BOOK 11480 PG. 866

SPECIAL WARRANTY DEED

TO: Bennett-Volunteer, LLC

FROM: J. S. Earhart, Sr.

This instrument was prepared by:
C. Mark Carver, Esq.
Farris, Warfield & Kanaday, PLC
SunTrust Center, 18th Floor
Nashville, TN 37219

Address New Owner as Follows:	Send Tax Bills To:	Map/Parcel Numbers:
Bennett-Volunteer, LLC Two International Plaza Suite 200 Nashville, TN 37217	Same	Field Book 4D-12600 Map 97-0, Parcel 46 Field Book 4D-12550 Map 97-0, Parcel 47

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer is $2,000,000.00.

Affiant

Sworn to and subscribed before me,
this 14th day of May, 1999.

Notary Public

My Commission Expires: 9-23-2000

NOTARY PUBLIC AT LARGE

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION OF the sum of Ten Dollars, cash in hand paid by the hereinafter named Buyer, and other good and valuable considerations, the receipt of which is hereby acknowledged, **J. S. Earhart, Sr., also known as Joseph S. Earhart** (hereinafter collectively called the "Seller"), has bargained and sold, and by these presents does transfer and convey unto **Bennett-Volunteer, LLC, a Tennessee limited liability company** (hereinafter called the "Buyer"), and Buyer's successors and assigns, all of Seller's interest in a certain tract of land in Davidson County,

Tennessee, described on Exhibit A attached hereto and incorporated herein by reference, and any improvements thereon.

The above-referenced property is conveyed subject to the matters set forth on Exhibit B attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the said real property, together with all rights and appurtenances thereunto belonging or in any wise appertaining to Buyer, their heirs, successors and assigns, forever in fee simple.

Seller further covenants and binds himself, his heirs, representatives, successors and assigns to warrant specially and forever defend the title to said real estate to Buyer, and Buyer's successors and assigns, against the lawful claims of all persons claiming through and under Seller (other than claims arising out of the matters set forth above), but not further or otherwise. 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.

J.S. Earhart, Sr. is the same person as Joseph S. Earhart.

IN WITNESS WHEREOF, Seller has caused this Special Warranty Deed to be executed effective as of the 14th day of May, 1999.

SELLER:

J. S. Earhart Sr.

J. S. EARHART, SR., also known as
JOSEPH S. EARHART

Ruth Seiner Earhart

RUTH SEINER EARHART. Ruth Seiner Earhart joins in this deed solely to convey any interest she may have in the Property.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Kay Fuller, a Notary Public of said County and State, J. S. EARHART, SR., the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 14th day of May, 1999.

Kay Fuller
Notary Public

My Commission Expires: 9-23-2000

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Kay Fuller, a Notary Public of said County and State, RUTH SEINER EARHART, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 14th day of May, 1999.

Kay Fuller
Notary Public

My Commission Expires: 9-23-2000

EXHIBIT A

PROPERTY DESCRIPTION

Parcel One:

A tract of land in the 4th Civil District of Davidson County, Tennessee, being part of Lot No. 3, on the Map showing the lands of C. E. Gleaves, deceased, as divided by Commissioners among his heirs, as of record in Book No. 421, page 41, Register's Office for said County, and described according to said Map, as follows:

Beginning at a stake 3 feet East of a sassafras tree, the Southwest corner of said lot, being also a corner of Lot No. 2, on said Map; thence South 87° East, with the line between Lots Nos. 2 and 3, being also the Southerly margin of a Public road for Lots 1 and 2, as shown on said Map, 524.7 feet, more or less, to a stone, another corner of said Lot No. 2, and continuing, South 87° East, with the center of an old Public Road, shown on said Map, called Gleaves Lane, in all 1358.075 feet, more or less, to the center of the Old Mill Road or the Central and Stewarts Ferry Pike, the southwest corner of a part of said Lot No. 3, conveyed to Mrs. Nora W. Gleaves, by deed from J. H. Gleaves, of record in Book 785, page 221, said Register's Office; thence Northerly, with the center of said road or Pike 287.5 feet to the Northwest corner of said tract, being also the Southwest corner of another part of said Lot No. 3, conveyed to Mrs. Nora W. Gleaves, by deed from J. H. Gleaves of record in Book 910, page 418, said Register's Office; thence continuing with the center of said Road or Pike,, Northerly 525 feet, more or less, to the Northwest corner of said tract; thence North 89° West 3 feet, more or less, to the southeast corner of the graveyard, shown on said Map; thence North 3° East, with the Westerly margin of said Road, 646.8 feet, more or less, to a point on the Westerly margin of said road, the Northeast corner of said Lot No. 3; thence North 86° West 1377.75 feet, more or less, to the Northwest corner of said Lot No. 3; thence South 3 ½° West 412 ½ feet, more or less to a point in the Northern line of said Lot No. 2; thence South 85 ½° East, with said line, 56.76 feet, more or less, to a stone, the Northeast corner of said Lot No. 2; thence South 3° West, with the line between said Lots No. 2 and 3, 1039 ½ feet, more or less, to the beginning, containing 44 ½ acres, more or less.

