39

BOOK 8823 PAGE 226

Address New Owner:	Send Tax Bills To:	Map-Parcel Numbers:
Dominion Bank of Middle Tennessee 150 Fourth Avenue North Nashville, TN 37219 Attn: Frank E. Proffitt	New Owner	68-76 68-86

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

WARRANTY DEED IN LIEU OF FORECLOSURE

WHEREAS, DOMINION BANK OF MIDDLE TENNESSEE ("Lender") is the lawful owner and holder of the indebtedness (the "Secured Indebtedness") secured by that Deed of Trust (the "Deed of Trust") conveying certain property (the "Property") from HARVEY W. MCDONALD ("Grantor") to LEIGH M. BULLEN, Trustee, of record in Book 8034, page 192, Register's Office for Davidson County, Tennessee; and

WHEREAS, a default has occurred under the Deed of Trust, and Lender presently has the right to cause the Trustee thereunder to sell the Property pursuant to the power of sale provided in the Deed of Trust; and

WHEREAS, John E. Murdock III has been appointed Successor Trustee by Deed of record in Book 8793, page 510, said Register's Office; and

WHEREAS, in order to avoid the expense of a foreclosure sale, Grantor wishes to convey the Property to Lender in exchange for certain other property as more particularly described in that certain Loan Settlement Agreement of this date between Lender and Grantor;

5144 12/23 0101 03CHECK 399.00

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $100,000.

Affiant

Subscribed and sworn to before me this 23rd day of December, 1992.

Notary Public
My Commission Expires: 3-26-94

7.6.7.7.8.

IDENTIFICATION REFERENCE

Dec 23 3 36 PM '92

LOIS Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

NOW, THEREFORE, in consideration of the execution of the Loan Settlement Agreement of this date, Grantor hereby conveys the Property (as described in Exhibit A hereto) to Lender.

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

This conveyance of the Property, and all covenants and warranties contained herein, are made expressly subject to the matters shown on Exhibit B attached hereto.

Grantor covenants with Lender 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 herein.

Grantor further covenants to warrant and forever defend the title to the Property to Lender, its successors and assigns against the lawful claims of all persons.

In consummating the transaction described herein, it is the intention of Grantor and Lender that the Deed of Trust not merge with the title acquired by Lender pursuant to this Deed. No such merger shall occur unless and until such time as Lender executes and duly records a written instrument specifically effecting a merger. Accordingly, unless and until such an instrument is executed and recorded, the Deed of Trust will remain a valid and continuing lien, security title and security interest in, against and to the Property.

Executed this 23rd day of December, 1992.

Harvey W. McDonald

This is unimproved property.

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Personally appeared before the undersigned Notary Public, HARVEY W. MCDONALD, 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 23 day of December, 1992.

Notary Public

My Commission Expires: 3-26-94

wp/dkhhwmdil

EXHIBIT A

An undivided one-half interest in the following: BOOK 8823 PAGE 229

Tract 1

Being a parcel of land in the First Civil District, Nashville, Davidson County, Tennessee, being part of the property conveyed to Cumberland Associates, Ltd., by deed of record in Book 5946, page 57, R.O.D.C., and being more particularly described as follows:

BEGINNING at a point in the southerly line of property conveyed to Harvey McDonald by deed of record in Book 7245, page 467, R.O.D.C., said point being N 38° 23' W, 1,926.16 feet, as measured along said southerly line, from the southwesterly corner of said property;

THENCE, with said southerly line N 38° 23' E, 541 feet, more or less to a point in the low water line of the Cumberland River;

THENCE, with said low water line southeasterly 428 feet, more or less;

THENCE, with the northerly line of property conveyed to Cumberland Terminals by deed of record in Book 3708, page 284, R.O.D.C., S 44° 19' 00" W, 535 feet, more or less to a point;

THENCE, with a severance line N 48° 49' 00" W, 372.79 feet to the point of beginning.

Containing 229,561 square feet or 5.27 acres, more or less.

Being the same property conveyed to Cumberland Associates, Ltd., by deed from Cumberland Terminals, Inc. of record in Book 5946, page 57, said Register's Office. Cumberland Associates, Ltd. An undivided one-half (1/2) interest in the above-described property was conveyed to Harvey W. McDonald by deed of record in Book 7734, page 429, said Register's Office.

