COPY
REL -RELEASE
UCC -UNIFORM COMMERCIAL CODE

MISC -MISCELLANEOUS
CO TX -STATE TAX CONVEY
MO TX -STATE TAX MORT
PRFEE -PROBATE FEE

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL PAID

167500.00- CAMT.
435.50 CSTAX
.50 PRFEE
24.00 WDEED
CHECK 460.00-
0031A11/27/84 BAL .00

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

I 65889

IDENTIF. REFERENCE

Nov 27 10 32 AM '84

FELIX Z. WILSON, II REGISTER
DAVIDSON COUNTY, TN

No.0087997