This instrument prepared by
or under the direction of:

RICHARD C. KEENE
SENIOR GENERAL ATTORNEY
Attorney for Grantor
Business Address:
500 Water Street
Jacksonville, Florida 32202

New Owner:
Edward T. Herbert
1727 Church Street
Nashville, TN 37203

47037-003-999
Herbert

M+P:
Part of 82-13-327
Part of 82-13-330
& R.R. prop.

BOOK 7560 PAGE 230

THIS DEED, made this 26th day of April, 1988, between CSX TRANSPORTATION, INC., a Virginia corporation, hereinafter called "Grantor," and EDWARD T. HERBERT, whose mailing address is 1727 Church Street, Nashville, Tennessee 37203, hereinafter called "Grantee"; and UNITED STATES TRUST COMPANY OF NEW YORK, Trustee as hereinafter provided; WITNESSETH:

(Wherever used herein, the terms "Grantor" and "Grantee" may be construed in the singular or plural as the context may require or admit, and for purposes of exceptions, reservations and/or covenants, shall include the heirs, legal representatives and assigns of individuals or the successors and assigns of corporations.)

THAT Grantor, for and in consideration of the sum of FORTY-EIGHT THOUSAND FIVE HUNDRED AND NO/100 DOLLARS ($48,500.00), cash in hand paid, the receipt of which is hereby acknowledged, does hereby RELEASE, REMISE and forever QUITCLAIM to Grantee, his heirs, legal representatives and assigns, all right, title and interest in and to that certain tract or parcel of land situate, lying and being at Nashville, Davidson County, Tennessee, hereinafter designated "the Premises," more particularly described in Exhibit A, description attached hereto and incorporated herein, and containing 0.329 of an acre, more or less.

TO HAVE AND TO HOLD the Premises, and all the estate, right, title, lien, interest and claim whatsoever of Grantor therein, either in law or equity, unto the proper use, benefit and enjoyment of Grantee, Grantee's heirs and assigns or successors and assigns, forever.

EXCEPTING unto Grantor, Grantor's successors and assigns, the ownership in and to all track(s) and other track material (including switches and signals) within and on the Premises. Grantee shall remove, at its sole cost and exprense, all such track(s) and other track material and stockpile same for later retrieval by Grantor.

Grantee, by acceptance of this deed, hereby covenants that Grantee shall maintain the existing drainage in such a manner as to not impair exisiting railroad right-of-way drainage or redirect or increase the quantity or velocity of any surface water runoff or streams into said drainage or upon the right-of-way or lands and other facilities of Grantor. If said Premises or existing drainage are modified or improved, Grantee agrees to construct and maintain, in accordance with all applicable statutes, ordinances, building codes, subdivision covenants and restrictions, an adequate drainage system from the Premises to the nearest public or non-Grantor owned drainage or storm sewer system, in order to prevent the discharge of roof, surface, stream and other drainage waters upon the right-of-way or lands and other facilities or properties of Grantor.

Said covenant(s) to run with title to Premises conveyed, and to bind upon Grantee, Grantee's heirs, legal representatives and assigns, or corporate successors and assigns, and anyone claiming title to or holding Premises through Grantee.



AND THIS DEED FURTHER WITNESSETH that United States Trust Company of New York, Trustee under the former Louisville and Nashville Railroad Company's First and Refunding Mortgage dated August 1, 1921, as supplemented, has executed this deed for the sole purpose of releasing and does hereby release all estate, right, title, lien and interest of the Trustee under said Mortgage, in and to the property herein conveyed, or in and to the estate, right, title and interest herein quitclaimed, pursuant to the provisions of Section 1 of Article Ten of said Mortgage. This release is subject to any and all the same rights, reservations, exceptions, limitations and agreements herein specified on behalf of the Grantor, and is without covenant or warranty, express or implied, and without recourse against said Trustee in any event, and recitals of fact herein are to be taken only as recitals of Grantor and not of Trustee(s). Said mortgage is of record in Book 592, page 1, Davidson County Register's Office.

