'98

PREPARED BY:
COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115

BOOK 11714 PAGE 141

WARRANTY DEED

THIS INDENTURE is made and entered into this **1st** day of **October, 1999** between SILO STORAGE, L.L.C., AN ARIZONA LIMITED LIABILITY CO., GRANTOR, and MARY LOIS WARNACUTT, CO-TRUSTEE and ROBERT WARNACUTT, CO-TRUSTEE of the TESTAMENTARY TRUST OF LOIS WARNACUTT, DECEASED, GRANTEE

W I T N E S S E T H. That for and in consideration of Ten Dollars ($10.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, SILO STORAGE, L.L.C., AN ARIZONA LIMITED LIABILITY CO., hereinafter referred to as GRANTOR, does hereby bargain, sell, transfer and convey unto MARY LOIS WARNACUTT, CO-TRUSTEE and ROBERT WARNACUTT, CO-TRUSTEE of the TESTAMENTARY TRUST OF LOIS WARNACUTT, DECEASED, hereinafter referred to as GRANTEE, ITS successors, heirs and assigns, AN UNDIVIDED FORTY EIGHT AND 36/100 PERCENT (48.36%) INTEREST in and to certain real estate located in DAVIDSON County, Tennessee, being more particularly described in Exhibit "A", which is attached hereto and incorporated herein by reference, together with all right title and interest of GRANTOR in and to any easements and rights-of-way adjoining or abutting said real estate and any covenants and other rights appurtenant thereto (the "Property"). This conveyance of the "Property" and all covenants and warranties contained herein, are made expressly subject to the exceptions and other matters set forth in Exhibit "B" which is attached hereto and incorporated herein by reference.

This is improved property known as 425 SWISS AVENUE, NASHVILLE, TN.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto GRANTEE, ITS heirs, successors and assigns forever. The GRANTOR does covenant and agree with the said GRANTEE that GRANTOR is lawfully seized and possessed of the said real estate and that GRANTOR has a good and lawful right to sell the same. The GRANTOR further covenants that the same is unencumbered except as otherwise set forth in Exhibit "B"

GRANTOR further covenants and binds itself, its successors and assigns, to warrant and forever defend the title to said GRANTEE, ITS successors and assigns, against the lawful claims of all persons whomsoever.

WITNESS the hand and seal of the duly authorized official of GRANTOR on the day and year first above written

SILO STORAGE, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, BY EVERGREEN DEVELOPMENT, LLC., AN ARIZONA LIMITED LIABILITY COMPANY, MANAGER

by: _____
LUKE V. McCARTHY, MANAGER
Signature of Seller

06494452

99 OCT 22 PM 2:24

2903 10/22 0101 03CHECK

7887.35

OCT 15 '99 (WED) 11:44 COMMUNICATION NO. 55 PAGE 6

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

BOOK 11714 PAGE 142

CORPORATE CALIFORNIA
STATE OF ~~TENNESSEE~~/S)
COUNTY OF Los Angeles)

Personally appeared before me, the undersigned Notary Public of the aforesaid County and State, LUKE V. McCARTHY with ~~whom I am personally acquainted~~ (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself (~~or herself~~) to be MANAGER of EVERGREEN DEVELOPMENT, LLC., the within named bargainor, a limited liability company, and that he/~~she~~ as such MANAGER, executed the foregoing instrument for the purpose therein contained, by signing the name of the LLC by himself (~~or herself~~) as MANAGER.

Witness my hand, at office, in L.A., ~~DAVIDSON~~ County, this ~~1st~~ 13 day of October, 1999.

Julie Smith
Notary Public

My Commission Expires 5-22-02

Name and Address of Property Owner:

TESTAMENTARY TRUST OF LOIS WARNACUTT, DECEASED
202 BOULEVARD
CRAIGMONT, IDAHO 83523

Property Address:

425 SWISS AVENUE
NASHVILLE, TN

Person Responsible for Taxes:

JULIE SMITH
Commission # 1184361
Notary Public - California
Los Angeles County
My Comm. Expires May 22, 2002

Map & Parcel #: MAP 161, PARCEL 243.00

AFFIDAVIT OF VALUE

STATE OF ~~TENNESSEE~~/CALIFORNIA
COUNTY OF Los Angeles

I hereby swear or affirm that the actual consideration for this transfer, or value of the property or interest in property transferred, whichever is greater is **$2,127,660.00** which amount is equal to, or greater than, the amount which the property, or interest in property transferred, would command at a fair and voluntary sale.

