Box 23
MBH

| THIS INSTRUMENT PREPARED BY AND WHEN RECORDED RETURN TO: | PROPERTY OWNER: | PROPERTY ADDRESS: | MAIL TAX BILLS TO: | TAX PARCEL NO.: |
|---|---|---|---|---|
| Robert C. Liddon, Attorney<br>Baker, Donelson, Bearman, Caldwell & Berkowitz<br>165 Madison Avenue, Suite 2000<br>Memphis, Tennessee 38103 | First Tennessee Bank National Association<br>Attn: Mr. Thomas F. Baker, IV<br>Corporate Real Estate,<br>11th Floor<br>165 Madison Avenue<br>Memphis, TN 38103 | 2732, 2736, 2738 and 2740 Elm Hill Pike, Nashville, Tennessee | First Tennessee Bank National Association<br>Attn: Mr. Thomas F. Baker, IV<br>Corporate Real Estate,<br>11th Floor<br>165 Madison Avenue<br>Memphis, TN 38103 | 96-13-173<br>96-13-194<br>96-13-202<br>96-13-204 |

# WARRANTY DEED

THIS INDENTURE, made and entered into as of the 17th day of November, 2003, by and between **THE TRADER'S POST, INC.**, a Tennessee corporation with an address at 11907 Exit 5 Parkway, Fishers, Indiana 46038 (hereinafter "Grantor"), and **FIRST TENNESSEE BANK NATIONAL ASSOCIATION**, a national banking association whose address is 165 Madison Avenue, Memphis, Tennessee 38103 (hereinafter "Grantee");

WITNESSETH:

THAT for and in consideration of Ten Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, Grantor has bargained and sold and does hereby bargain, sell, convey, and confirm unto Grantee the following described real estate, situated and being in City of Nashville, County of Davidson, State of Tennessee, to-wit:

TRACT 1:
Land in Davidson County, Tennessee, being Lot No. 2, on the Plan of Parrish Commercial Park, Section 3, as shown on plat of record in Plat Book 4595, page 184, in the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more particular description.

Being the same property conveyed to Traders Post, Inc., by Deed of Record in Book 5538, page 246, Register's Office for Davidson County, Tennessee. Traders Post, Inc. is also known as The Traders Post, Inc.

TRACT 2:
Land in Davidson County, Tennessee, being Lot No. 2, on the Resubdivision of Parcel 175 Lot No. 1, Parrish (Commercial) Park, Section 6, as shown on plat of record in Plat Book 5190, page 572, in the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more particular description.

Being the same property conveyed to Traders Post Inc., by Deed of Record in Book 5798, page 527, Register's Office for Davidson County, Tennessee. Traders Post Inc. is also known as The Traders Post, Inc.

TRACT 3:
Land in Davidson County, Tennessee, being Lot No. 1, on the Plan of Parrish Commercial Park, Section 13, as shown on plat of record in Plat Book 5800, page 261, and being Lot No. 1, on the Plan of Parrish Commercial Park, Section 14, of record in Plat Book 5800, page 374, in the Register's Office of Davidson County, Tennessee. Reference is hereby made to said Plats for a more particular description of each lot.

Being the same property conveyed to The Traders Post, Inc., by Deed of Record in Book 8838, page 951, Register's Office for Davidson County, Tennessee.

Davidson County DEEDWARR
Recvd: 11/18/03 15:02 4pgs
Fees:23.00 Taxes:2479.00
20031118-0168388

TO HAVE AND TO HOLD the aforesaid real estate, together with all appurtenances and hereditaments thereunto belonging or in anywise appertaining unto Grantee, its successors, and assigns in fee simple forever.

AND, Grantor does hereby covenant with Grantee that Grantor is lawfully seized in fee of the aforedescribed real estate; that Grantor has a good right to sell and convey the same; that the same is unencumbered, except for (a) all matters shown on Plat recorded in the Davidson County, Tennessee, Register's Office in Book 5800, page 261; Book 5800, page 374; Book 4595, page 184; and Book 5190, page 572; and (b) a lien for property taxes for the year 2003, which are not yet due and payable, to all of which this conveyance is expressly made subject, and that the title and quiet possession thereto Grantor will warrant and forever defend against the lawful claims of all persons.

As used herein, pronouns shall be construed according to their gender and number according to the context thereof.

IN WITNESS WHEREOF, Grantor has executed this instrument on this the day and year first above written.

**THE TRADER'S POST, INC.**

By: _____
Troy E. Frank, General Manager

**THE TRADER'S POST, INC.**

By: _____
Title: _____

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# AFFIDAVIT OF VALUE

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $670,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

AFFIANT

SUBSCRIBED AND SWORN TO before me this 14th day of October, 2003.

Notary Public

My Commission Expires:

April 2, 2011

SUZANNE K. RUNGE
NOTARY PUBLIC
SEAL
STATE OF INDIANA
MY COMMISSION EXPIRES APR. 2, 2011

NOTARY PUBLIC SEAL INDIANA

(For Recording Data Only)

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STATE OF INDIANA
COUNTY OF HANCOCK

Before me, Suzanne Runge, a Notary Public in and for the State and County aforesaid, personally appeared TROY E. FRANK and R. K. SORRELL, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged themselves to be the General Manager and CONTROLLER, respectively, of **THE TRADER'S POST, INC.**, the within named bargainor, a corporation, and that they as such General Manager and CONTROLLER, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by themselves as such General Manager and CONTROLLER.

WITNESS my hand and seal at office, on this the 14th day of October, 2003.

SUZANNE K. RUNGE
NOTARY PUBLIC
SEAL
STATE OF INDIANA
MY COMMISSION EXPIRES APR. 2, 2011

Suzanne Runge
Notary Public

My Commission Expires:
April 2, 2011

NOTARY PUBLIC SEAL INDIANA

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