IN WITNESS WHEREOF, CSX TRANSPORTATION, INC. and UNITED STATES TRUST COMPANY OF NEW YORK (as the aforesaid Trustee), pursuant to due corporate authority, have caused their names to be signed hereto by their officers hereunto duly authorized and their corporate seals, duly attested, to be hereunto affixed.

Signed, sealed and delivered in the presence of:

P. L. Wheatley

Betty A. Jones

CSX TRANSPORTATION, INC.:

By J. L. Kiesler
J. L. Kiesler
AVP-Property Services
CSX Rail Transport

Attest David M. Yeamwood (SEAL)
Assistant Secretary

Signed, sealed and delivered in the presence of:

Cynthia Chaney

Karin Feyja

UNITED STATES TRUST COMPANY OF NEW YORK, as Corporate Trustee as aforesaid:

By
ASSISTANT VICE PRESIDENT

Attest
ASST. SECRETARY

STATE OF FLORIDA )
) SS.
COUNTY OF DUVAL )



I, Kathryn [illegible], a Notary Public of the State of Florida and the County of Duval, do certify that, on the date below, before me in said County personally came J. L. Kiesler, to me known, and known to me to be the person whose name is subscribed to the above instrument, who, being by me first duly sworn, did depose, acknowledge and say that: he resides in Jacksonville, Duval County, Florida; he is Assistant Vice President-Property Services, CSX Rail Transport, of CSX Transportation, Inc., the corporation described in and which executed said instrument; he is fully informed of the contents of the instrument; he knows the seal of said corporation; the seal affixed to said instrument is such seal; it was so affixed by authority of the Board of Directors of said corporation; he signed his name thereto for said corporation pursuant to such authority; and instrument is the free act and deed of said corporation; and the conveyance herein is not part of a transaction, sale, lease, exchange or other transfer or conveyance of all or substantially all of the property and/or assets of the Grantor.

IN WITNESS WHEREOF, I hereunto set my hand and official seal, this 26th day of April, 1988.

Kathryn R. Carey (SEAL)
Notary Public

NOTARY PUBLIC, STATE OF FLORIDA
My commission expires on:
My commission expires Aug. 24, 1990
Bonded thru Patterson - Becht Agency

STATE OF NEW YORK )
) SS.
COUNTY OF NEW YORK )

Personally appeared before me, GERARD F. FACENDOLA, a Notary Public of the State and County aforesaid, JAMES E. LOGAN and WILLIAM EISING 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 EISING, as its Assistant Secretary, and affixing the corporate seal thereto.

IN WITNESS WHEREOF, I hereunto set my hand and official seal, this 4th day of May, 1988.

My commission expires on:

Gerard F Facendola (SEAL)
Notary Public

GERARD F. FACENDOLA
NOTARY PUBLIC, State of New York
No. 31-4860798
Certified in New York County
Commission Expires July 14, 1988

EXHIBIT A

Description of property at: Nashville, Tennessee
To: Edward T. Herbert
Deed File No. 47037-003-999



PROPERTY DESCRIPTION - TRACT ONE

BEING A PARCEL OF LAND SITUATED IN NASHVILLE, DAVIDSON COUNTY TENNESSEE, SAID PARCEL BEING A PORTION OF THE SAME PROPERTY CONVEYED TO THE LOUISVILLE AND NASHVILLE RAILROAD COMPANY BY DEEDS RECORDED IN BOOK 70, PAGE 382 AND IN BOOK 70, PAGE 608, IN THE REGISTERS OFFICE FOR DAVIDSON COUNTY TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON ROD SITUATED AT THE COMMON REAR CORNER OF THE JAMES DUGGER PROPERTY OF RECORD IN DEED BOOK 4281, PAGE 664, R.O.D.C., TENNESSEE, AND THE SUE ANDREWS AND FAITH ADAMS PROPERTY OF RECORD IN DEED BOOK 5626, PAGE 486, R.O.D.C., TENNESSEE, SAID POINT ALSO BEING LOCATED 159.00 FEET MORE OR LESS WEST OF THE WESTERLY MARGIN OF THIRD AVENUE NORTH;

