Bk 36

THIS INSTRUMENT PREPARED BY:
David B. Herbert, Attorney
CRTALE, KELLEY, HERBERT & CRAWFORD
211 Fourth Avenue North
Nashville, TN 37219-8985

BK/10053PG433

WARRANTY DEED

Name and Address of New Owner:
Alley Cassetty Coal Co., Inc.,

Send Tax Bills To:
New Owner
2 Oldham Street
Nashville, TN 37213

Street Address of Subject Property:	**Map/Parcel No.**
14 Oldham Street **Nashville, TN**	**Map 82-14** **Parcel 87**

FOR AND IN CONSIDERATION of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named Grantees, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, **NASHVILLE CRAWDADDY, INC., A Tennessee Corporation,** hereinafter called **"GRANTOR,"** has bargained and sold, and by these presents does transfer and convey unto **ALLEY CASSETTY COAL CO., A Tennessee corporation** hereinafter called **"GRANTEE"** its successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

SEE SCHEDULE ATTACHED HERETO AND MADE A PART HEREOF:

The conveyance of the above described parcel of land is subject to the following:

1. Any and all zoning regulations, building restrictions, setback lines, if any, and easements and rights of way for public utilities applicable to this property.

2. 1996 Taxes, a lien, but not yet due and payable.

3. All matters shown on the recorded plan of record in Book 5200, page 505, Register's Office for Davidson County, Tennessee.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, its successors and assigns, forever, and GRANTOR does covenant with the said GRANTEE that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out; and GRANTOR does further covenant and bind itself, its heirs, successors, assigns and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, its successors and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS its hand this 7th day of May, 1996.

NASHVILLE CRAWDADDY, INC.,
a Tennessee Corporation
BY: Cecilia Sallichet

433

STATE OF CALIFORNIA]
COUNTY OF ORANGE]

Before me, the undersigned, a Notary Public in and for said State and County, personally appeared CECILIA TALLICHET, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who, upon oath acknowledged her self to be the VICE PRESIDENT of Nashville Crawdaddy, Inc., a Tennessee Corporation, the within named bargainor, and that as such CECILIA TALLICHET, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and official seal at ANAHEIM CALIFORNIA, this 7th day of May, 1996.

LYNETTE M. KELLUM
COMM. # 1019066
Notary Public — California
ORANGE COUNTY
My Comm. Expires FEB 27, 1998

Lynette M. Kellum
NOTARY PUBLIC
My commission expires: 2-27-98

STATE OF TENNESSEE]
COUNTY OF DAVIDSON]

The actual consideration or value whichever is greater for this transfer is $250,000.00.

Fred Cossetty
Affiant

Subscribed and sworn to before me, this the 10th day of May, 1996.

David B. Herbert
NOTARY PUBLIC
My commission expires:

DAVID B. HERBERT
NOTARY PUBLIC AT LARGE
STATE OF TENNESSEE

NOTARY PUBLIC
AT LARGE
David B. Herbert
My Commission Expires
May 24, 1997
STATE OF TENNESSEE

EXHIBIT "A"

DESCRIPTION

TRACT NO. 1: Land in the First Civil District of Davidson County, Tennessee, being Lot 1, Parcel 87, on the L&N Railroad and Alley-Cassetty Plat, of record in Book 5200, page 505, Register's Office for Davidson County, Tennessee, and being more particularly described as follows:

BEGINNING at an iron pin in the westerly right-of-way line of the 40' L&N Railroad, now Seaboard System Railroad, spur track number 43, said iron pin being southerly along said westerly railroad right-of-way 559.82' from an iron pin in the intersection of the said westerly railroad right-of-way and the original southerly right-of-way of Oldham Street; thence, with said westerly railroad right-of-way on a curve to the left having a radius of 430.2' a distance of 279.19' to a concrete monument in the northerly right-of-way of the L&N Railroad, now Seaboard System Railroad, west bound main track and being 100' from the centerline of said west bound main track; thence, with the northerly right-of-way of the L&N Railroad, now Seaboard System Railroad, west bound main tract S 64°59'07" W a distance of 614.0', more or less, to a point in the water's edge of the Cumberland River, as of August 20, 1982, said line passing through a concrete monument at a distance of 370.0'; thence, with the water's edge of the Cumberland River, as of August 20, 1982, in a northerly direction, downstream, a distance of 208.0', more or less, to a point; thence, leaving the water's edge N.65°15'07" E a distance of 443.86, more or less, to an iron pin, said line passing through an iron pin at a distance of 26.11',more or less; thence, N 35°01'53" W a distance of 35.01' to an iron pin; thence, N 65°15'07" E a distance of 13.4' to the point of beginning, containing 2.516 acres, more or less, according to a survey by Turner Engineering Company, dated March 17, 1983, Issue 2, Job Number 23-82,W.O. No. 5545, and as shown on the above-referred to recorded plat.

