Davidson County DEEDWARR
Recvd: 08/14/03 17:02 4pgs
Fees:23.00 Taxes:1998.00
20030814-0117433

SPECIAL WARRANTY DEED

Address New Owners:	Send Tax Bills to:	Tax Map & Parcel No.:
Daniel P. Niznik and wife, Susan J. Niznik 114B Bluegrass Circle Hendersonville, TN 37075	Same	Map: 44 Parcel: Part of 35

FOR AND IN CONSIDERATION OF the sum of Ten and No/100 Dollars ($10.00) in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, DUNLAP & KYLE TIRE CO., INC., a Tennessee corporation (the "Grantor"), has bargained and sold, and by these presents does hereby transfer and convey unto Daniel P. Niznik and wife, Susan J. Niznik (the "Grantees"), their heirs and assigns, a certain tract or parcel of real property located in Old Hickory, Davidson County, Tennessee (the "Property"), described as follows :

> Land situated in the 11th Councilmanic District of Davidson County, Tennessee, being Lot No. 2 on the Plat of Dunlap & Kyle's Subdivision of Parcel 35 on Tax Map 44, of record as Instrument No. 200307300107654, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete and accurate description.
>
> TOGETHER WITH a permanent, non-exclusive right-of-way and easement for ingress, egress and regress to and from Robinson Road over, upon and across certain land which adjoins the southeasterly boundary of the above described Lot No. 2 on said Plat, said land being described as follows: a strip of land 60-feet wide running contiguous to said Lot No. 2, with its northwesterly boundary being the southeasterly boundary of said Lot No. 2 and its southeasterly boundary being a line running parallel to, and 60 feet from, the southeasterly boundary of said Lot No. 2; said 60-foot strip of land runs between said boundaries from Robinson Road to the easternmost corner of said Lot No. 2. The easement granted hereby is granted subject to all of the terms and conditions of that certain Easement Agreement of record in Book 8421, page 436, Register's Office for Davidson County, Tennessee.

Being part of the property conveyed to Dunlap & Kyle Tire Co., Inc. by deed from OMC Fishing Boat Group, Inc., of record as Instrument No. 200002080013090, said Register's Office.

The Property is improved real property known as: Industrial Drive at Robinson Road, Old Hickory, Tennessee.

This conveyance is expressly made subject to those matters set forth on Exhibit A attached hereto, which are incorporated herein by reference.

TO HAVE AND TO HOLD the Property, together with the appurtenances, estate, title and interest thereto belonging, unto the Grantees, their heirs and assigns, forever.

Grantor does covenant with the Grantees that Grantor is lawfully seized and possessed of the Property in fee simple, and Grantor has a good right to convey the Property.

And Grantor does further covenant and bind itself, and its successors and assigns, to warrant and forever defend the title to the Property to the Grantees, their heirs and assigns, against the lawful claims of all persons whomsoever claiming by, through or under Grantor (except as to those matters set forth on Exhibit A, to which this conveyance is expressly made subject), but not further or otherwise.

WITNESS the Grantor's hand this 12 day of August, 2003.

DUNLAP & KYLE TIRE CO., INC.

By: _____
Brent Nickle, Treasurer

STATE OF MISSISSIPPI)
COUNTY OF PANOLA)

Personally appeared before me, the undersigned, a Notary Public of the state and county aforesaid, Brent Nickle, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the Treasurer of Dunlap & Kyle Tire Co., Inc., the within named Grantor, a corporation, and that he as such Treasurer, being authorized so to do, executed the within instrument for the purposes therein contained, by signing the name of the Grantor as Treasurer.

Witness my hand and seal, at office, in Batesville, Mississippi, this 12 day of August, 2003.

Christy M. Turner
Notary Public
My Commission Expires: 2/10/04

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer, or value of the property transferred, whichever is greater, is $540,000.00.

Affiant

Sworn to and subscribed before me this 13th day of August, 2003.

Notary Public
My Commission Expires: 1-28-06

This instrument was prepared by:

Darrell L. West
144 Second Avenue, North
The Pilcher Building, Suite 300
Nashville, Tennessee 37201

Exhibit "A"

Permitted Exceptions

1. Taxes for the year 2003, a lien, which are not yet due and payable.

2. Deeds of Conveyance for water and/or sewer distribution system of record in Book 9539, page 613 and Instrument No. 20011010-0110522.

3. Water Tank Agreement of record in Book 6274, page 442.

4. Rights of others in and to the easement(s) as set forth in instrument recorded in Book 6392, page 453 and Book 8421, page 436.

5. Tennessee Natural Gas Transmission Line Easement as shown on Plat of record in Book 6200, page 73.

6. ALL matters shown on Plat recorded in Instrument No. 200307300107654.