41
S.W.

Instr:200005310054219 Page: 1 OF 4
REC'D FOR REC 05/31/2000 4:05:32PM
RECORD FEE: $19.00
M. TAX: $0.00 T. TAX: $1110.00

Lot 1

WARRANTY DEED

FROM: Farris Hardwood Lumber Company, a limited partnership, Grantor

TO: Alley-Cassetty Coal Company, Inc., Grantee

This instrument was prepared by:
Warren H. Wild, Jr.
Farris, Warfield and Kanaday
424 Church Street, Suite 1800
Nashville, Tennessee 37219

Address New Owner as Follows:	Name and Address of the Person or Entity Responsible for the Payment of Real Property Taxes Field Book Number	Map-Parcel Number
2 Oldham Street Nashville, TN 37213	Same	82-14-40

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is Three Hundred Thousand and no/100 Dollars ($300,000.00).

Fred Cassetty
Affiant

SUBSCRIBED AND SWORN TO before me, this the 31st day of May, 2000.

Deborah A. Hughes
Notary Public

My Commission Expires: 5/28/03

FOR AND IN CONSIDERATION OF the sum of Three Hundred Thousand and no/100 Dollars ($300,000.00), of which Seventy-five Thousand Dollars ($75,000.00) has been paid in cash and for the balance of which Grantees have executed and delivered a Promissory Note of even date (the "Note") to Grantor secured by a Deed of Trust of even date being recorded simultaneously herewith (the "Deed of Trust") evidencing a lien upon the herein described property, the receipt and sufficiency of which are hereby acknowledged, Farris Hardwood Lumber Company, a limited partnership, Grantor, has bargained and sold, and by these presents does transfer and convey unto the said Alley-Cassetty Coal Company, Inc., a Tennessee corporation, Grantee, its successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to wit (the "Property"):

Lot No. 1 on the Subdivision of the Farris property of record in Book 7900, page 391, as revised by the Surveyor's Certificate of Correction dated November 12, 1992, of record in Book 8795, page 559, Register's Office for Davidson County, to which plat reference is here made for a more complete description.

Being part of the same property conveyed to Farris Hardwood Lumber Company, a limited partnership, by deed from W. M. Farris, et al, of record in Book 4522, page 843, Register's Office for Davidson County, Tennessee.

This is unimproved property located north at the corner of Cowan Street and Oldham Street on the east side of the Cumberland River.

The description of this property was obtained from the survey prepared by Barry Greer, 2103 Windsor Place, Mt. Juliet, Tennessee 37122, Registered Land Surveyor No. 211.

This conveyance is expressly made subject to the following:

1. The lien for 2000 taxes which will be prorated when the tax bills for 2000 are available. Grantor shall pay to Grantee Grantor's pro rata share of 2000 taxes promptly after the tax bills are received; however, Grantor shall not pay any part of any tax increase resulting from improvements to the Property after the date hereof. Grantee shall then pay 2000 taxes on the Property.

2. All matters shown on the Subdivision of the Farris property of record in Plat Book 7900, page 391, as revised by the Surveyor's Certificate of Correction dated November 12, 1992, of record in Book 8795, page 559, Register's Office of Davidson County, Tennessee (the "Plat") including, without limitation, the terms and conditions of the Owner's Certificate, all notes shown thereon, Ingress-Egress Easement recorded in Book 4699, page 350, said Register's Office, and Easement and former 16' Alley Easement retained by Metro Council Rule 73-464.

3. The chartered right-of-way of CSX Railroad

4. Such state of facts and conditions as an accurate survey and personal inspection of the premises would disclose.

5. Applicable zoning ordinances.

6. Lease dated August 26, 1987, between Grantor and Burnette's Truck Wash, Incorporated, as amended by undated Amendment to Lease and by letter dated November 15, 1999, from Grantor to the tenant.

7. Easement recorded in Book 4699, page 350, in the Register's Office of Davidson County, Tennessee, as partially released and surrendered in Book 8957, page 452, in said Register's Office.

8. Sewer Easement as set forth in instrument recorded in Book 2537, page 416, in said Register's Office.

9. Flowage Easement recorded in Book 2280, page 517, in said Register's Office.

10. Slope Easement as set forth in Book 365, page 181, in said Register's Office.

11. Easements and rights granted in deed of record in Book 8795, page 561, in the Register's Office of Davidson County, Tennessee.

12. Easements set forth in instrument recorded in Book 8906, page 584, in said Register's Office.

13. Easements retained in Metro Council Bills 73-464 and 46-368.

14. Deed of Trust from Grantee to Warren H. Wild, Jr., being recorded simultaneously herewith to secure unto Grantor the payment of the balance of the purchase price for this conveyance in the amount of $225,000.00.

TO HAVE AND TO HOLD the Property with the appurtenances, estate, title and interest thereto belonging to the said Grantees, their successors and assigns, forever.

And Grantor does covenant with Grantees that Grantor is lawfully seized and possessed of the Property in fee simple; has a good right to convey it, and the same is unencumbered and unrestricted except as to those matters set forth above to which this conveyance is expressly made subject.

And Grantor does further covenant and bind Grantor, its successors and assigns, to warrant and forever defend the title to the Property to Grantee, its successors and assigns against the lawful claims of all persons whomsoever except as to those matters set forth above to which this conveyance is expressly made subject.

Witness our hands this 31 day of May, 2000.

FARRIS HARDWOOD LUMBER COMPANY, a limited partnership

By: Alfred C Farris III
Alfred C. Farris III, General Partner

By: Rachael Farris
Rachael Farris, General Partner

By: Mary Farris Lynch
Mary Farris Lynch, General Partner

This deed has been prepared by Farris, Warfield and Kanaday ("FWK") based solely upon information furnished by Grantor. FWK has not undertaken to independently verify any statement, fact, description or other matter set forth herein and has not undertaken to verify any matters relating to title. FWK undertakes no responsibility or liability for the correctness or accuracy of any statement, fact, description or other matter reflected herein.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Deborah A. Hughes, a Notary Public of said County and State, personally appeared ALFRED C. FARRIS III, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be a general partner of FARRIS HARDWOOD LUMBER COMPANY, the within named bargainor, a limited partnership, and that he as such partner executed the foregoing instrument for the purposes therein contained, by signing the name of the partnership by himself as partner.

Witness my hand and seal, at Office in Nashville, this 31st day of May, 2000.

Deborah A. Hughes
Notary Public

My Commission Expires: 5/28/03

NOTARY PUBLIC DAVIDSON CO.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Deborah A. Hughes, a Notary Public of said County and State, personally appeared RACHAEL FARRIS, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be a general partner of FARRIS HARDWOOD LUMBER COMPANY, the within named bargainor, a limited partnership, and that she as such partner executed the foregoing instrument for the purposes therein contained, by signing the name of the partnership by herself as partner.

Witness my hand and seal, at Office in Nashville, TN, this 31st day of May, 2000.

Deborah A. Hughes
Notary Public

My Commission Expires: 5/28/03

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Deborah A. Hughes, a Notary Public of said County and State, personally appeared MARY FARRIS LYNCH, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be a general partner of FARRIS HARDWOOD LUMBER COMPANY, the within named bargainor, a limited partnership, and that she as such partner executed the foregoing instrument for the purposes therein contained, by signing the name of the partnership by herself as partner.

Witness my hand and seal, at Office in Nashville, TN, this 31st day of May, 2000.

Deborah A. Hughes
Notary Public

My Commission Expires: 5/28/03