THENCE, ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 11°48'44", A RADIUS OF 269.79 FEET, A LENGTH OF 55.62 FEET, AND A CHORD WHICH BEARS S 79°50'16"E, FOR A DISTANCE OF 55.52 FEET TO AN IRON ROD;

THENCE, ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 05°52'07", A RADIUS OF 1498.34 FEET, A LENGTH OF 153.47 FEET, A CHORD WHICH BEARS S 74°21'35"W, FOR A DISTANCE OF 153.40 FEET TO AN IRON ROD SITUATED IN THE SOUTHERLY LINE OF THE ANGELO FORMOSA PROPERTY RECORDED IN BOOK 4626, PAGE 769, R.O.D.C., TENNESSEE;

THENCE, ALONG SAID TRACT AND CONTINUING ALONG THE SOUTHERN MARGIN OF CRIDDLE STREET, N 62°24'51"E, A DISTANCE OF 40.97 FEET TO AN IRON ROD;

THENCE, ALONG CRIDDLE STREET, N 27°35'09"W, A DISTANCE OF 83.95 FEET TO AN IRON ROD;

THENCE, LEAVING CRIDDLE STREET, N 62°25'07"E, A DISTANCE OF 6.08 FEET TO AN IRON ROD SITUATED IN THE WESTERLY LINE OF THE AFOREMENTIONED SUE ANDREWS AND FAITH ADAMS PROPERTY;

THENCE, ALONG SAID LINE AND AROUND A CURVE HAVING A CENTRAL ANGLE OF 26°47'33", A RADIUS 204.56 FEET, A LENGTH OF 95.66 FEET, A CHORD WHICH BEARS S 58°05'07"E, FOR A DISTANCE OF 94.79 FEET;

THENCE, N 62°37'05"E, A DISTANCE OF 11.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 4,139.66 SQUARE FEET OR 0.095 ACRES OF LAND MORE OR LESS.

PROPERTY DESCRIPTION - TRACT TWO



BEING A PARCEL OF LAND SITUATED IN NASHVILLE, DAVIDSON COUNTY, TENNESSEE, SAID PARCEL BEING A PORTION OF THE SAME PROPERTY CONVEYED TO THE LOUISVILLE AND NASHVILLE RAILROAD COMPANY BY DEED RECORDED IN BOOK 660, PAGE 142, R.O.D.C., TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON ROD SITUATED IN THE COMMON LINE OF THE CUMBERLAND CREAMERY, INC. PROPERTY OF RECORD IN BOOK 5661, PAGE 886, R.O.D.C., TENNESSEE AND THE FREDRICK BILLINGS III PROPERTY RECORDED IN BOOK 4685, PAGE 772, R.O.D.C., TENNESSEE SAID POINT BEING 61.01 FEET EAST OF THE EASTERLY MARGIN OF FOURTH AVENUE NORTH;

THENCE, N 63°02'00"E, A DISTANCE OF 17.47 FEET TO A POINT;

THENCE, S 50°39'13"E, A DISTANCE OF 51.99 FEET TO A POINT;

THENCE, ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 00°12'07", A RADIUS OF 499.82 FEET, A LENGTH OF 1.76 FEET, A CHORD WHICH BEARS S 45°07'23"E FOR A DISTANCE OF 1.76 FEET;

THENCE, ALONG A CURVE HAVING A CENTRAL ANGLE OF 04°59'50", A RADIUS OF 573.35, A LENGTH OF 50.01 FEET, A CHORD WHICH BEARS N 36°36'14"W, FOR A DISTANCE OF 49.99 FEET;

THENCE, N 63°02'00"E, A DISTANCE OF 8.95 FEET TO A POINT;

THENCE, S 27°30'00"E, A DISTANCE OF 3.90 FEET TO A POINT;

THENCE, N 63°02'00"E, A DISTANCE OF 8.17 FEET TO A POINT;

THENCE, ALONG A CURVE HAVING A CENTRAL ANGLE OF 13°43'24", A RADIUS OF 589.35 FEET, A LENGTH OF 141.16 FEET, A CHORD WHICH BEARS S 31°56'25"E, FOR A DISTANCE OF 140.82 FEET;