Being a part of the same property conveyed to Joseph S. Earhart and wife, Ruth Seiner Earhart, by deed from Myrna (Mrs. H. E.) Becton, Philip W. Tune, et al, of record in Book 2703, page 290, Register's Office for Davidson County, Tennessee.

Included in the above description, but excluded from this conveyance is property previously conveyed by the Grantor and his spouse to the State of Tennessee Department of Highways, of record in Book 3345, page 411, Register's Office for Davidson County, Tennessee, described as follows:

Beginning at a point in the boundary line between the lands of John J. Smith and Joseph S. Earhart, said point being centerline Station 481 + 95 of the proposed

Interstate Highway, and runs with said boundary line northerly 230 feet to a point; thence with a curve to the right having a radius of 5929.65 feet an arc distance of 114 feet to a point in the boundary line between the lands of Joseph S. Earhart and Mrs. A. F. Wilson; thence with said boundary line Easterly 1115 feet to a point; thence South 87 degrees 47 minutes West, 485 feet to a point; thence with a curve to the left having a radius of 5569.65 feet an arc distance of 430 feet to a point 160 feet right of centerline Station 485 + 00 of the proposed Interstate Highway; thence Southeasterly 60 feet to a point 220 feet right of the last said center line Station thence with a curve to the left having a radius of 5509.65 feet an arc distance of 377 feet to a point in the boundary line between the lands of Joseph S. Earhart and R. W. Hollon; thence with said boundary line Northerly 98 feet to a point in the boundary line between the lands of Joseph S. Earhart and John J. Smith; thence with said boundary line Northerly 135 feet to the point of beginning, containing 5.34 acres, more or less, and being a part of the same land conveyed to Joseph S. Earhart and wife, Ruth Seiner Earhart, by deed of record in Book 2703, page 290, in the Register's Office, Davidson County, Tennessee.

Said above described land is conveyed in fee simple. It is to be used for the construction of a controlled access highway and all right of ingress or egress to, from and across the same to and from abutting lands is hereby conveyed.

Also included in the above description but excluded from this conveyance are two tracts of property taken from the Grantor and his spouse by the State of Tennessee, described as follows:

First condemned tract: Beginning at the point of intersection of the existing north margin of Occidental Development, Ltd. property; thence with said east boundary north 07 degrees 43 minutes 14 seconds east 35 feet more or less to a point in the south boundary of the Rachel F. Wilson, et al, property; thence with said south boundary south 82 degrees 55 minutes 23 seconds east 86.42 feet to a point in the I-40 north margin; thence with said north margin southwestwardly 80 feet more or less to the point of beginning and containing 1400 square feet and being part of the same property conveyed to Myrna Becton, Phillip W. Tune, George P. Tune, William L. Tune, Jr., Sarah Elizabeth Tune, Claire Elise Demerich, Mrs. Ruth Schwensen, Mrs. Estelle Ezell and Mary Ellen (Mrs. D.P.) Sensing, being the heirs at law of W. L. Tune, deceased to Joseph S. Earhart and wife, Ruth Sevier (sic) Earhart as of record in Book 2703, page 290, Register's Office for Davidson County, Tennessee.

The above described property is hereby condemned in fee simple and all right of ingress and egress to, from and across the same and to and from abutting lands is hereby conveyed and the lien for property taxes against the same is to be removed as provided for in Section 67-5-203, T.C.A.

The above described property is located on the north side of I-40, 2,000 feet more or less south of Central Pike.