Being part of the same property conveyed to Nashville Crawdaddy, Inc., by deed from Seaboard System Railroad, Inc., of record in Book 6082, page 826, Register's Office for Davidson County, Tennessee.

TRACT NO. 2: A ten-foot (10') perpetual easement for ingress and egress for the benefit of Tract No. 1, together with the right to construct, maintain, repair and replace a road or highway on, over, upon and/or across the real property within which said easement is situated, said easement being within, adjacent to and parallel with the westerly portion of the forty-foot (40') L&N Railroad, now Seaboard System Railroad, spur track number 43 right-of-way, and being more particularly described as follows:

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN
THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

BEGINNING at the point of intersection of the easterly right-of-way of the forty-foot (40') L&N Railroad, now Seaboard System Railroad, spur track number 43 and the southerly portion of the ingress-egress easement granted to the Louisville and Nashville Railroad Company by Partial Assignment of Easement, of record in Book 6030, page 302, Register's Office for Davidson County, Tennessee, said point being N 83°18' W a distance of 398.61' from the westerly right-of-way of Cowan Street where it intersects with the southerly portion of said ingress-egress easement; thence, crossing the right-of-way of the said L&N Railroad, now Seaboard System Railroad, spur track with a curve to the left having a radius of 50.0' a distance of 57.51' to a point, said point being ten feet (10') easterly of the westerly right-of-way of the said forty-foot (40') railroad spur track number 43; thence, continuing ten feet (10') from adjacent to and parallel with said westerly right-of-way S 35°01'53" E a distance of 495.30' to a point; thence, continuing with a curve to the left having a radius of 420.2' a distance of 65.7' to a point; thence, S 46°00'37" W a distance of 10.0' to a point in the westerly right-of-way of the said forty-foot (40') L&N Railroad, now Seaboard System Railroad, spur track number 43; thence, with a curve to the right having a radius of 430.2' a distance of 67.26' to an iron pin, said line passing through an iron pin at a distance of 56.26'; thence continuing with said westerly railroad right-of-way N 35°01'53" W a distance of 548.82' to a point, said point being at the intersection of the westerly forty-foot(40') L&N Railroad, now Seaboard System Railroad, spur track number 43 right-of-way and the original southerly right-of-way of Oldham Street; thence, with a curve to the right having a radius of 60.0' a distance of 62.83' to a point in the northerly portion of the aforesaid ingress-egress easement, said point being S 83°18' E a distance

TRACT NO. 2 CONT:

of 388.71' from a radius turn out point at the northwest intersection of said ingress-egress easement and Cowan Street; thence, with the easterly right-of-way of the forty-foot (40') L&N Railroad, now Seaboard System Railroad, spur track number 43 and with a curve to the left having a radius of 692.2' a distance of 26.35' to a point; thence, continuing with said easterly right-of-way S 35°01'53" E a distance of 26.79' to the point of beginning, as shown on a plat by Turner Engineering Company entitled Access Easement, L&N Railroad and Alley-Cassetty Plat, dated May 3, 1983, Issue 3, Job Number 23-83, W.O. No. 5545.

Said easement for ingress and egress shall also be for the benefit of any land that may hereinafter come into common ownership with said Tract No. 1 that adjoins, abuts or is contiguous thereto.

Said easement for ingress and egress being on, over, upon and/or across a part of the L&N RR, now Seaboard System Railroad, Inc., spur tract number 43 right-of-way and a part of the same property conveyed to the Louisville and Nashville Railroad Company by deed from John Shelby, dated April 16,1859, of record in Book 29, page 251, and by deed from First National Bank of Nashville, dated August 15, 1890, of record in Deed Book 144, page 569, and acquired by the Seaboard Coast Line Railroad Company through merger between the Seaboard Cost Line Railroad Company and the Louisville and Nashville Railroad Company, effective December 29, 1982, recorded in Book 5992, page 495, and name of the surviving company changed to the Seaboard System Railroad, Inc., by virtue of name change effective December 29, 1982, recorded in Book 5992, page 498, Register's Office for Davidson County, Tennessee.

Being part of the same property conveyed to Nashville Crawdaddy, Inc., by deed from Seaboard System Railroad, Inc., of record in Book 6082, page 826, Register's Office for Davidson County, Tennessee.

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

TRACT NO. 3: Easement running westerly from the intersection of Covan Street with Oldham Street approximately 400 feet to the easterly right-of-way of the Louisville and Nashville Railroad, now Seaboard System Railroad, spur track number 43 and being more particularly described as follows:

BEGINNING at a point in what was formerly the centerline of Oldham Street, said point being N 9°29' W, a distance of 20.82 feet from the point of intersection of the westerly right-of-way of Covan Street extended with the southerly right-of-way of Oldham Street and proceeding as follows:

1. With what was formerly the centerline of Oldham Street, N 83°18' W, a distance of 398.61' to a point in the easterly 40' right-of-way of the L&N Railroad Co., now Seaboard System Railroad, spur track number 43; thence,
2. With said right-of-way N 35°01'53" W, a distance of 26.79' to a point; thence,
3. Continuing with said right-of-way and with a curve to the right having a radius of 692.2', a distance of 26.35' to a point; thence,
4. Leaving said railroad right-of-way S 83°18' E, a distance of 388.71' to a point; thence,
5. With a radius turnout being a curve to the left having a radius of 25.0', a distance of 46.33' to a point in the westerly right-of-way of Covan Street; thence,
6. With the westerly right-of-way of Covan Street S 9°29' E, a distance of 74.93' to the point of beginning, according to a plat by Turner Engineering Company, Inc., entitled "L&N Railroad and Alley-Cassetty Plat", dated December 28, 1982, Job Number 23-82.

