Box 44

BOOK 7730 PAGE 679

PREPARED BY AND RETURN TO: Paul Charles Wesch, Esq.
Post Office Box 160306
Mobile, Alabama 36616

STATE OF TENNESSEE.

COUNTY OF DAVIDSON.

The actual consideration for this transfer or the value of the property, whichever is greater is $3,425,160.00.

Affiant

Julia C. Hunt
Notary Public

NOTARY PUBLIC DAVIDSON COUNTY, TENNESSEE

My Commission Expires:

11-12-89

Address New Owner:
The Mitchell Company
Altus Bank Tower
10th Floor
851 Beltline Highway South
Mobile, Alabama 36606

Map/Parcel Number:
64-16-4
64-16-B/036

Dof Bills - Game

WARRANTY DEED 8781 12/19 0101 03CHECK 11318.66

FOR AND IN CONSIDERATION OF THE SUM OF TEN ($10.00) DOLLARS, cash in hand paid and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged.

GILBERT S. MERRITT, JR., a single man, and ANGIE CANTRELL MERRITT DONELSON, a single woman (collectively, the "Grantors"), have this day bargained and sold, and by these presents do transfer and convey unto THE MITCHELL COMPANY, an Alabama general partnership, its successors and assigns (the "Grantee"), the following described tract or parcel of land located in Hermitage, Davidson County, Tennessee, as more particularly described as "Exhibit A" attached hereto and incorporated herein by reference.

SUBJECT TO all restrictions, reservations, easements and exceptions set forth on "Exhibit B" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estates, titles, and interest thereto belonging to Grantee, its successors and assigns, in fee simple forever. Grantors covenant with Grantee that Grantors are lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered except as set forth on said "Exhibit B".

GRANTORS FURTHER COVENANT and bind themselves, their heirs, assigns and representatives, to warrant and forever defend the title to said land to the Grantee, its successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, this instrument has been duly executed by Grantors this 16th day of December, 1988.

GILBERT S. MERRITT, JR.

ANGIE CANTRELL MERRITT DONELSON

STATE OF TENNESSEE.

COUNTY OF DAVIDSON.

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, GILBERT S. MERRITT, JR., with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 16th day of December, 1988.

Julia C. Hunt
NOTARY PUBLIC

JULIA C. HUNT NOTARY PUBLIC DAVIDSON COUNTY, TN.

My Commission Expires:

11-12-89

STATE OF TENNESSEE.

COUNTY OF DAVIDSON.

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, ANGIE CANTRELL MERRITT DONELSON, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 16th day of December, 1988.

Julia C. Hunt
NOTARY PUBLIC

JULIA C. HUNT NOTARY PUBLIC DAVIDSON COUNTY, TN.

My Commission Expires:

11-12-89

EXHIBIT A

PROPERTY DESCRIPTION
TRACT ONE

A tract of land in the Second Civil District of Metropolitan Nashville, Davidson County, Tennessee more particularly described as follows:

Beginning at an iron pin on the east boundary line of Reserved Parcel "A", Jackson Square, Section Four, revised, as recorded in Plat Book 5200, page 372, R.O.D.C., Tennessee that is N 1°30'19" E, 596.96 feet from a concrete monument on the north right-of-way line of Lebanon Pike at the southeast corner of Jackson Square Commercial Subdivision, Section Two, as recorded in Plat Book 4885, page 117, R.O.D.C., Tennessee; thence,

1. With the east boundary line of Jackson Square, Section Four, revised, N 1°30'19" E, 340.00 feet to a concrete monument; thence,
2. With a line severing the property of Gilbert S. Merritt as recorded in Deed Book 1302, page 218, R.O.D.C., Tennessee, S 87°09'53" E, 705.63 feet to a concrete monument; thence,
3. With the common boundary line of the property of Gilbert S. Merritt and the property of Charles H. Turner as recorded in Deed Book 4019, page 217, R.O.D.C., Tennessee, S 6°08'21" W, 124.86 feet; thence,
4. N 87°42'39" W, 340.73 feet; thence,
5. S 2°11'53" W, 209.98 feet; thence,
6. N 87°29'48" W, 352.17 feet to the point of beginning and containing 163,614 square feet or 3.756 acres.

Tract is a portion of the property of Gilbert S. Merritt as recorded in Deed Book 1302, page 218, R.O.D.C., Tennessee.

