Bk 49
43758

FOR RECORDING PURPOSES:

BOOK 11722 PAGE 903

STATE OF DELAWARE
COUNTY OF NEW CASTLE

The actual consideration or value, whichever is greater, for this transaction is $3,500,000.00.

John W. Snyder
Affiant

Subscribed and Sworn to before me this 26th day of October 1999.

Laura A. Smith
Notary Public

Commission Expires: 8/9/2003

THIS INSTRUMENT WAS PREPARED BY: Henry H. Silliman, III E. I. du Pont de Nemours and Company 1007 Market Street Wilmington, DE 19898		
ADDRESS NEW OWNER ("Grantee") AS FOLLOWS: ABC Nashville, LLC 1919 South Post Road Indianapolis, Indiana 46239 Attn:	SEND TAX BILLS TO: ABC Nashville, LLC 1919 South Post Road Indianapolis, Indiana 46239 Attn:	MAP PARCEL NUMBER #35/5

LIMITED WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Three Million Five Hundred Thousand Dollars ($3,500,000.00), cash in hand paid by **ABC NASHVILLE, LLC**, a Tennessee limited liability company, having as its principal address 1919 South Post Road, Indianapolis, Indiana 46239 ("Grantee"), the receipt of which is hereby acknowledged, **E. I. DU PONT DE NEMOURS AND COMPANY**, a Delaware corporation, having its principal address at 1007 Market Street, Wilmington, DE 19898 ("Grantor") has bargained and sold and does hereby transfer and convey unto Grantee, its successors and assigns, all that certain tract or parcel of land, located in the County of Davidson, State of Tennessee and as more completely described on Exhibit "A" attached hereto and made a part hereof ("Property").

THIS CONVEYANCE IS UNDER AND SUBJECT TO all matters of record and to those matters as shown on that certain ALTA/ACSM Land Title Survey, Swinging Bridge Road, Cinder Road & Burnett Road, Twelfth Councilmanic District, Second Civil District, Nashville, Davidson County, Tennessee, prepared by Barge, Waggoner, Sumner & Cannon, Inc., dated June 14, 1999, last revised September 30, 1999.

FURTHER, UNDER AND SUBJECT to the provision that the certain tract or parcel of land above described shall used only for industrial purposes. Notwithstanding the preceding sentence, the restriction contained herein shall not prohibit Grantee's intended use of the Property as a motor vehicle auction and activities related thereto. Except as allowed by the preceding sentence, any attempt to change the use or to rezone the Property shall be

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prohibited so long as Grantor or its successors in interest, or assigns operate an industrial plant at Grantor's location in Old Hickory, Tennessee.

TO HAVE AND TO HOLD, the said tract or parcel of land, with all the appurtenances thereunto belonging to the Grantee, its successors and assigns, forever, in fee simple, UNDER AND SUBJECT as aforesaid.

GRANTOR, its successors and assigns, further covenants to warrant and forever defend the title to the Grantee, its successors and assigns, against the lawful claims of all person, claiming by, through or under the Grantor, UNDER AND SUBJECT, as aforesaid.

IN WITNESS HEREOF, Grantor has hereunto subscribed its name by its duly authorized officers on this 21st day of October 1999.

ATTEST:

Steve C. Cozamanis
Assistant Secretary

E. I. DU PONT DE NEMOURS AND COMPANY

By: John W. Snyder
John W. Snyder
Vice President

oldhickory.deed

STATE OF DELAWARE :

COUNTY OF NEW CASTLE :

Before me, a Notary Public of the State and County aforesaid, personally appeared John W. Snyder, with whom I am personally acquainted and who, upon oath, acknowledged himself to be a Vice President of **E. I. DU PONT DE NEMOURS AND COMPANY**, a Delaware corporation, the within named Grantor, and that he as such Vice President, being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself as Vice President.

Witness my hand and official seal at Wilmington, New Castle County, Delaware, this 26th day of October 1999.