Being the same property conveyed to Nashville Crawdaddy, Inc., by Assignment of Partial Assignment of Easement from Seaboard System Railroad, Inc., of record in Book 6082, page 841, and rerecorded in Book 6086, page 370, Register's Office for Davidson County, Tennessee.

TRACT NO. 4: Land in the First Civil District of Davidson County, Tennessee, being Reserved Parcel "B", Parcel 88, on the L&N Railroad and Alley-Cassetty Plat, of record in Book 5200, page 505, Register's Office for Davidson County, Tennessee, and being more particularly described as follows:

BEGINNING at an iron pin in the westerly right-of-way line of the 40' L&N Railroad, now Seaboard System Railroad, spur track number43, and the original southerly right-of-way of Oldham Street; thence, with the westerly right-of-way of said L&N Railroad, now Seaboard System Railroad, spur track S 35°01'53" E a distance of 548.82' to an iron pin; thence, continuing with said westerly right-of-way and with a curve to the left having a radius of 430.2' a distance of 11.0' to an iron pin; thence, leaving said right-of-way S 65°15'07" W, a distance of 15.4' to an iron pin; thence, N 35°01'53" W a distance of 530.43' to an iron pin; thence, N 5°37'49" W a distance of 30.56' to the point of beginning, containing 0.188 acre, more or less, according to a survey by Turner Engineering Company, dated March 17, 1983, Issue 2, Job Number 23-82, W.O. No. 5545, and as shown on the above-referred to recorded plat.

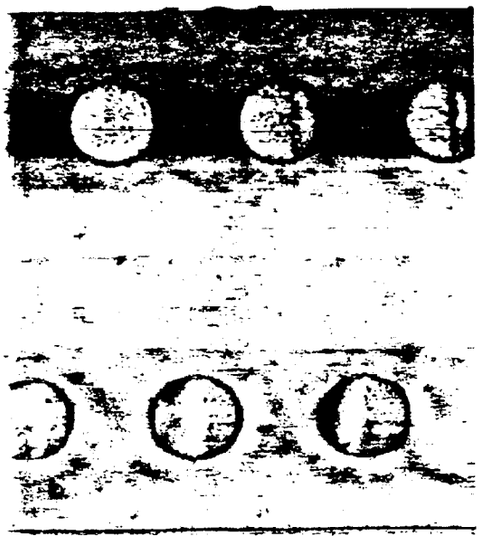
Together with a concurrent right to use for ingress and egress to the above-described land the ingress and egress easement set forth in the Warranty Deed of record in Book 4699, page 350, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to Nashville Crawdaddy, Inc., by deed from Alley-Cassetty Coal Company, Inc., of record in Book 6090, page 787, Register's Office for Davidson County, Tennessee.

0182877
IDENTIFICATION REFERENCE

17 PM 12:52

IDENTITY OF PERSON PREPARING INSTRUMENT
THIS INSTRUMENT WAS PREPARED BY



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

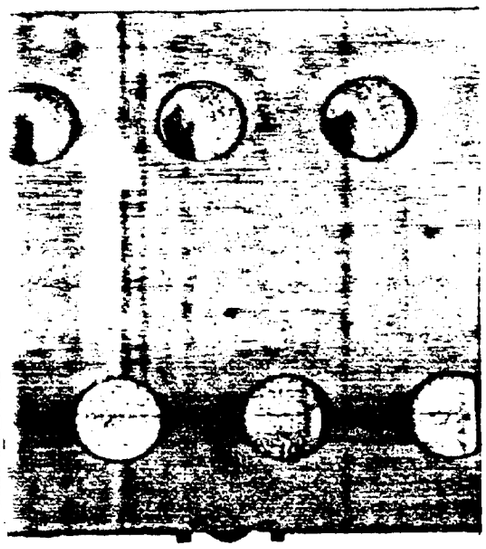
RECEIVED OF _____

FOR _____

BOOK 10053 PG 438

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
			BANK	
				250000.00
			CO TX	925.00
			PRFEE	1.00
			MDEED	20.00
			TOTAL	946.00
			CHECK	946.00
			[illegible]	12:56 0001 2846



RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

0182877 IDENTIF. ↑ REFERENCE

96 MAY 17 PM 12:52

DAVIDSON CO. TENN.

No. 1040799