Book 42

BOOK 9264 PAGE 22

STATE OF TENNESSEE)
) ss:
COUNTY OF DAVIDSON)

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $1,135,000.00.

AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 25th DAY OF FEBRUARY, 1994.

NOTARY PUBLIC

MY COMMISSION EXPIRES: 1-27-96

THIS DEED IS BEING RE-RECORDED to CORRECT A TYPOGRAPHICAL ERROR IN THE LEGAL DESCRIPTION CONTAINED IN EXHIBIT "A".

RE-RECORD
BOOK 9580 PG 771

Address New Owner	Send Tax Bills to:	Map-Parcel Number
315 UNION STREET, INC. c/o 234 Fourth Avenue, North Nashville, Tennessee 37219	Same	93-2-3-151

This instrument prepared by: McMackin, Garfinkle, McLemore & Walker (FGA), 150 Fourth Avenue, North, Suite 1650 P.O. Box 98947, Nashville, Tennessee 37219

SPECIAL WARRANTY DEED

THIS INDENTURE is made as of the 25th day of February, 1994, by NCB Associates, a Tennessee general partnership ("Grantor") in favor of 315 Union Street, Inc., a Tennessee corporation ("Grantee").

WITNESSETH THAT:

Grantor, for valuable consideration, does hereby grant, with special warranty covenants, unto Grantee, its successors and assigns, all of that certain parcel of improved land situated and lying in Davidson County, Tennessee, and consisting of approximately 0.19 acres, as more fully described in Exhibit "A" attached hereto and made a part hereof (the "Property");

ALL interest conveyed by Grantor to Grantee hereunder are SUBJECT TO:

(i) all streets and public rights-of-way;

(ii) all laws, rules and/or regulations (federal, state and/or local) now in effect;

(iii) restrictions, encumbrances, reservations, limitations, conditions, easements, agreements and/or other matters affecting the Property, if of public record; and

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IDENTIF. & REFERENCE

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FELIX ... REGISTER
DAVIDSON COUNTY, TN.

RE-RECORD

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(iv) all real estate taxes and assessments not due and payable as of the date hereof.

(v) Grantee's right and benefits to that certain smoke stack easement, not of record and an encroachment on the parking garage property that abuts it to the northwestern corner of parcel 154, of the same Lot No. 40 on the map of the original Town of Nashville, not of record.

(vi) that certain easement agreement, filed of receord this same day in Book 9264, page 1, in the R.O.D.C., by and between Grantee and 315 Union Street, Inc., and its successors, assigns and designees as owners of parcel 151, of the same Lot No. 40 on the map of the original Town of Nashville, not of record.

TO HAVE AND TO HOLD the same, together with all the hereditaments and appurtenances thereunto belonging or in anywise appertaining, to Grantee, its successors and assigns, forever.

And Grantor will warrant and defend title to the Property against all parties lawfully claiming the same from, through or under it, but against no others.

And Grantor hereby covenants and warrants that it is fully authorized to convey the Property as set forth herein.

IN WITNESS WHEREOF, Grantor has caused these presents to be duly executed the day and year first above written.

Signed in the Presence of:

GRANTOR:

NCB ASSOCIATES,
a Tennessee general partnership

Sign Name: Thomas C. Scott
Print Name: Thomas C. Scott

By: Robert C. H. Mathews, Jr.
Robert C. H. Mathews, Jr.

By: DeBartolo/Nashville Associates

Sign Name: Kimberly L. Stambaugh
Print Name:

By: Edward J. DeBartolo

Sign Name: Kimberly J. Beckham
Print Name:

By: Marie Denise DeBartolo York

RE-RECORD
BOOK 9580 PG 773 BOOK 9264 PAGE 24

STATE OF ~~TENNESSEE~~ OHIO)
) ss:
COUNTY OF ~~DAVIDSON~~ LAKE)

BE IT REMEMBERED, that on this 25th day of February, 1994, before me, personally appeared Edward J. DeBartolo, who, being by me duly sworn on his oath, deposed and made proof to my satisfaction that he is the duly authorized representative of DeBartolo/Nashville Associates, a general partner of NCB Associates, a Tennessee general partnership, the Grantor named in the within instrument; and I having first made known to him the contents thereof, he did acknowledge that he signed, and delivered the same as the duly authorized representative of the Grantor named herein and his execution of the Special Warranty Deed was his voluntary act and deed, for the uses and purposes therein expressed.

