40A

PROJECT NO. 013216-Metrocenter Levee Project

SPECIAL

WARRANTY DEED

CATHERINE C. HERSHEY NOTARY PUBLIC AT LARGE WILSON COUNTY, TENN.

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 306,000.00/EXEMPT

Elaine Phelps
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 30th DAY OF October, 2000

Notary Public

MY COMMISSION EXPIRES: 1/30/2001
(AFFIX SEAL)

THIS INSTRUMENT WAS PREPARED BY
Gibson & Gregory, Suite 1900, 201 Fourth Ave., N., Nashville, Tennessee 37219

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
Metropolitan Government (NAME)	TAX EXEMPT/GOVERNMENTAL AGENCY (NAME)	MAP 70-13
201 Fourth Ave., N., Ste. 650 (ADDRESS)	(ADDRESS)	PARCEL 153
Nashville, TN 37201 (CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	

FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, WE, American Realty Trust, Inc., a Georgia corporation

HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO Metropolitan Government of Nashville and Davidson County, Tennessee

HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN Davidson COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

SEE ATTACHED EXHIBIT A

Davidson County DEEDWARR
Recvd: 11/01/00 15:42 3pgs
Fees:14.00 Taxes:0.00

20001101-0108590

*CLAIMING BY, THROUGH OR UNDER IT, BUT NO FURTHER OR OTHERWISE

unimproved (X)
This is improved ( ) property, known as Metrocenter Levee, Nashville, TN 37228
(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. 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.

Witness my hand this 30 day of October, 2000

American Realty Trust, Inc.
By: Joni B. Howerman
Vice President

STATE OF TEXAS)
COUNTY OF DALLAS)

Before me, the undersigned Notary Public in and for the said County and State, personally appeared Lori B. Lowderman, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged her self to be the Vice President (or other officer authorized to execute the instrument) of American Realty Trust, Inc., the within named bargainor, a Georgia corporation, and that she as such Vice President, executed the within instrument for the purposes stated therein by signing the name of the corporation by her self as such Vice President.

Witness my hand and official seal this the 30 day of October, 2000.

Lori Lee Burgin
Notary Public

My Commission Expires: 11/12/01

LORI LEE BURGIN
Notary Public, State of Texas
My Commission Expires 11-12-01

EXHIBIT A

Being a parcel of land in Nashville, First Civil District, Twentieth Councilmanic District, Davidson County, Tennessee, located on the north margin of Freeland Station Road being property conveyed to MetroCenter Holdings, Inc., by deeds of record in Book 8321, page 668, R.O.D.C., being a 2.34 acre tract of land, known as Tract 37T, on the MetroCenter Site Plan, and also known as Tax Map 70-13, Parcel 153, on the Metro Tax Assessors Maps, also being part of Tract 4 on the Plan of record in Book 4660, page 33, said Register's Office, and being more particularly described as follows:

BEGINNING at a point at the terminus of the northerly right-of-way of Freeland Station Road also begin the northwest corner of property conveyed to Fritz KoppZ'Graggen, et ux, of record in Book 7058, page 688, R.C.D.C.;

THENCE, along a northerly line of property conveyed to the Metropolitan Government Rhodes Municipal Park of record in Book 5588, page 393, R.O.D.C, the following calls:

S 55 deg. 00' 00" W, 403.75 feet to a point;

N 53 deg. 54' 00" W, 176.00 feet to a point in the southerly margin of the Cumberland River;

THENCE, following said southerly margin of the Cumberland River, the following calls:

N 36 deg. 06' 00" E, 255.90 feet to a point;

N 26 deg. 34' 00" E, 100.60 feet to a point;

N 40 deg. 57' 00" E, 78.93 feet to a point;

THENCE, leaving said southerly margin along the westerly line of said Fritz KoppZ'Graggen property S 44 deg. 37' 00" E, 320.97 feet to the point of beginning.

Described according to a survey prepared May 25, 1999, by Wendell H. Talley, Sr., License No. 785, Barge, Waggoner, Sumner and Cannon, Inc.

Being the same property conveyed to American Realty Trust, a Georgia corporation, by deed from SunTrust Banks, Inc. of record in Book 11503, page 900, said Register's Office.

This conveyance is made subject to such limitations, restrictions and easements as may affect the premises.