BOOK 7362 PAGE 613

THIS INSTRUMENT PREPARED BY: *
Long, Ragsdale & Waters, P.C. *
P. O. Box 90384 *
Knoxville, TN 37990 *
*

OWNER/Responsible Taxpayer:
Long John Silver's, Inc.
P. O. Box 14026
Lexington, KY 40512-4026
FTIN: 60-0703028

Map & Parcel No. 26-0-121

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I, or we, hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $325,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me this 24th day of Sept., 1987.

Notary Public

My commission expires: 1-23-91

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WARRANTY DEED

THIS INDENTURE, made this 24th day of September 1987, between RIVERGATE PROPERTIES, LTD., a Tennessee limited partnership, Grantor, and LONG JOHN SILVER'S, INC., a Delaware corporation, Grantee.

W I T N E S S E T H:

That Grantor, for and in consideration of the sum of Ten and 00/100 Dollars ($10.00) and for good and valuable consideration in hand paid by Grantee, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and does hereby grant, bargain, sell and convey unto Grantee the following described premises, with the hereditaments and appurtenances thereto appertaining, to-wit: Situate in the Second Civil District of Metropolitan Nashville in Davidson County, Tennessee, and being more particularly described on Exhibit A attached hereto (sometimes hereinafter referred to as the "premises").

PROVIDED, HOWEVER, that this conveyance is subject to the restriction that Grantee shall maintain the premises and operate its restaurant business thereon with standards of quality consistent with the national restaurant chain of Grantee, such restriction to be operative so long as Grantee owns the premises.

TO HAVE AND TO HOLD the said premises to the said Grantee, its successors and assigns forever.

And Grantor, for itself, its representatives, successors and assigns does hereby covenant with Grantee, its representatives, successors and assigns, that Grantor is lawfully seized in fee simple of the premises herein conveyed; has full power, authority and right to convey the premises; that Grantor will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever; and that the premises are free from all encumbrances except for the lien of current ad valorem real

property taxes, and those encumbrances and restrictions set forth on Exhibit B attached hereto.

THE PREPARER OF THIS DEED MAKES NO REPRESENTATION AS TO THE STATUS OF TITLE TO THE PROPERTY DESCRIBED ON EXHIBIT A HERETO. THIS DEED HAS BEEN PREPARED SOLELY FROM INFORMATION FURNISHED TO THE PREPARER WHO MAKES NO REPRESENTATION WHATSOEVER OTHER THAN IT HAS BEEN ACCURATELY TRANSCRIBED FROM THE INFORMATION PROVIDED.

IN WITNESS WHEREOF, the Grantor has executed this instrument this the date first above written.

RIVERGATE PROPERTIES, LTD.,
By its two (2) general partners:

(a) RIVERGATE CORPORATION

By J. Michael Parish
J. Michael Parish
Its President

(b) FMP DEVELOPMENT CORPORATION

By J. Michael Parish
J. Michael Parish
Its President

STATE OF TENESSEE

COUNTY OF KNOX

Before me, Karen Whitman, of the state and county aforesaid, personally appeared J. Michael Parish, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, swore to and acknowledged himself to be President of Rivergate Corporation, a Tennessee corporation, which is a General Partner of RIVERGATE PROPERTIES, LTD., the within named bargainor, a Tennessee limited partnership, and that he as such President of the General Partner, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation (as General Partner) by himself as President.

WITNESS my hand and seal this 24th day of September, 1987.

Karen Whitman
Notary Public

My commission expires: 1-23-91

STATE OF TENNESSEE

COUNTY OF KNOX

Before me, Karen Whitmore, of the state and county aforesaid, personally appeared J. Michael Parish, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, swore to and acknowledged himself to be President of FMP Development Corporation, a corporation, which is a General Partner of RIVERGATE PROPERTIES, LTD., the within named bargainor, a Tennessee limited partnership, and that he as such President of the General Partner, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation (as General Partner) by himself as President.

WITNESS my hand and seal this 24th day of September, 1987.

Karen Whitmore
Notary Public

My commission expires: 1-23-91

shk20.deed

EXHIBIT A

Land in the Second Civil District of Metropolitan Nashville in Davidson County, Tennessee and being Lot No. 1 on the revised Final Plat of Rivergate Properties Limited of record in Book 6250, page 919 Register's Office, Davidson County, Tennessee and being more particularly described according to a survey by J. Bruce Rainey, Surveyor #825 dated January 21, 1987 and known as Job No: 87-000 as follows:

Beginning at an iron pin in the easterly margin of Conference Drive; said point of beginning being the Southwest corner of the herein described tract and also being Northeasterly 162.93 feet from the Intersection of said easterly margin of Conference Drive with the northerly margin of Gallatin Road (U.S. Highway 31-E) as measured along said easterly margin of Conference Drive; thence North 25 deg. 51 min. 03 sec. West 200.00 feet with said easterly margin of Conference Drive to an iron pin in the southerly margin of an access drive and also being the Southwesterly corner of Lot No. 4; thence North 64 deg. 08 min. 57 sec. East 167.00 feet with said southerly margin of an access drive and said southerly line of Lot No. 4 to an iron pin; said iron pin being the Northwesterly corner of Lot No. 2; thence South 25 deg. 51 min. 03 sec. East 200.00 feet to an iron pin; said iron pin being the Southwesterly corner of Lot No. 2; thence South 64 deg. 08 min. 57 sec. West 167.00 feet to the point of beginning containing 33,400 square feet (0.77 acres more or less).

Being a portion of the same property conveyed to Rivergate Properties Limited by deed of record in Book 6250, page 738 Register's Office, Davidson County, Tennessee.

6871 0

IDENTIFI REFERENCE

SEP 25 12 38 PM '87

DAVIDSON COUNTY, TN

EXHIBIT B

1. Storm Water Detention Agreement recorded in Book 6681, Page 580, in the Register's Office for Davidson County, Tennessee.

2. Storm Water Detention Agreement recorded in Book 6848, Page 703, in the Register's Office for Davidson County, Tennessee.

3. Declaration of Easement and Covenants recorded in Book 6726, Page 400 and amended in Book 6852, Page 537, in the Register's Office for Davidson County, Tennessee.

4. Reciprocal Easement and Development Agreement recorded in Book 6859, Page 802, in the Register's Office for Davidson County, Tennessee.

5. Amended Property Use Restrictions recorded in Book 6852, Page 560, in the Register's Office for Davidson County, Tennessee.

6. Agreement concerning easement of record in Book 6897, Page 29, in the Register's Office for Davidson County, Tennessee.

7. All matters shown on Revised Final Plat Rivergate Properties, Ltd. prepared by Ragan-Smith-Murphy & Associates, Inc. recorded in Book 6250, Page 919, of the Register's Office of Davidson County, Tennessee.

shk68.misc

OFFICIAL RECEIPT

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

RECEIVED OF _____

FOR _____

BOOK 7362 PAGE 623

CO - CONVEYANCE MO - MORTGAGE WD - WARRANTY DEED TD - TRUST DEED	CC - CERTIFIED COPY REL - RELEASE UCC - UNIFORM COMMERCIAL CODE	MISC - MISCELLANEOUS CO TAX - STATE TAX CONVEY MO TAX - STATE TAX MORT PRFEE - PROBATE FEE	

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL
			325000.00- CAMT. 910.00 CSTAX .50 PRFEE 15.00 WDEED CHECK 925.50- 6618A09/25/87 BAL .00	

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

6 8 7 1 0

IDENTIFICATION REFERENCE

SEP 25 12 38 PM '87

FELIX Z. WILSON, II REGISTER
DAVIDSON COUNTY, TN

No. 20203