0531763

IDENTIF. & REFERENCE

This Instrument Prepared By:
WYATT, TARRANT & COMBS
1500 Nashville City Center
511 Union Street
Nashville, Tennessee 37219
(615) 244-0020

98 DEC 31 PM 4:03

REGISTER
DAVIDSON COUNTY, TN.

RE-RECORD BOOK 11289 PAGE 808

BOOK 11278 PAGE 44

**WARRANTY DEED**

| Address New Owner | Send Tax Bills To: | Map & Parcel No.: |
|---|---|---|
| **MERRY FAMILY, LLC**<br>**519 West Thompson Lane**<br>**Nashville, Tennessee 37211** | **SAME** | **Book 08DA-10820**<br>**Map 79**<br>**Parcel 13** |

**FOR AND IN CONSIDERATION** of the sum of Ten ($10.00) Dollars, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ~~David~~ **INDUSTRIAL REALTY PARTNERS, LLC (referred to hereinafter as "Grantor"), a Tennessee limited liability company and formerly a Tennessee general partnership at the time title to the property described below was received**, has bargained and sold and does hereby transfer and convey unto **MERRY FAMILY LLC ("Grantee")**, a Tennessee limited liability company, its successors and assigns, a certain tract of land located in Davidson County, Tennessee, being more particularly described in **Exhibit A**, attached and incorporated by reference (the "Property"). This Property is improved and known as 7121 Cockrill Bend Boulevard, Nashville, Tennessee 37209.

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

AND Grantor does hereby covenant with Grantee that it is lawfully seized and possessed of the Property in fee simple; that it has good right to sell and convey the same; and that the same is unencumbered, except for encumbrances listed and described in **Exhibit B**, attached and incorporated by reference.

AND Grantor does further covenant and bind itself, its successors and assigns, to warrant and forever defend title to the Property against the lawful claims of all persons whomsoever.

RE-RECORD

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**IN WITNESS WHEREOF**, the Grantor has caused this instrument to be executed on this 30th day of December, 1998.

GRANTOR:

**INDUSTRIAL REALTY PARTNERS, LLC,**
a Tennessee limited liability company (formerly Industrial Realty Partners, a general partnership)

By: _____

Title: Chief Mgr

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared Fred D. Culbreath, 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 Chief Manager of **INDUSTRIAL REALTY PARTNERS, LLC, a Tennessee limited liability company,** the within named bargainor, and that he as such Chief Manager being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the limited liability company by himself as such Chief Manager

Witness my hand and seal, at office in Nashville, Tennessee, this 30TH day of December, 1998.

_____
NOTARY PUBLIC

My Commission Expires:
9/28/2002

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STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration for this transfer is $515,000.00.

William M. Merry, Jr., Affiant

Subscribed and sworn to before me, this 30th day of December, 1998.

B. ANTHONY SAUNDERS NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

B Anthony Saunders NOTARY PUBLIC

My Commission Expires SEPT. 28, 2002

My Commission Expires:

9/28/2002

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# EXHIBIT A

## PROPERTY DESCRIPTION

Property lying in western Davidson County, on the south margin of Cockrill Bend Road, approximately 1,016.7' west of the intersection of Cockrill Bend Road and Centennial Blvd., bounded on the north by Cockrill Bend Road, on the east by property belonging to Young Sales Corp. of record in Deed Book 8150, Page 448, on the south by Richland Creek, and on the west by property belonging to Patterson Street Properties, of record in Deed Book 6695, Page 515, and more specifically described as follows:

Beginning on a concrete monument on the south margin of Cockrill Bend Road, approximately 1216.6' west of the intersection of said road and Centennial Blvd., the northwest corner of the herein described tract and the northeast corner of Patterson St. Properties; thence with the margin of Cockrill Bend Road, N-75° 43' 00"-E, 100.00' to a point; thence N-76° 18' 02"-E, 99.83' to an iron pin, the northeast corner of the herein described tract and the northwest corner of Young Sales Property; thence leaving the margin of said road with Young Sales' line, S-12° 42' 03"-E, 672.97' to an iron (witness) pin on the bank of Richland Creek and continuing with the same line an additional 80.83' to a point in the center of said creek, a total of 753.80', the southeast corner of this tract and the southwest corner of Young Sales'; thence with the center of said creek N-85° 22' 51"-W, 172.00' to a point in the center of Richland Creek, the southwest corner of the herein described tract and the southeast corner of Patterson St. Properties; thence with the east line of Patterson St. Properties, N-15° 37' 06"-W, through an iron (witness) pin at 80.83' and continuing an additional 618.17', a total of 699.00' to a concrete monument, the point of beginning and containing 3.025 acres, more or less according to a survey by Galyon W. Northcutt, RLS #1529.

Included in this tract is a 40' permanent sanitary sewer easement that crossed the property from east to west. The centerline of the easement crosses the east property line 426' south of the iron pin on the northeast corner of the property and it crosses the west property line at a distance of 396' south of a concrete monument at the northwest property corner.

Being the same property conveyed to Industrial Realty Partners, a Tennessee general partnership, by deed from Metal Plate, Inc., a Tennessee corporation, of record in Book 8924, page 587, Register's Office for Davidson County, Tennessee.

This description is based on a survey for Metal Plate, Inc. dated December 17, 1998, prepared by Galyon W. Northcutt, 2607 Forest View Drive, Antioch, Tennessee 37013-1335 (Tn RLS # 1529).

## EXHIBIT B

1. All easements set forth in the deed of record in Book 4326, page 23, Register's Office for Davidson County.

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RE-RECORDED
99 JAN -8 PM 3:52
[illegible] REGISTER
DAVIDSON COUNTY, TN.
7465 12/31 0101 03CHECK 17.00
0589 01/08 0101 03CHECK 22.00