Affiant

Sworn to and subscribed before me, a Notary Public, this ~~1st~~ 13 day of **October, 1999.**

Julie Smith
Notary Public

My Commission Expires: 5-22-02

JULIE SMITH
Commission # 1184361
Notary Public - California
Los Angeles County
My Comm. Expires May 22, 2002

RETURN TO:

COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115

EXHIBIT 'A'

Being a parcel of land in the First Civil District, Thirty-Second Councilmanic District, Nashville, Davidson County, Tennessee, said property being Lot No. 2 as shown on the plat of the Resubdivision of Lot 2, Hickory Commercial Park, Section One of record in Plat Book 11190, page 29, R.O.D.C. to which plan reference is hereby made for a more complete and accurate description of said lot.

BEING a portion of the same property conveyed to SILO STORAGE, L.L.C., AN ARIZONA LIMITED LIABILITY CO., by Deed from MIKONOS, A TENNESSEE LLC, of record in Book 10814, Page 420, Register's Office for DAVIDSON County, Tennessee.

EXHIBIT 'B'

1 All REAL PROPERTY taxes for the year 2000 and subsequent years, A LIEN, not yet due and payable (MAP 161, PARCEL 243.00).

2 All matters as set forth on the Plan of record in Plat Book 6900, page 806, said Register's Office, including any and all setback lines, easements, notes, restrictions, etc., as may be shown thereon.

3. AGREEMENT containing restrictions by and between American Fletcher National Bank and Trust Company and Cities Service Company, of record in Book 5497, page 230, in said Register's Office

4 AGREEMENT for Participation in Huntington Park Trunk Sewer of record in Book 6699, page 752, said Register's Office.

5. EASEMENT for right-of-way of street purposes of record in Book 4730, page 607, said Register's Office.

6. SUBJECT to rights of tenants under unrecorded leases.

7. SUBJECT to all matters shown on survey dated January 29, 1998, revised February 26, 1998, File No 24602 00, prepared by Barge, Waggoner, Sumner and Cannon, Inc.

8. ASSIGNMENT of Lessor's Interest in leases by and between Mikonos, LLC., a Tennessee limited liability company, and Silo Storage, L.L.C.,an Arizona limited liability company, of record in Book 10814, page 424, said Register's Office.

9. DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS, AND SECURITY AGREEMENT, executed by Silo Storage, L L C , an Arizona limited liability company, to T. Wayne Hood, Trustee, dated February 26, 1998, recorded February 27, 1998 at 3:25 p.m. in Book 10814, page 427, as modified in First Modification of Deed of Trust, of record in Book 11239, page 538, Register's Office for Davidson County, Tennessee, to secure to The Bank of Nashville, a debt in the original principal amount of $975,000.00, due and payable as stated therein, together with any terms, conditions, restrictions or limitations recited therein. Said indebtedness is further secured by Assignment of Leases and Rents of record in Book 10814, page 444, as modified in First Modification to Assignment of Rents & Leases, of record in Book 11239, page 545, said Register's Office, and UCC-1 Financing Statement of record in Book 10814, page 452, and Book 11239, page 549, said Register's Office

10. Access Easement and Agreement of record in Book 11368, page 27, said Register's Office.

11. Assignment of Promissory Note and Deed of Trust of record in Book 11368, page 58, said Register's Office.

12. Assignment of Leases and Rents, of record in Book 11368, page 76, said Register's Office

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

OFFICIAL RECEIPT

BILL GARRETT
REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

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

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064;9452 ...RRENCE

99 OCT 22 PM 2:24 ...

CAMT	2127660.00
CON TX	7872.35
PRFEE	1.00
WDEED	12.00
CFEE	2.00
TOTAL	7887.35
CHECK	7887.35

10/22/99 01 14:27 0001 2903

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

No. 1530693