THENCE, S 56°08'16"W, A DISTANCE OF 16.00 FEET TO A POINT;

THENCE, ALONG A CURVE HAVING A CENTRAL ANGLE OF 11°16'22", A RADIUS OF 483.12 FEET, A LENGTH OF 95.19 FEET, A CHORD WHICH BEARS N 39°29'52"W, FOR A DISTANCE OF 95.04 FEET;

THENCE, N 50°39'13"W, A DISTANCE OF 58.25 FEET TO THE POINT OF BEGINNING AND CONTAINING 3962.68 SQUARE FEET OR 0.091 ACRES OF LAND MORE OR LESS.

PROPERTY DESCRIPTION - TRACT THREE

BEING A PARCEL OF LAND SITUATED IN NASHVILLE, DAVIDSON COUNTY, TENNESSEE, SAID PARCEL BEING A PORTION OF THE SAME PROPERTY CONVEYED TO THE LOUISVILLE AND NASHVILLE RAILROAD COMPANY BY DEED RECORDED IN BOOK 660, PAGE 142, R.O.D.C., TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON ROD SITUATED IN THE COMMON LINE OF THE CUMBERLAND CREAMERY, INC. PROPERTY OF RECORD IN BOOK 5661, PAGE 886, R.O.D.C., TENNESSEE AND THE FREDRICK BILLINGS, III PROPERTY RECORDED IN BOOK 4685, PAGE 772, R.O.D.C., TENNESSEE SAID POINT ALSO BEING 61.01 FEET EAST OF THE EASTERLY MARGIN OF FOURTH AVENUE NORTH;

THENCE, N 50°39'15"W, A DISTANCE OF 72.94 FEET TO A POINT;

THENCE, N 62°30'00"E, A DISTANCE OF 17.40 FEET TO A POINT;

THENCE, S 50°39'15"E, A DISTANCE OF 73.11 FEET TO A POINT;

THENCE, S 63°02'00"W, A DISTANCE OF 17.47 FEET TO THE POINT OF BEGINNING AND CONTAINING 1168.38 SQUARE FEET FOR 0.027 ACRES OF LAND MORE OR LESS.

PROPERTY DESCRIPTION - TRACT FOUR 

BEING A PARCEL OF LAND SITUATED IN NASHVILLE, DAVIDSON COUNTY, TENNESSEE SAID PARCEL BEING A PORTION OF THE SAME PROPERTY CONVEYED TO THE LOUISVILLE AND NASHVILLE RAILROAD COMPANY BY DEED RECORDED IN BOOK 660, PAGE 142, R.O.D.C., TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON ROD SITUATED IN THE COMMON LINE OF THE CUMBERLAND CREAMERY, INC. PROPERTY OF RECORD IN BOOK 5661, PAGE 886, R.O.D.C., TN. AND THE FREDRICK BILLINGS III PROPERTY RECORDED IN BOOK 4685, PAGE 772, R.O.D.C., TN. SAID POINT ALSO BEING 91.55 FEET EAST OF THE EASTERLY MARGIN OF FOURTH AVENUE NORTH;

THENCE, AROUND A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 6°58'28", A RADIUS OF 573.35 FEET, A LENGTH OF 69.79 FEET, A CHORD WHICH BEARS N 42°35'23"W FOR A DISTANCE OF 69.75 FEET.

THENCE, N 62°30'00"E, A DISTANCE OF 16.85 FEET TO A POINT;

THENCE, AROUND A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 7°10'26", A RADIUS OF 589.35 FEET, A LENGTH OF 73.79 FEET, A CHORD WHICH BEARS S 41°58'05"E FOR A DISTANCE OF 73.74 FEET;

THENCE, S 63°02'00"W, A DISTANCE OF 8.17 FEET TO A POINT;

THENCE, N 27°30'00"W, A DISTANCE OF 3.90 FEET TO A POINT;

THENCE, S 63°02'00"W, A DISTANCE OF 8.95 FEET TO THE POINT OF BEGINNING AND CONTAINING 1147.18 SQUARE FEET OR 0.026 ACRES OF LAND MORE OR LESS.