PROPERTY DESCRIPTION
TRACT THREE

A tract of land in the Second Civil District of Metropolitan Nashville, Davidson County, Tennessee more particularly described as follows:

Beginning at an iron pin on the north right-of-way line of Lebanon Pike, U.S. 70N, the southeast corner of the property of Charles H. Turner as recorded in Deed Book 4019, page 217, R.O.D.C., Tennessee and the southwest corner of the herein described tract; thence,

1. With the common boundary line of the property of Charles H. Turner and the property of Gilbert S. Merritt as recorded in Deed Book 1302, page 218, R.O.D.C., Tennessee, N 4°27'40" E, 425.37 feet; thence,
2. N 5°15'17" E, 363.77 feet; thence,
3. N 5°31'56" E, 139.05 feet to a concrete monument; thence,
4. With a line severing the property of Gilbert S. Merritt, S 87°09'53" E, 556.06 feet to a concrete monument; thence,
5. S 62°49'52" E, 57.53 feet to a concrete monument; thence,
6. 355.65 feet along the arc of a curve to the right having a radius of 290.58 feet, a central angle of 70°07'38" and a chord bearing and distance of S 27°46'03"E, 333.86 feet to a concrete monument; thence,
7. S 7°17'46" W, 288.03 feet to a concrete monument; thence,
8. 206.43 feet along the arc of a curve to the left having a radius of 1404.62 feet, a central angle of 8°25'13" and a chord bearing and distance of S 3°05'10" W, 206.24 feet to a concrete monument; thence,
9. S 1°07'27" E, 103.50 feet to a concrete monument; thence,
10. 40.01 feet along the arc of a curve to the right having a radius of 25.00 feet, a central angle of 91°42'14" and a chord bearing and distance of S 44°43'40" W, 35.88 feet to a concrete monument; thence,

11. Westwardly, with the north right-of-way line of Lebanon Pike, 115.50 feet along the arc of a curve the the right having a radius of 1874.86 feet, a central angle of 3°31'47" and a chord bearing and distance of N 87°39'20" W, 115.48 feet to a concrete monument; thence,
12. N 85°53'27" W, 174.71 feet; thence,
13. 482.18 feet along the arc of a curve to the left having a radius of 17,225.00 feet, a central angle of 1°36'14" and a chord bearing and distance of N 86°41'34" W, 482.17 feet to the point of beginning and containing 714,030 square feet or 16.392 acres.

Tract is a portion of the property of Gilbert S. Merritt as recorded in Deed Book 1302, page 218, R.O.D.C., Tennessee.

EXHIBIT B

1. Subject to 1989 and subsequent years' taxes, not yet a lien and not yet due and payable.

2. Subject to Short Form Lease dated September 28, 1987, between The Mitchell Company and The Harvey Co., filed for record in Book 7386, Page 845, Register's Office for Davidson County, Tennessee.

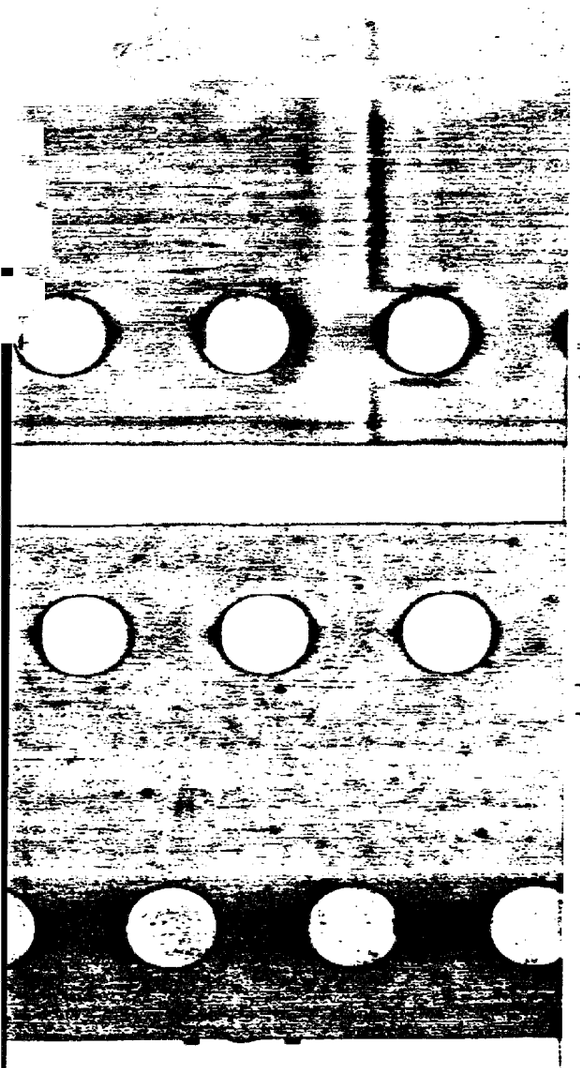
3. Subject to Storm and Water Detention Agreement of record in Book 7457, Page 575, said Register's Office.

4. Subject to matters of record, said Register's Office.

5. Subject to rights of tenants in possession pursuant to unrecorded leases of portions of the property.

9461.b

Dec 19 10 57 AM '88



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

RECEIVED OF _____

FOR _____

BOOK 7730 PAGE 684

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

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL PAID
			CAMT	
				3425160.00
			CON TX	11303.16
			PRFEE	0.50
			WDEED	15.00
			TOTAL	11318.66
			CHECK	11318.66

12/19/88 01 10:56 0001 8781

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

9461.6

IDENTIFICATION REFERENCE

Dec 19 10 57 AM '88

FELIX Z. WILSON, II REGISTER
DAVIDSON COUNTY, TN

No. 164944