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| Address New Owner: | Map-Parcel Numbers: | Send Tax Bills To: |
|---|---|---|
| Spath Enterprises<br>949 South Third Street<br>Louisville, KY 40203 | 93-14-565 | same |

This instrument prepared by: Boult, Cummings, Conners & Berry
222 Third Avenue, North, P.O. Box 198062, Nashville, TN 37219

## WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN and NO/100 DOLLARS ($10.00) cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, MLX REFRIGERATION & AIR CONDITIONING GROUP, INC., a Delaware corporation (the "Grantor"), has bargained and sold, and by these presents does transfer and convey to SPATH ENTERPRISES, a Kentucky general partnership comprised of William J. Spath and Donald Spath (the "Grantee"), Grantee's successors and assigns, certain land in Davidson County, State of Tennessee, being more particularly described in Exhibit A, which is attached hereto and incorporated herein by this reference (the "Property").

This conveyance of the Property, and all covenants and warranties contained herein, are made expressly subject to the following:

1. Real estate taxes for the current year which have been prorated between the parties.

2. Restrictive Covenants of record in Book 4220, page 723, Book 4707, page 643 and Book 6236, page 263, Register's Office for Davidson County, Tennessee.

3. All matters shown on the Plan of Edgehill Estates of record in Book 4460, page 157, as revised by Instrument of record in Book 4762, page 233, said Register's Office.

4. All matters shown on survey of Barge, Waggoner, Sumner & Cannon dated June 21, 1985, revised July 29, 1991, last revised July 30, 1991.

This is improved property located at 910 Division Street, Nashville, Tennessee

0234 08/02 0101 03CHECK 1749.00

STATE OF KENTUCKY
COUNTY OF JEFFERSON

The actual consideration or value, whichever is greater, for this transfer is $470,000.00.

Donald J. Spath
Affiant PARTNER

Subscribed and sworn to before me this 1st day of August, 1991.

H. DOUG MANN NOTARY PUBLIC JEFFERSON CO. KY. MY COMM. EXPIRES

Notary Public, Jefferson Co., KY
My Commission Expires: 8-2-91

3626.5

IDENTIFICATION REFERENCE

AUG 2 10 39 AM '91 JEFFERSON CO. KY. FELIX J. COLEMAN, JR. REGISTER

TO HAVE AND TO HOLD the Property with all appurtenances, estate, title, and interest thereto belonging to the Grantee, Grantee's successors and assigns, forever.

Grantor covenants with the Grantee that Grantor is lawfully seized and possessed of the Property in fee simple; that Grantor has a good right to convey the Property, and that the Property is unencumbered except as set forth hereinabove.

Grantor further covenants and binds itself, its successors and assigns to warrant and forever defend the title to the Property to the said Grantee, Grantee's successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has executed this Deed this 29th day of July, 1991.

MLX REFRIGERATION & AIR CONDITIONING GROUP, INC.

By: Thomas C. Waggoner

Title: V. President, C.F.O.

STATE OF ~~TENNESSEE~~ Georgia

COUNTY OF Dekalb

Personally appeared before me, James D. Ackerman II, Notary Public, Thomas C. Waggoner, with whom I am personally acquainted, and who acknowledged that he executed the foregoing instrument for the purposes therein contained and who further acknowledged that he is V.P./C.F.O. of MLX REFRIGERATION & AIR CONDITIONING GROUP, INC., a Delaware corporation, and is authorized to execute this instrument on behalf of said corporation.

WITNESS my hand, at office, this 29th day of July, 1991.

James D. Ackerman II
Notary Public

My Commission Expires:

Notary Public, Fulton County, Georgia
My Commission Expires Dec. 19, 1992

JAMES D. ACKERMAN II NOTARY PUBLIC FULTON COUNTY GA

wp:LBLNTCCWD

EXHIBIT A

Being a parcel of land in the First Civil District, Nashville, Davidson County, Tennessee, located in the northeasterly quadrant of the intersection of Division Street and Overton Street and being Lot No. 5 as shown on the plan of Section Sixty-six, Edgehill Estates as of record in Book 4460, page 157, R.O.D.C., Tennessee, and being more particularly described as follows:

BEGINNING at a point in the easterly margin of Overton Street at the terminous of a return curve on the northerly margin of Division Street, said point being northerly 53.5 feet, more or less, from the center line of Division Street;

THENCE, with said easterly margin of Overton Street, N 06° 23' 30" E, 139.82 feet to a point;

THENCE, continuing with said easterly margin with a curve to the right 31.72 feet to a point in the southerly margin of Alley No. 230, said curve having a central angle of 90° 52' 15", a radius of 20.00 feet, a tangent of 20.31 feet and a chord of N 51° 49' 38" E, 28.50 feet;

