BOOK 10908 PG 570

26B

ADDRESS NEW OWNERS:	SEND TAX BILLS TO:	MAP-PARCEL NOS:
Eckhardt Realty Corporation, Trustee 104 Woodmont Blvd., Ste. 115 Nashville, TN 37205	JD Rivergate Land Trust c/o Steve Eatherly 709 Two Mile Pkwy Goodlettsville, TN 37072	Map 26-13 Parcels 15.00 and 71.00
This instrument prepared by: Robert J. Notestine III, Attorney at Law, 104 Woodmont Blvd., Suite 115, Nashville, TN 37205		

DEED OF CORRECTION

This Deed of Correction made and entered into on this the 20th day of April, 1998, by and between The Equitable Life Assurance Society of the United States, a New York corporation, party of the first part, and Eckhardt Realty Corporation, Trustee for the JD Rivergate Land Trust, party of the second part.

WHEREAS, on December 23, 1996, by Limited Warranty Deed recorded in Book 10311, Page 784, Register's Office for Davidson County, Tennessee, party of the first part conveyed certain property in Davidson County, Tennessee, to party of the second part, and;

WHEREAS, on January 12, 1998, by Deed of Correction recorded in Book 10756, Page 591, Register's Office for Davidson County, Tennessee, party of the first part conveyed certain property in Davidson County, Tennessee, to party of the second part, and;

WHEREAS, said Deed of Correction is irregular because the legal description is incorrect; and

WHEREAS, the parties desire to correct the aforesaid Deed of Correction to include the correct legal description.

NOW, THEREFORE, for and in consideration of the sum of One Dollar ($1.00), paid by the party of the second part to the acknowledged party of the first part, the party of the first part, does hereby grant, sell, transfer and convey unto the party of the second part, the following described property:

Property Map 26-13, Parcel 15

A tract of land in the Second Civil District, City of Goodlettsville, Davidson County, Tennessee being generally located west of Two Mile Parkway and east of Interstate 65; and being more particularly described as follows:

98 APR 30 PM 1:34
FELIX Z. WILSON II, REGISTER
DAVIDSON COUNTY, TN.

0431700
IDENTIF. ↑ REFERENCE

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Beginning at an existing iron pin on the westerly margin of Two Mile Parkway at the southeast corner of Shell Oil Company of record in book 4070, page 330 R.O.D.C. Tn.; thence,

1. With said west margin of Two Mile Parkway S 19deg03'48" E 12.19 feet to a point; thence,

2. Leaving said west margin of Two Mile Parkway with a curve to the right 60.50 feet to a point; said curve having a radius of 40.00 feet, central angle 86deg39'07", tangent 37.73, and chord bearing and distance of S 24deg15'43" W 54.89 feet; thence,

3. S 67deg35'18" E 399.25 feet to a point; thence,

4. N 19deg03'50" W 481.83 feet to an iron pin set on the east margin of Interstate 65; thence,

5. With the easterly margin of Interstate 65 N 37deg40'29" E 323.15 feet to an existing iron pin; thence,

6. With the westerly boundary of Mahesh Patel of record in book 9767, page 157 R.O.D.C. Tn. and Shell Oil Company of record in Book 4070, page 330 R.O.D.C. Tn. S 19deg05'44" E 393.59 feet to an existing concrete monument; thence,

7. S 18deg44'19" E 199.61 feet to an existing railroad spike; thence,

8. N 67deg39'24" E 167.21 feet to the point of beginning.

Containing 159,985 square feet or 3.67 acres more or less.

The above described property is subject to any easements, restrictions, or any other encumbrance an accurate title search may find.

