41

THIS INSTRUMENT PREPARED BY:
CHERNAU, CHAFFIN & BURNSED
SUNTRUST CENTER
424 CHURCH STREET, SUITE 1750
NASHVILLE, TN 37219

BOX #33B

MAP
PARCEL

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

BOOK 10739 PG 693

The actual consideration or value, whichever is greater, for this transfer is $0.00.

Affiant

Subscribed and sworn to before me this the 24th day of December, 1997.

Notary Public

LINDA BURNSED NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: 3-21-98

ADDRESS NEW OWNER(S) AS FOLLOWS:

J&P PROPERTIES, LLC
1451 Elm Hill Pike
Nashville, Tennessee 37210

SEND TAX BILLS TO:

SAME

S P E C I A L W A R R A N T Y D E E D

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid by the hereinafter named "Grantee", and other good and valuable consideration, the receipt and sufficiency all of which is hereby acknowledged, **TERRENCE J. CLYNE and PARKER M. TANNER**, hereinafter called the "Grantors", have bargained and sold, and by these presents do transfer and convey unto **J&P PROPERTIES, LLC, a Tennessee limited liability company**, hereinafter called the "Grantee", and its assigns, a certain tract or parcel of land in Davidson County, Tennessee, (referred to as the "Property") described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Being the same property conveyed to Terrance J. Clyne and Parker M. Tanner by Quitclaim Deed from CSX Transportation, Inc., a Virginia corporation of record in Book 10487, page 725, Register's Office for Davidson County, Tennessee.

The property described in Exhibit "A" and conveyed herein is not the primary place of residence of the Grantors or their spouses.

Terrance J. Clyne and Terrence J. Clyne is one and the same person.

THIS conveyance is subject to any and all limitations, zoning regulations, building restrictions and setback lines, if any, and easements and rights for public utilities as may affect the Property and without warranty; and taxes for the current year which have been prorated.

For the same consideration, Grantors further transfer to Grantee all of Grantors' rights, titles and interests (if any) appurtenant solely to the Property (including any rights of Grantors to water service, sewer service and other utility services) without warranty of any kind, either express or implied, except that Grantor has not previously transferred the same to any other party and further that Grantors have not encumbered the Property since conveyance of the Property to them by Quitclaim Deed of record in Book 10487, page 725, Register's Office for Davidson County, Tennessee.

This Special Warranty and the conveyance hereinabove set forth is executed by Grantors and accepted by Grantee subject to the matters described herein, to the extent the same are validly existing and applicable to the Property (herein referred to collectively as the "Permitted Encumbrances").

Notwithstanding the fact that the conveyance made herein is expressly made by Grantors without warranty of title, Grantors and Grantee acknowledge the execution of that certain and separate Hold Harmless and Indemnity Agreement of even date.

IN WITNESS WHEREOF, the "Grantors" have caused their names to be affixed hereto on this 24th day of December 1997.

TERRENCE J. CLYNE

Parker M Tanner

PARKER M. TANNER

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Terrence J. Clyne and Parker M. Tanner, the bargainors, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence) and who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, this 24th day of December, 1997.

NOTARY PUBLIC

My Commission Expires: 3-21-98

CLYNE.wdS

97 DEC 30 PM 3:31

0385171

IDENTIF. & REFERENCE

12.00 03CHECK 0101 97/30/12

EXHIBIT A

Three Tracts of land situate in Nashville, Davidson County, Tennessee more particularly described as follows;

TRACT I

Commencing with a point in the west line of Fessler"s Lane (formerly known as Faydur Court) being the northeast corner of the land of Eli Goldach, Deed Book 7679 Page 689, thence South 80° 26' 20" West with the line between Lots 4 and 5 of Mcintyre Industrial Subdivision as recorded in Plat Book 3600 Page 99 a distance of 344.12 feet to an old iron pin and the POINT OF BEGINNING of this description;

thence along a curve to the right with a radius of 2,010.0 feet and a chord bearing and distance of South 11° 50' 26" East and 292.52 feet to an old iron pin;

thence South 81° 58'49" West a distance of 50.00 feet to an old iron pin;

thence along a curve to the left with a radius of 1960.0 feet and a chord bearing and distance of North 11° 55' 07" West and 291.19 feet to a new iron pin;

thence North 80° 26' 20" East a distance of 50.33 feet to the point of beginning, containing 14,606 square feet and being as shown as Tract I on plat of survey by Howard W. Anderson, registered land surveyor, dated September 30, 1996.

TRACT II

Commencing with an old iron rod being the southeast corner of the land of Road Warnings Company Deed Book 4367 Page 952, thence North 52° 09' 08" West a distance of 12.27 feet to a new iron rod being 50 feet from Grantor's nearest railroad track and the POINT OF BEGINNING of this description;

thence continue North 52° 09'08" West a distance of 138.61 feet to a new iron pin ;

thence South 03° 10' 09" West a distance of 61.82 feet to a new iron rod;

thence South 53° 00' 35" East 124.53 feet to a new iron rod;

thence North 14° 33'49" East a distance of 53.32 feet to the POINT OF BEGINNING, containing 6,592 square feet, and being as shown as Tract II on plat of survey by Howard W. Anderson, registered land surveyor, dated September 30, 1996.

TRACT III

Beginning with the new iron pin at the northwest corner of Tract II above being 100 feet, more or less, from the centerline of Grantor's nearest railroad track form Nashville to Chattanooga;

thence in a northwesterly direction running 100 feet from said railroad track a distance of 148 feet, more or less, to a point 50 feet from the centerline of a second railroad track of Grantor;

thence in a southerly direction running parallel with and 50 feet from the centerline of the second railroad track of Grantor a distance of 63 feet, more or less, to a point 50 feet from Grantor's centerline of nearest track from Nashville to Chattanooga;

thence running parallel to and 50 feet from Grantor's centerline of nearest track from Nashville to Chattanooga in a southeasterly direction a distance of 138 feet, more or less, to a new iron rod in the southwest corner of Tract II above;

thence North 03° 10' 09" East a distance of 61.82 feet to the POINT OF BEGINNING, containing 7,100 square feet, more or less.