file 31/dw

This Instrument Prepared By:
Harwell Howard Hyne Gabbert & Manner, P.C.
1800 First American Center
315 Deaderick Street
Nashville, Tennessee 37238-1800

BOOK 10803 PG 40

Address New Owner:	Send Tax Bills To:	Map-Parcel Numbers
Forrest M. Durrett P. O. Box 100417 Nashville, TN 37224	Same	Map 106-7, Parcel 1

WARRANTY DEED

PURSUANT TO the Second Amended Plan of Reorganization and Confirmation Order of the U.S. Bankruptcy Court, Middle District of Tennessee, of record in Book 10645, page 573, Register's Office for Davidson County, Tennessee, **BIRMINGHAM- NASHVILLE EXPRESS, INC.**, a Tennessee corporation, the Grantor herein, has bargained and by these presents does transfer and convey unto **FORREST M. DURRETT**, the Grantee herein, his heirs and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows:

> LAND in the 3rd Civil District of Davidson County, Tennessee, being part of Lots No. 10,11,12,13 and a tract of land north of and adjacent to lots Nos. 13 and a tract of land west of and adjacent to lots nos. 10, 11, 12 and 13 on the Map of F. B. Catching's Subdivision, part of lot No. 2 Trabue Plan, as of record in Book 57, page 155, Register's Office for said County, described together according to a survey made by Alley & Brown Consulting Engineers, November 17, 1969, as follows:
>
> Beginning at a point in the northerly margin of Interstate Route No. 40 and the westerly margin of Arlington Avenue; thence westerly along the north margin of I-40, N 66° 05' west, 285.00 feet to a concrete monument; thence continuing along the north margin of I-40, north 67° 10' West, 147.25 feet to a concrete monument, said point being in the south margin of the L & N Railroad spur track; thence along the north margin of the spur track, North 44° 46' East, 90.0 feet; thence with the same North 46° 16' East, 40.0 feet, said point being 20 feet from the centerline of said railroad spur; thence continuing along the same spur track, North 55° 42' East, 152.5 feet; thence North 72° 10' East, 80.0 feet to a point, said point being 30 feet from the centerline of spur track; thence continuing along spur track on a curve to the right with radius of 1500 feet, 378.74 feet to a point, said point being in the south margin of spur track and the west margin of Arlington Avenue; thence along the west margin

of Arlington Avenue South 28° 34' West, 546.75 feet to the point of beginning, containing an area of 3.38 acres.

Being the same property conveyed to Birmingham-Nashville Express, Inc., by deed from Forrest M. Durrett and wife, Thelma S. Durrett, and Reuben Jones and wife, Katherine Weller Jones, of record in Book 5547, page 722, 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 Grantee, his heirs and assigns, forever. Grantor does covenant with 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 except for (a) 1998 ad valorem taxes for the County of Davidson and the City of Nashville which are a lien against the property, but not yet due and payable, (b) all matters shown on the plan of record in Book 57, page 155, Register's Office for Davidson County, Tennessee, (c) easements as shown in instrument of record in Book 4074, page 630 and 633, said Register's Office, (d) lack of direct access to Interstate 40 from the premises described as shown in Book 3435, page 332, and Book 3648, page 536, said Register's Office, (e) Deed of Trust of record in Book 10287, page 238, said Register's Office, (f) applicable building and zoning regulations, (g) such state of facts as an accurate survey would disclose, and (h) all existing highway, street, sidewalk and utility easements. Grantor does further covenant and bind itself, its successors and representatives to warrant and forever defend the title to the said land to said Grantee, his heirs and assigns, against the lawful claims of all persons, whomsoever.

WITNESS my hand this 20th day of February, 1998.

BIRMINGHAM-NASHVILLE EXPRESS, INC.,
a Tennessee corporation

By: Robert S. Durrett
Robert S. Durrett, President

0403081
IDENTIFICATION REFERENCE
98 FEB 20 PM 2:35
177675-1

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Debbie L. Sloan of the state and county aforesaid, personally appeared Robert S. Durrett, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence and who, upon oath, acknowledged himself to be the President (or other officer authorized to execute the instrument), of Birmingham-Nashville Express, Inc., the within named bargainor, a corporation, and that he as such President, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself as President.

Witness my hand and seal, at office in Nashville, Tennessee, this 20th day of February, 1998.

Debbie L. Sloan
Notary Public

My Commission Expires:

9-26-98

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

5963 02/20 0101 03CHECK 12.00

This transfer is being made pursuant to a confirmed bankruptcy plan approved by order of the U. S. Bankruptcy Court, Middle District of Tennessee, described above and is therefore exempt from taxation pursuant to 11 U.S.C. §1146.

Robert S. Durrett

Sworn to and subscribed before me,
this 20th day of February, 1998.

Debbie L. Sloan
Notary Public
My Commission Expires: 9-26-98