PROPERTY DESCRIPTION - TRACT FIVE



BEING A PARCEL OF LAND SITUATED IN NASHVILLE, DAVIDSON COUNTY, TENNESSEE, SAID PARCEL BEING A PORTION OF THE SAME PROPERTY CONVEYED TO THE LOUISVILLE AND NASHVILLE RAILROAD COMPANY BY DEED RECORDED IN BOOK 660, PAGE 142, R.O.D.C., TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON ROD SITUATED IN THE EASTERLY MARGIN OF FOURTH AVENUE NORTH SAID POINT BEING 564.98 FEET MORE LESS OR SOUTH OF THE SOUTHEAST INTERSECTION OF JACKSON STREET AND FOURTH AVENUE NORTH SAID POINT ALSO BEING SITUATED IN THE SOUTHERLY MARGIN OF AN 18 FOOT RIGHT OF WAY FOR THE ILLINOIS CENTRAL GULF RAILROAD;

THENCE, ALONG SAID RAILROAD RIGHT-OF-WAY AROUND A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 1°28'25", A RADIUS 530.33 FEET, A LENGTH OF 13.64 FEET, A CHORD WHICH BEARS N 73°21'41"E FOR DISTANCE OF 13.64 FEET;

THENCE, AROUND A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 15°19'16", A RADIUS 388.69, A LENGTH OF 103.94 FEET, A CHORD WHICH BEARS S 36°40'54"E, FOR A DISTANCE OF 103.63.

THENCE, S 62°30'00"W, A DISTANCE OF 16.69 FEET TO A POINT;

THENCE, AROUND A CURVE HAVING A CENTRAL ANGLE OF 9°29'08", A RADIUS OF 404.69, A LENGTH OF 67.00, A CHORD WHICH BEARS N 38°54'53"W FOR A DISTANCE OF 66.92 FEET TO A POINT SITUATED IN THE EASTERLY RIGHT-OF-WAY OF FOURTH AVENUE NORTH;

THENCE, ALONG SAID RIGHT-OF-WAY, N 27°30'00"W, A DISTANCE OF 39.27 FEET TO THE POINT OF BEGINNING AND CONTAINING 1620.59 SQUARE FEET OR 0.037 ACRES OF LAND MORE OR LESS.

PROPERTY DESCRIPTION - TRACT SIX



BEING A PARCEL OF LAND SITUATED IN NASHVILLE, DAVIDSON COUNTY, TENNESSEE SAID PARCEL BEING A PORTION OF THE SAME PROPERTY CONVEYED TO THE LOUISVILLE AND NASHVILLE RAILROAD COMPANY BY DEED RECORDED IN BOOK 660, PAGE 142, R.O.D.C., TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT SITUATED IN THE SOUTHERLY MARGIN OF AN 18 FOOT RIGHT-OF-WAY FOR THE ILLINOIS CENTRAL GULF RAILROAD, SAID POINT BEING 35.53 FEET AROUND A CURVE HAVING A CENTRAL ANGLE OF 3°50'18" AND A RADIUS OF 530.33 FEET FROM THE EASTERLY RIGHT-OF-WAY OF FOURTH AVENUE NORTH;

THENCE, CONTINUING ALONG SAID RAILROAD RIGHT-OF-WAY, AROUND A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 01°45'05", A RADIUS OF 530.33 FEET, A LENGTH OF 16.21 FEET, A CHORD WHICH BEARS N 69°23'03"E FOR A DISTANCE OF 16.21 FEET;

THENCE, AROUND A CURVE HAVING A CENTRAL ANGLE OF 16°08'51", A RADIUS OF-351.19, A LENGTH OF 98.98, A CHORD WHICH BEARS S 38°07'48"E FOR A DISTANCE OF 98.65 FEET;

THENCE, S 62°30'00"W, A DISTANCE OF 16.85 FEET TO A POINT;

THENCE, AROUND A CURVE HAVING A CENTRAL ANGLE OF 15°43'09", A RADIUS OF 367.19, A LENGTH OF 100.74 FEET A CHORD WHICH BEARS N 37°30'03"W, FOR A DISTANCE OF 100.42 FEET TO THE POINT OF BEGINNING AND CONTAINING 1597.02 SQUARE FEET OR 0.037 ACRES OF LAND MORE OR LESS.