Kimberlin J. Beckham
NOTARY

My Commission expires on _____

NOTARIAL SEAL STATE OF OHIO

Kimberlin J. Beckham
NOTARY PUBLIC, State of Ohio
My Commission Exp. June 16, 1997

STATE OF ~~TENNESSEE~~ OHIO)
) ss:
COUNTY OF ~~DAVIDSON~~ LAKE)

BE IT REMEMBERED, that on this 25th day of February, 1994, before me, personally appeared Mary Diane Davis York, who, being by me duly sworn on his oath, deposed and made proof to my satisfaction that he is the duly authorized representative of DeBartolo/Nashville Associates, a general partner of NCB Associates, a Tennessee general partnership, the Grantor named in the within instrument; and I having first made known to him the contents thereof, she/he did acknowledge that she/he signed, and delivered the same as the duly authorized representative of the Grantor named herein and her/his execution of the Special Warranty Deed was her/his voluntary act and deed, for the uses and purposes therein expressed.

PICK-UP Kimberlin J. Beckham
NOTARY

My Commission expires on _____

NOTARIAL SEAL STATE OF OHIO

Kimberlin J. Beckham
NOTARY PUBLIC, State of Ohio
My Commission Exp. June 16, 1997

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94 MAR -1 PM 4:22
FELIX A. ... REGISTER
DAVIDSON COUNTY, TN.

STATE OF TENNESSEE)
) ss:
COUNTY OF DAVIDSON)

BE IT REMEMBERED, that on this 28th day of February, 1994, before me, personally appeared Robert C. H. Mathews, who, being by me duly sworn on his oath, deposed and made proof to my satisfaction that he is the general partner of NCB Associates, a Tennessee general partnership, the Grantor named in the within instrument; and I having first made known to him the contents thereof, he did acknowledge that he signed, and delivered the same as the duly authorized representative of the Grantor named herein and his execution of the Special Warranty Deed was his voluntary act and deed, for the uses and purposes therein expressed.

NOTARY PUBLIC STATE OF TENNESSEE

Jack D. Alexander
NOTARY

My Commission expires on 2-28-94

RE-RECORD

BOOK 9580 PG 774

EXHIBIT "A"

LEGAL DESCRIPTION

Being a parcel of land in Nashville, First Civil District, Nineteenth Councilmanic District, Davidson County, Tennessee, located in the southeasterly quadrant of the intersection of Union Street and Printers Alley, being a part of Lot No. 40 on the map of the original Town of Nashville, not of record, being more particularly described as follows:

Beginning at the point of intersection of the southerly right-of-way line of Union Street and the easterly right-of-way line of Printers Alley;

Thence, with said southerly right-of-way line N. 62° 30′ 17" E, 70.40 feet to an "X" cut in concrete;

Thence, leaving said line with the westerly line of property conveyed to Wolfango Spora, by deed of record in Book 5984, page 801, R.O.D.C., S 27° 37′ 42" E, 44.50 feet to a point;

Thence, with the southerly line of said Spora property N. 63° 01′ 00" E, 3.66 feet to a point;

Thence, S 26° 50′ 47" E, 66.41 feet to a point;

Thence, S 62° 17′ 57" West 74.06 feet to a point in the easterly right-of-way line of Printers Alley;

Thence, with said right-of-way line N 27° 09′ 41" W, 111.21 feet to the Point of Beginning;

Containing 8,083 square feet or 0.19 acre, more or less.

Being a portion of the same property conveyed to NCB Associates from Nashville City Bank and Trust Co. by deed of record in Book 7762, page 190, in the Register's Office for Davidson County, Tennessee.

The above legal description corrects a typographical error in the legal description contained in deed from NCB Associates, a Tennessee general partnership, to 315 Union Street, Inc., a Tennessee corporation, of record in Book 9264, page 22, Register's Office for Davidson County, Tennessee.