Tract 2

Being a parcel of land in the First Civil District, Nashville, Davidson County, Tennessee, located East of Centennial Boulevard, being part of the property conveyed to Harvey McDonald by deed of record in Book 7245, page 465, R.O.D.C., and being more particularly described as follows:

BEGINNING at a point in a line east of Centennial Boulevard, said point being northerly 256.24 feet, as measured along said line, from the northwesterly corner of property conveyed to Cumberland Associates, Ltd., by deed of record in Book 5946, page 57, R.O.D.C.;

THENCE, with said line with a curve to the left 686.19 feet to a point, said curve having a central angle of 08 degrees 29' 05", a radius of 4,633.66 feet, a tangent of 343.72 feet, and a chord of N 43 degrees 21' 55" W, 685.56 feet;

THENCE, leaving said line N 41 degrees 11' E, 2,540 feet to a point in the low water line of the Cumberland River;

THENCE, with said low water line southeasterly 835 feet, more or less to a point;

THENCE, leaving said low water line with the northerly line of the aforementioned Cumberland Associates Property S 38 degrees 23' W, 541 feet, more or less to a point.

THENCE, leaving said northerly line with a severance line the following calls:

N 48 degrees 49' 00" W, 123.21 feet to a point;

S 50 degrees 41' 00" W, 484.65 feet to a point;

S 41 degrees 11' 00" W, 240.00 feet to a point;

S 27 degrees 45' 00" W, 344.42 feet to a point;

S 41 degrees 11' 00" W, 135.00 feet to a point;

S 46 degrees 03' 00" W, 401.44 feet to a point;

S 41 degrees 11' 00" W, 285.77 feet to a point of beginning.

Containing 1,814,274 square feet or 41.65 acres, more or less.

Included in the above legal description, but expressly excluded therefrom:

Being a parcel of land in the First Civil District, Nashville, Davidson County, Tennessee, being a portion of the property conveyed to Harvey W. McDonald by deed of record in Book 7245, page 465, R.O.D.C., and being more particularly described as follows:

BEGINNING at a lead plug in the easterly margin of Centennial Boulevard, said lead plug being at the northwesterly corner of property conveyed to Cumberland Terminals, by deed of record in Book 3708, page 284, R.O.D.C.;

THENCE, with a curve to the left, 1,284.24 feet to the true point of beginning of the herein described parcel, said curve having a central angle of 15 degrees 52' 47", a radius of 4,633.66 feet, a tangent of 646.26 feet and a chord of N 32 degrees 14' 27" W, 1,280.13 feet;

THENCE with a curve to the left, 600.64 feet to a point, said curve having a central angle of 07 degrees 26', a radius of 4,633.66 feet, a tangent of 300.74 feet, and a chord of N 43 degrees 54' W, 600.32 feet;

THENCE, N 41 degrees 11' E, 1,851.92 feet to a point;

THENCE, S 23 degrees 45' W, 1,995.15 feet to the point of beginning;

Containing 549,838 square feet or 12.62 acres, more or less.

Tract 3

Being a parcel of land in the First Civil District, Nashville, Davidson County, Tennessee, being a portion of the property conveyed to Metropolitan Nashville Airport Authority, by deed of record in Book 4788, page 209, R.O.D.C., and being more particularly described as follows:

BEGINNING at a point in the easterly margin of Centennial Boulevard, said point being northerly 246.46 feet from the intersection of said easterly margin with the southerly line of said Airport Authority property;

THENCE with said margin with a curve to the left, 76.53 feet to a point, said curve having a central angle of 04 degrees 23', a radius of 1,002.14 feet, a tangent of 38.28 feet and a chord of N 67 degrees 50' 28" W, 76.51 feet;

THENCE, leaving said margin N 23 degrees 45' E 201.21 feet to a point;

THENCE, with a curve to the right 85.54 feet to a point, said curve having a central angle of 01 degrees 03', a radius of 4,633.66 feet, a tangent of 42.77 feet and a chord of S 39 degrees 39' E, 85.64 feet;

THENCE, S 23' 45" W, 160.78 feet to the point of beginning.