BEING portions of the property acquired by CSX Transportation, Inc., or its predecessors, by the following instruments, recorded in the Land Records of Davidson County, Tennessee:

| INSTRUMENT PARTY | DATE | RECORDATION DATA |
|---|---|---|
| Robert Ewing | October 8, 1881 | Book 70 Page 382 |
| Catherine Blakely et al | November 21, 1881 | Book 70 Page 608 |
| Northern Lake Ice Co. | December 31, 1883 | Book 82 Page 503 |
| Howe Realty Company | December 16, 1924 | Book 660 Page 142 |

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STATE OF TENNESSEE)
COUNTY OF DAVIDSON) ss:

The actual consideration for this transfer or value of property (whichever is greater) is $48,400.00. This is equal to or greater than the property would bring at a fair and voluntary sale.

Sworn to and subscribed before me
this 1st day of June, 1988.

Linda T. Brodhead
NOTARY PUBLIC

My Commission expires 2-5-90.

NOTARY PUBLIC LINDA T. BRODHEAD LARGE TENNESSEE

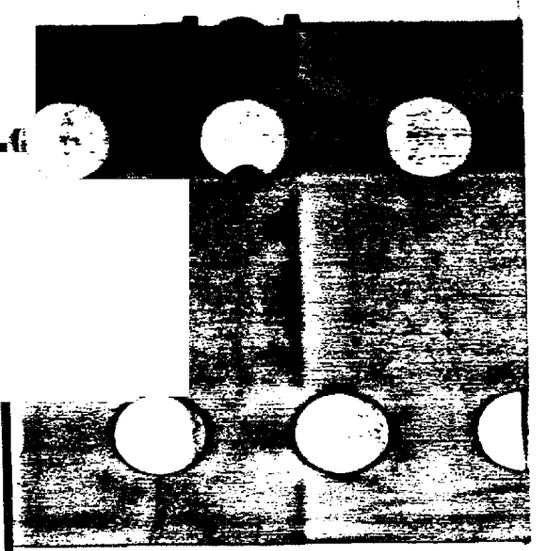
0656 06/02 0101 03CHECK 163.00

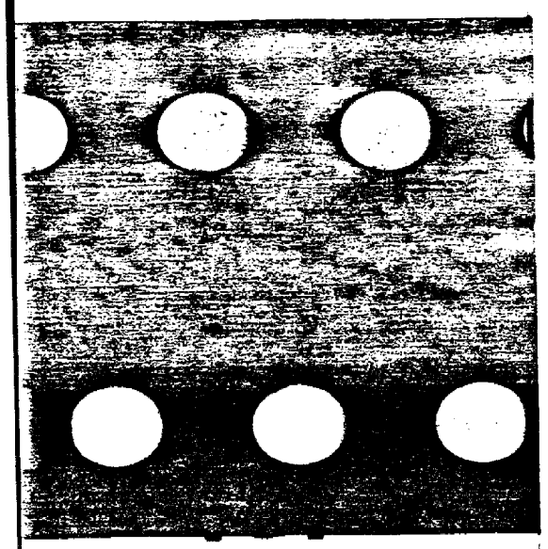
35893

IDENTIFICATION REFERENCE

JUN 2 10 43 AM '88

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN





**OFFICIAL RECEIPT**

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

RECEIVED OF _____

FOR _____

BOOK 7560 PAGE 239

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

| DATE | SYMBOL | VALUATION | TAX AND FEES | TOTAL |
|---|---|---|---|---|
| | | | | CAMT 48400.00 |
| | | | | CON TX 135.52 |
| | | | | PRFEE 0.50 |
| | | | | WDEED 27.00 |
| | | | | TOTAL 163.02 |
| | | | | CHECK 163.02 |
| 06/02/88 | | 01 | | 10:47 0001 0656 |

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

358.93

IDENTIFICATION REFERENCE

JUN 2 10 44 AM '88

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

**No.** 97560