AND

Property Map 26-13, Parcel 71

A tract of land in the Second Civil District, City of Goodlettsville, Davidson County, Tennessee being generally located west of Two Mile Parkway and east of Interstate 65; and being more particularly described as follows:

Beginning at a PK Nail set on the easterly margin of CSX Railroad property at the northwesterly corner of Guardian Storage Co., Ltd. of record in book 6081, page 646 R.O.D.C. Tn.; thence,

1. With said east margin of CSX Railroad N 02deg25'45" E 116.39 feet to an existing concrete highway monument; thence,

2. N 08deg51'08" E 299.27 feet to an iron pin set on the easterly margin of Interstate 65; thence,

3. N 37deg21'49" E 179.62 feet to an existing concrete highway monument; thence,

4. N 37deg40'29" E 58.40 feet to an iron pin set; thence,

5. Leaving said east margin of Interstate 65 S 19deg03'50" E 481.83 feet to a PK Nail set; thence,

6. S 67deg35'18" W 344.35 feet to a PK Nail set on the northerly boundary of Guardian Storage Co., Ltd. of record in book 6081, page 646 R.O.D.C. Tn.; thence,

7. S 67deg38'39" W 37.54 feet to the point of beginning.

Containing 118,820 square feet or 2.73 acres more or less.

The above described property is subject to any easements, restrictions, or any other encumbrance an accurate title search may find.

Being a portion of the same property conveyed to The Equitable Life Assurance Society of the United States, by Deed of Record in Book 5344, page 8, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to the JD Rivergate Land Trust by Limited Warranty Deed from The Equitable Life Assurance Society of the United States of record in Book 10311, Page 784, Register's Office for Davidson County, Tennessee.

And further being the same property conveyed to Eckhardt Realty Corporation, Trustee for the JD Rivergate Land Trust by Deed of Correction from The Equitable Life Assurance Society of the United States of record in Book 10756, Page 591, Register's Office for Davidson County, Tennessee.

And the party of the first part covenants that it was lawfully seized and possessed of said land in fee simple, had a perfect right to convey the same; and the said property was free and clear of all encumbrances:

And the party of the first part covenants and binds itself, its successors and assigns, to warrant and forever defend the title to said property to the party of the second part, its successors and assigns, against the lawful claims of all persons, whomsoever claiming by, through or under the party of the first part, subject only to these matters set forth in Exhibit A attached hereto and by reference made a part hereof.

WITNESS our hand this 20th day of April, 1998.

JD RIVERGATE LAND TRUST
ECKHARDT REALTY CORPORATION,
Trustee

By: _____
Name: Robert J. Nolestina III
Title: President

[Corporate Seal]

[Corporate Seal]

THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES,
a New York Corporation

By: _____
Name: David H. Denney, Jr.
Title: Investment Officer

STATE OF Georgia
COUNTY OF Fulton

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared, David H. Denney Jr., with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who, upon oath, acknowledge ____self to be Investment Officer of The Equitable Life Assurance Society of the United States, the within named bargainor, a New York corporation, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by ____self as Investment Officer of the Corporation.

WITNESS my hand and official seal at _____, Fulton County, Georgia, this 20th day of April, 1998.

_____
NOTARY PUBLIC

My Commission Expires:

_____

YOLANDA F. SMITH NOTARY PUBLIC DEKALB COUNTY GEORGIA EXPIRES JAN. 5, 1999

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STATE OF Tennessee
COUNTY OF Davidson

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared, Robert J. Notestine III, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who, upon oath, acknowledge him self to be President of Eckhardt Realty Corporation, Trustee for JD Rivergate Land Trust, the within named bargainor, a Tennessee Trust, executed the foregoing instrument for the purposes therein contained, by signing the name as President of Eckhardt Realty Corporation, Trustee for the JD Rivergate Land Trust, a Tennessee Trust by him self as President of the Corporation.

WITNESS my hand and official seal at Nashville, Davidson County, Tennessee, this 28th day of April, 1998.

NOTARY PUBLIC

My Commission Expires:
10-12-99

[Notarial Seal]

AA980840.009

EXHIBIT A TO DEED OF CORRECTION

1. Rights of tenants, as tenants, under Lease executed by and between L. H. Hardaway, Sr. and L. H. Hardaway, Jr., d/b/a Hardaway Construction Company and Consolidated Theaters, Inc. dated January 17, 1976.