Containing 13,817 square feet or 0.32 acre, more or less.

Being the same property conveyed to Harvey W. McDonald and Cumberland Associates, Ltd. by deed of record in Book 8115, page 414, said Register's Office.

EXHIBIT B
(Cockrill Bend)

1. Metro taxes for 1990, 1991 and 1992.

2. Utility easements of record in Book 6199, page 549, as corrected in Book 6225, page 437, and Book 6276, page 892 and Book 6279, page 148, Register's Office for Davidson County, Tennessee.

3. The nature or extent of Riparian rights.

4. Rights of the United States of America, the State of Tennessee, and the public generally below the mean high water mark of Cumberland River.

5. The rights of others in and to the use of the Cumberland River along the northeasterly boundary line of the property described herein.

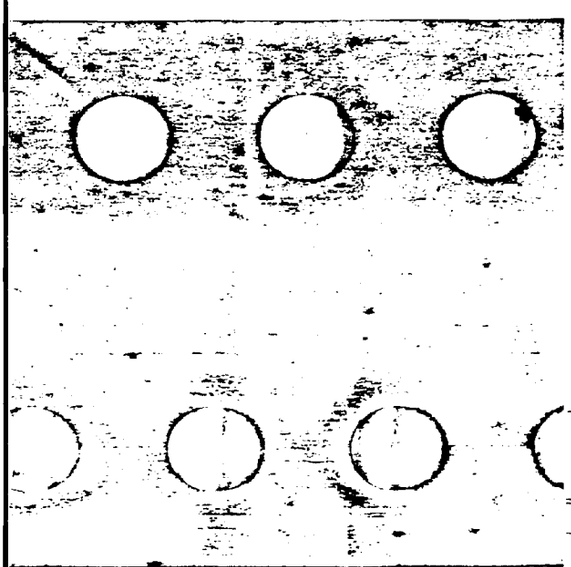
6. Easement to CRC Holdings, Inc., as set forth in instrument recorded in Book 7402, page 805, Register's Office for Davidson County, Tennessee.

7. Right-of-way easement conveyed to Louisville and Nashville Railroad Company by Instrument of record in Book 4872, page 854 and Book 5640, page 740, Register's Office for Davidson County, Tennessee.

8. Flowage easement granted to the Cheatham Locks and Dam Project of record in Book 2271, page 217.

9. Subject to the terms, conditions and agreements in the Deed of record in Book 8115, page 414, Register's Office for Davidson County, Tennessee.

DKHExbDeM



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

BOOK 8823 PAGE 233

RECEIVED OF _____

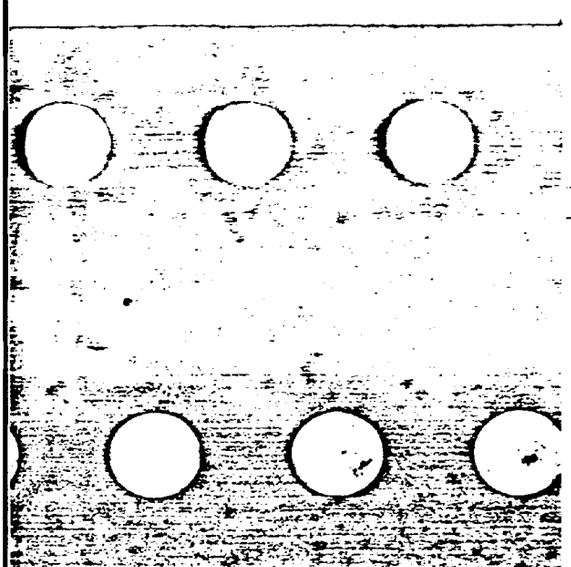
FOR _____

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 100000.00
CON TX 370.00
PRFEE 1.00
MDEED 28.00
TOTAL 399.00
CHECK 399.00

12/23/92 01 15:35 0001 5144
RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK



7.6.7.7.8.

IDENTIFICATION REFERENCE

DEC 23 3 36 PM '92

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

No. 604285