Davidson County DEEDWARR
Recvd: 06/07/02 15:52 4pgs
Fees:23.00 Taxes:7955.00
20020607-0069838

This Instrument prepared by:
Stokes Bartholomew Evans & Petree, P.A. (FRH)
424 Church Street, Suite 2800
Nashville, Tennessee 37219

ADDRESS NEW OWNER:	SEND TAX BILL TO:	MAP-PARCEL
Rivergate Partners	Same	Part of
2617 Grandview Avenue		Map 34-6
Nashville, Tennessee 37211		Parcel 3
Attn: Walter G. Knestrick		

PICK-UP

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 ($10.00) DOLLARS cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, **DYLAN CUSTOM MIXING, LLC**, a Kansas limited liability company (the "Grantor"), has bargained and sold, and by these presents does transfer and convey unto **RIVERGATE PARTNERS**, a Tennessee general partnership (the "Grantee"), its successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

See Exhibit A attached hereto and incorporated herein by this reference.

This is improved property known as 710 Myatt Drive, Nashville, Tennessee.

This conveyance of the property herein, and all covenants and warranties of Grantor contained herein, are made expressly subject to those matters set forth on Exhibit B attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, and Grantee's successors and assigns forever.

Grantor covenants and binds itself, and its successors and assigns, to warrant specially and forever defend the title to the property to the said Grantee, Grantee's successors and assigns, against the lawful claims of all parties claiming by, through or under the Grantor, but not further or otherwise, except as set forth above.

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.

IN WITNESS WHEREOF, the Grantor has caused this Special Warranty Deed to be executed as of the 7th day of June, 2002.

DYLAN CUSTOM MIXING, LLC
a Kansas limited liability company

By: Brett Morehouse
Name: Brett Morehouse
Its: ~~Chief~~ Manager

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public of said county and state, Brett Morehouse, 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, and who further acknowledged that he is the Chief Manager of DYLAN CUSTOM MIXING, LLC, a Kansas limited liability company, the maker or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

Witness my hand, at office, this 7th day of June, 2002.

Notary Public

My ~~Commission~~ Expires:
STELLA M. McDANIEL
Notary Public, Davidson Co., TN
My Comm. Expires Nov. 27, 2004

STELLA M. McDANIEL NOTARY PUBLIC AT LARGE DAVIDSON CO., TENN.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $2,150,000.00.

Affiant

Subscribed and sworn to before me this 7th day of June, 2002.

Notary Public

My Commission Expires:
STELLA M. McDANIEL
Notary Public, Davidson Co., TN
My Comm. Expires Nov. 27, 2004

STELLA M. McDANIEL NOTARY PUBLIC AT LARGE DAVIDSON CO., TENN.

202027.1 / 2887-10

EXHIBIT A

[Property Description]

Being land in Nashville, Second Civil District, Tenth Councilmanic District, Davidson County, Tennessee, located west of Myatt Drive and east of Gallatin Pike being a portion of property conveyed to Dylan Custom Mixing, L.L.C., by deed of record in Instrument No. 200003010020164, Register's Office of Davidson County, Tennessee and being more particularly described as follows:

BEGINNING at an iron pin in the westerly right-of-way of Myatt Drive approximately 1030 feet southerly from the centerline of Gallatin Pike, said pin also being the southeasterly corner of Lot 2, Rivergate Station, Section 1, Resubdivision Lot 2 of record in Plat Book 9700, Page 838, R.O.D.C;

THENCE, along said right-of-way and with a curve to the left, 204.91 feet to an iron pin, said curve having a central angle of 02°01' 59", a radius of 5774.58, a tangent of 102.47 feet and a chord of S 38°51' 26" E, 204.90 feet;

THENCE, leaving said right-of-way and with property conveyed to Metropolitan Government by deed of record in Deed Book 4467, Page 22, R.O.D.C., the following calls;

S 49°42' 36" W, 298.30 feet to an iron pin;
S 40°17' 24" E, 250.00 feet to an iron pin;
N 49°42' 36" E, 16.54 feet to an iron pin;

THENCE, along the westerly lines of property conveyed to Elberta Developers by deed of record in Deed Book 10237, Page 149, R.O.D.C., property conveyed to James Laemmie and Tim Janson by deed of record in Deed Book 9965, Page 865, R.O.D.C., property conveyed to TBSH Car Wash, LLC, by deed of record in Instrument No. 20010109-2985, R.O.D.C., and property conveyed to Willamiette Industries by deed of record in Deed Book 10619, Page 729, R.O.D.C., the following calls;

S 24°22' 48" E, 1153.03 feet to an iron pin;
S 53°20' 27" E, 472.86 feet to an iron pin in the northerly right-of-way of Edenwold Road;

THENCE, along said right-of-way, S 29° 30' 51" W, 80.63 feet to a new iron pin;

THENCE, leaving said right-of-way and crossing the aforementioned Dylan Custom Mixing property the following calls;

N 53° 20' 27" W, 494.63 feet to a new iron pin;
S 65° 33' 43" W, 836.63 feet to a new PK nail;
N 24°26' 04" W, 1428.04 feet to an iron pin;
N 66°00' 45" E, 350.81 feet to an iron pin;
N 48°27' 54" E, 408.18 feet to an iron pin;
N 40°52' 07" W, 50.00 feet to an iron pin in the southerly line of the aforementioned Lot 2, Rivergate Station, Section 1, Resubdivision Lot 2 of record in Plat Book 9700, Page 838, R.O.D.C.;

THENCE, along the southerly line of said Lot 2, N 48°27' 54" E, 354.00 feet to the Point of Beginning;

Containing 1,421,765 square feet, or 32.64 acres, more or less.

Together with the rights and obligations set forth in that certain Declaration of Easements, recorded at Instrument No. * Register's Office of Davidson County, Tennessee.

* 20020607 - 0069831

EXHIBIT B

1. Real estate taxes for 2002, which have been prorated between the parties and shall be paid by Grantee.

2. Declaration of Covenants, Conditions and Restrictions of record in Book 7480, page 965, as amended in Book 7537, page 359, Register's Office for Davidson County, Tennessee.

3. Subject to Easement of record in Book 7487, page 545, said Register's Office.

4. Easement of record in Book 7537, page 401, said Register's Office.

5. Sanitary Sewers and/or Storm Drainage Easement twenty feet wide granted Metropolitan Government of Nashville and Davidson County, Tennessee, of record in Book 5106, page 555, said Register's Office, together with a temporary construction easement which will be abandoned upon completion of the permanent easement.

6. Survey of Barge Waggoner Sumner & Cannon dated November 16, 1998, last revised June 4, 2002, which shows the following matters: 1) 10-foot public utilities and drainage easements; 2) 20-foot setback line from Edenwold Road; 3) 25-foot utility easement; 4) 20-foot sanitary sewer easement; 5) Dry Creek across the premises; 6) Chain link fence encroachments; and 7) NES easement (Book 8188, page 639).

7. Rights and obligations set forth in that certain Declaration of Easements, recorded at Instrument No. *20020607-0069831, said Register's Office.