2. The Plan of record in Book 5050, page 7, Register's Office for Davidson County, Tennessee, and also shown on survey prepared by James W. Harrison, dated August 28, 1978, as follows:

A 20-ft. utility and drainage easement running along the eastern line of lot Nos. I and 2 and along the northwestern line of lot no. 2.

A 20-ft. utility and drainage easement running along the northern line of reserve parcel B and extending across the southern portion of lot No. 2. Said easement widening across said lot no. 2.

A 20-ft. utility and drainage easement running across the southern portion of lot no. 1.

A 20-ft. drainage easement running from the southeastern corner of lot no. 1 and extending out and across in a northerly direction across lot no. 1 and dividing into two easements extending across lot no. 2 and no. 4.

A 20-f t. utility and drainage easement extending from the western margin of lot no. 1 across said lot approximately one-half of the distance of said lot.

A 50-ft. utility and right of way for street and access easement commencing at the western margin of Two Mile Parkway and extending across the property in a southwesterly direction and as conveyed by Hardaway Construction Company, a partnership composed of L. H. Hardaway, Sr. and L. H. Hardaway, Jr., to the Town of Goodlettsville, Tennessee, and more particularly described of record in Book 5183, page 21, said Register's Office.

3. The Plan of record in Book 5190, page 183, said Register's Office, and also shown on survey prepared by James W. Harrison, dated August 28, 1978, as follows:

A 10-ft. minimum building setback line from northern margin of the 50 foot access easement on lot no. 4.

A 20-ft. minimum building setback line from the western lines of lot no. 4.

A 20-ft. utility and drainage easement along the eastern, northern and western margins of lot no. 4.

A 20-ft. utility easement across the southern, portion of lot no. 4.

A 20-ft. utility and drainage easement commencing at southeast corner of lot no. 4 extending to northwest corner.

A 20-ft. utility and drainage easement commencing at northeast corner of lot no. 4 running in southwest direction, connecting with easement immediately above.

A utility and drainage easement commencing on northern margin of 50' access easement being southern line of lot no. 4 and running in northeastern direction, widening and joining 20 foot utility easement commencing at southeast corner of lot no. 4.

4. The survey of the premises made by James W. Harrison, dated August 28, 1978 shows a 36-ft. access easement commencing at the southern line of lot no. I and running along the eastern line of lot connecting with the 50-ft. access easement.

5. The survey of the premises made by James W. Harrison, dated August 28, 1978 shows a utility and access easement running from the southern margin of lot no. I and across said lot to the 50-foot utility and access easement.

6. The survey of the premises made by James W. Harrison, dated August 28, 1978, shows a utility easement running along the southern margin of the 50 foot access easement on the northwestern portion of lot no. 1, with 2 extensions running in a southerly direction from the main easement.

7. An overhead line easement granted by L. H. Hardaway, Sr. and L. H. Hardaway, Jr. to Metropolitan Government of Nashville-Davidson County, as of record in Book 5018, page 309, said Register's Office, extending across the northern and northwestern lines of lot no. 4, ..and being located within the aforesaid 20 foot utility easement along said northern and northwestern lines as shown on said survey of James W. Harrison, dated August 28, 1978.

8. Rights of tenants as tenants under existing leases.

9. Assignment of Leases dated September 29, 1978, filed in Book 5344, page 12, Register's Office for Davidson County, Tennessee.

10. Metro taxes for 1996, a lien but not yet due and payable.

11. A non-exclusive easement for ingress and egress granted to Shell Oil Company by Agreement dated July 12, 1979, and of record in Book 5514, page 686, Register's Office for Davidson County, Tennessee.

12. Assignment of Leases dated May 8, 1980, of record in Book 5601, page 772, Register's Office for Davidson County, Tennessee.

13. The rights acquired by the State of Tennessee, on relation of the Commissioner of the Department of Transportation, for and on the behalf of said Department in the matter of State of Tennessee, on relation of the Commissioner of the Department of Transportation, for and on the behalf of said Department, Petitioner, vs. Equitable Life Assurance Society of the United States, et.al, Defendants; case docket no. 88C-191 in the First Circuit Court for Davidson County, Tennessee

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