[NOTARIAL SEAL]

Notary Public

LOIS A. SMITH
Notary Public
New Castle County
State of Delaware
My Commission Expires Aug. 8, 2003

EXHIBIT "A"
LEGAL DESCRIPTION

BEING a parcel of land in the Second Civil District of Nashville, Davidson County, Tennessee, located on the northeasterly margin of Swinging Bridge Road between Burnett Road and Cinder Road as described in that certain ALTA/ACSM Land Title Survey, Swinging Bridge Road, Cinder Road & Burnett Road, Twelfth Councilmanic District, Second Civil District, Nashville, Davidson County, Tennessee, prepared by Barge, Waggoner, Sumner & Cannon, Inc., dated June 14, 1999, last revised September 30, 1999, to wit:

BEGINNING at a point in the northeasterly margin of Swinging Bridge Road at the north end of the return at the intersection of Burnett Road;

Thence, with the northeast margin of Swinging Bridge Road, N45 degrees 05' 34" W, 2695.10 feet to a point;

Thence, with a curve concave to the northeast having a central angle of 90 degrees 15' 00", a radius of 25.00 feet and a chord of N00 degrees 01' 56E, 35.43 feet for an arc length of 39.38 feet to a point in the southerly margin of Cinder Road;

Thence with said Cinder Road, N45 degrees 09' 26" E, 821.00 feet to a point;

Thence with a curve concave to the south having a central angle of 22 degrees 18' 00", a radius of 1407.40 feet and a chord of N56 degrees 18' 26" E, 544.32 feet for an arc length of 547.77 feet to a point;

Thence, N67 degrees 27' 26" E, 326.46 feet to a point;

Thence, with a curve concave to the north having a central angle of 22 degrees 33' 50", a radius of 1457.40 feet and a chord of N56 degrees 10' 31E, 570.24 feet for an arc length of 573.95 feet to a point;

Thence, N44 degrees 53' 36" E, 1813.89 feet to a point;

Thence, with a curve concave to the south having a central angle of 20 degrees 48' 30", a radius of 815.71 feet and a chord of N55 degrees 17' 51" E, 294.62 feet for an arc length of 296.24 feet to a concrete monument;

Thence leaving Cinder Road and severing subject property, S30 degrees 13' 54" E, 962.32 feet to a point;

Thence, S29 degrees 17' 48" E, 287.65 feet to a point;

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REGISTER
DAVIDSON COUNTY, TN.
TAX REFERENCE
06519987

Thence, S65 degrees 38' 47" E, 778.09 feet to a point in the northerly margin of existing Burnett Road;

Thence, with said margin, S43 degrees 48' 28" W, 416.27 feet to a point;

Thence, with a proposed margin and a curve concave to the south having a central angle of 31 degrees 58' 08", a radius of 979.93 feet and a chord of S27 degrees 58' 39"W, 539.70 feet for an arc length of 546.76 feet to a point;

Thence, S11 degrees 49' 04"W, 251.30 feet to a point;

Thence, with a curve concave to the north having a central angle of 33 degrees 12' 00", a radius of 691.20 feet and a chord of S28 degrees 25' 04" W, 394.94 feet for an arc length of 400.52 feet to a point in the northerly margin of existing Burnett Road;

Thence with said margin, S45 degrees 01' 04" W, 2745.49 feet to a point;

Thence, with a curve concave to the north having a central angle of 89 degrees 52' 53", a radius of 25.00 feet and a chord of S89 degrees 57' 45" W, 35.32 feet for an arc length of 39.22 feet to the point of beginning.

Containing 10,197,031 square feet or 234.09 acres, more or less.

BEING part of the same premises which FIRST NATIONAL COMPANY, by Deed dated April 26, 1963, and recorded in Book 3535, page 375 and a part of the premises (Parcel 2) in which Nashville Industrial Corporation, by Deed dated April 26, 1963, and recorded in Book 3535, page 383 Register's Office for Davidson County, Tennessee grantee and conveyed unto E. I. du Pont de Nemours and Company, in fee.

OFFICIAL RECEIPT

BILL GARRETT
REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

BOOK 11722 PAGE 908

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

0651987

CROSS REFERENCE

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ALL TAXES PAID
REGISTER
DAVIDSON COUNTY, TN.

		CAMT	
			3500000.00
		CON TX	12950.00
		PRFEE	1.00
		WDEED	20.00
		CFEE	2.00
		TOTAL	12973.00
		CHECK	12973.00
10/29/99	01	14:10	0001 5582

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

No. 1533342