Second condemned tract: Beginning at the point of intersection of the existing south margin of I-40 and the east boundary of the State of Tennessee property; thence with said south margin northeastwardly 150 feet more or less to a point which is 90.58 feet right of proposed Ramp "M" centerline station 82+51.40; thence south 19 degrees 39 minutes 21 seconds east 170.11 feet; thence south 41 degrees 06 minutes 57 seconds 160.72 feet to a point in the State of Tennessee east boundary; thence with said east boundary north 06 degrees 23 minutes 14 seconds east 220 feet more or less to the point of beginning and containing 0.457 acres.

Being part of the same property conveyed to Myrna Becton, Philip W. Tune, George P. Tune, William L. Tune, Jr., Sarah Elizabeth Tune, Claire Elise Demerich, Mrs. Ruth Schwensen, Mrs. Estelle Ezell and Mary Ellen (Mrs. D.P.) Sensing, being the heirs at law of W. L. Tune, deceased to Joseph S. Earhart and wife, Ruth Sevier (sic) Earhart as of record in Book 2703, page 290, Register's Office for Davidson County, Tennessee.

The above described property is hereby condemned in fee simple and all right of ingress and egress to, from and across the same and to and from abutting lands is hereby conveyed, and the lien for property taxes against the same is to be removed as provided for in Section 67-5-203, T.C.A.

The above described property is located on the south side of I-40, 2,105 feet more or less south of Central Pike.

Both of the aforesaid condemned tracts are the same property described by "Consent Judgment and Final Decree" of condemnation of record in Book 8470, page 214, Davidson County, Register's Office.

Also included in the above description but excluded from this conveyance is that parcel given to the First Suburban Water Utility District of Davidson County, Tennessee (Cumberland Utility District), by Quitclaim Deed of record in Book 10971, page 622, Register's Office for Davidson County, Tennessee, as corrected by that Instrument of Correction of Deed of record in Book 11283, page 913, said Register's Office, more particularly described as follows:

That certain parcel of land in Davidson County, Tennessee, prepared according to the boundary survey by Ronnie D. Lowry, a Tennessee registered land surveyor, License No. 1685, whose address is 230 Wilson Pike, Brentwood, Tennessee 37027, described in Exhibit A to the said Instrument of Correction of Deed.

Parcel Two:

Land in Davidson County, Tennessee:
Mills Rd.
.01 acres.
Field Book Number 04D 12550

Map 097-00-0 Parcel 047.00

The last instruments of record concerning the subject property are a Final Decree Confirming Sale of record in Book 574, page 142, and Report of Sale of record in Book 8574, page 144, Register's Office for Davidson County, Tennessee. The last deed of record concerning the subject property is the deed of record in Book 6962, page 354, Register's Office for Davidson County, Tennessee.

PARCELS ONE AND TWO are also the same property in which Ruth Seiner Earhart, a married person, conveyed her interest to J.S. Earhart, Sr., by deed of record in Book 9649, page 207, Register's Office for Davidson County, Tennessee.

05876644
... INSTRUMENT NUMBER
99MAY17 PM12:34
... RECORDED
... TAX
00"5274 ... 00

EXHIBIT B
PERMITTED EXCEPTIONS

1. 1999 Taxes, a lien, which are not yet due and payable.

2. The subject property abuts I-40 which is a controlled access highway with no right of ingress or egress thereto. (Parcel Two)

3. Rights of the public in general in and to the cemetery located on the subject property and the right of ingress and egress thereto. (Parcel One)

4. Any cemetery, burial plot or fire tower which may be located within or adjacent to the boundaries of the property and the rights of ingress and egress on the plat of the general public to any said cemetery, burial plot or fire tower. (Parcel One)

5. Title to that portion of the premises embraced within the bounds of any streets, roads, or highways. (Parcel One)

6. Easement for the flow of any creeks, streams or branches.

7. Easement of record in Book 10971, page 622, as corrected in Book 11283, page 913, Register's Office for Davidson County, and being the same Easement reserved in Quitclaim Deed of record in Book 11480, page 862, said Register's Office.

OFFICIAL RECEIPT

BILL GARRETT
REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

BOOK 11480 PG. 874

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	CFEE - COMPUTER FEE	PRFEE - PROBATE FEE

0587644

99 MAY 17 PM 12:34

CAPT
2000000.00
DON TX 7400.00
PRFEE 1.00
MISC 32.00
CFEE 2.00
TOTAL 7435.00
CHECK 7435.00
05/17/99 01 12:38 0001 6748

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

No. 1461375