THENCE, with said southerly margin of Alley No. 230, S 82° 44' 15" E, 203.83 feet to a point;

THENCE, leaving said southerly margin of Alley No. 230 with the westerly line of Lot No. 4 as shown on the plan of Section Sixty-six, Edgehill Estates as of record in Book 4460, page 157, R.O.D.C., Tennessee, S 22° 50' 06" W, 215.05 feet to a point in the northerly margin of Division Street;

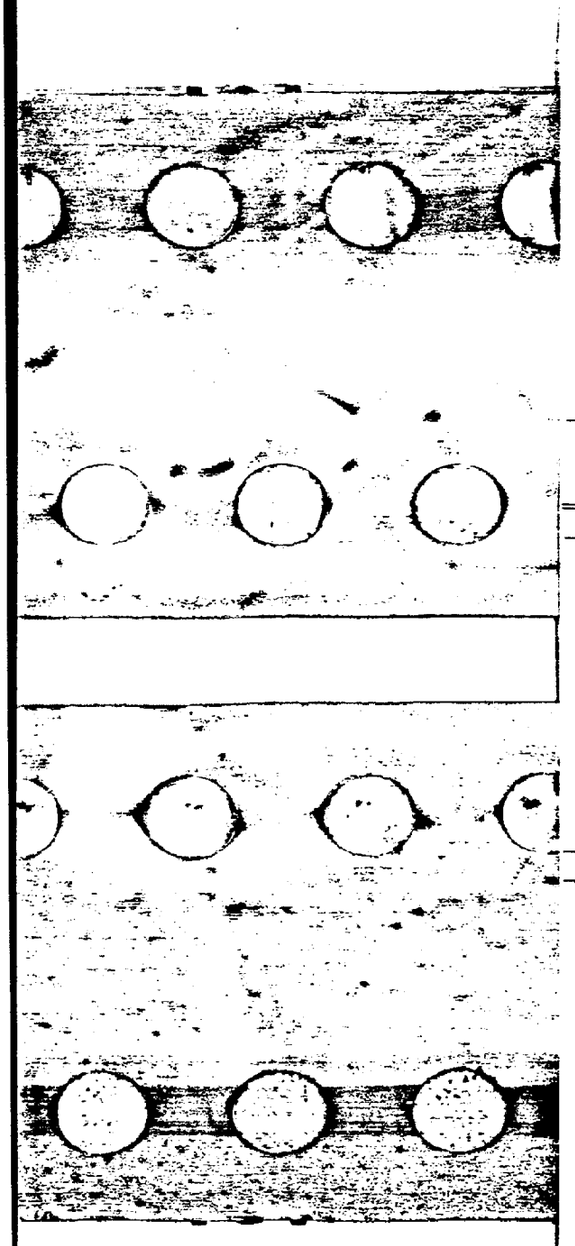
THENCE, with said northerly margin of Division Street with a curve to the left 142.22 feet to a point, said curve having a central angle of 12° 56' 03", a radius of 630.00 feet, a tangent of 71.41 feet and a chord of N 73° 37' 26" W, 141.92 feet;

THENCE, continuing with said northerly margin of Division Street with a curve to the right 37.74 feet to the point of beginning, said curve having a central angle 86° 29' 27", a radius of 25.00 feet, a tangent of 23.51 feet and a chord N 36° 51' 14" W, 34.26 feet;

Containing 37,433 square feet or 0.86 acre, more or less.

Being the same property conveyed to NTCC Acquisition Company, a Delaware corporation, by deed from National Temperature Control Centers, Inc., a Delaware corporation, successor to NTCC, Inc. by corporate name change of record in Book 6764, page 46, Register's Office for Davidson County, Tennessee, and by instrument recorded in Book 6831, page 165, the name having been changed to National Temperature Control Centers, Inc., and then to MLX Refrigeration & Air Conditioning Group, Inc. by Amendments to Charter; an Affidavit evidencing same being of record in Book 8117, page 349, Register's Office for Davidson County, Tennessee.

The foregoing description is based upon the survey of Barge, Waggoner, Sumner & Cannon, Inc., 162 Third Avenue North, Nashville, Tennessee, Wendell H. Talley, Sr., Licensed Surveyor, License No. 785, dated June 21, 1985, updated May 12, 1989, last revised July 29, 1991.



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

RECEIVED OF _____

FOR _____

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| | | |
|---|---|---|
| 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 470000.00
CON TX 1739.00
PRFEE 1.00
WDEED 9.00
TOTAL 1749.00
CHECK 1749.00

08/02/91 01 10:41 0001 0234

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

36265

IDENTIFICATION REFERENCE

AUG 2 10 39 AM '91

FELIX Z. WILSON, II REGISTER
DAVIDSON COUNTY, TN

No. 446829