Davidson County DEEDWARR
Recvd: 09/01/04 15:22 13pgs
Fees:68.00 Taxes:14115.50
20040901-0106033

This Instrument Prepared By:
W. Lee Corbett
Suite 1050 American Center
3100 West End Avenue
Nashville, TN 37203

NEW OWNER	SEND TAX BILL TO:	MAP-PARCEL NO.
Rogers Group, Inc. 421 Great Circle Rd. Nashville, Tennessee 37228	SAME	Tax Parcel Nos. 59/75; 59/76; 59/81; 59/82; 59/83; 59/120; 59/121; 59/122; 59/123; 59/125 (Note: Parcels 59/77, 59/78, 59/79, 59/80, and 59/84 have been combined with Parcel 59/75)

WARRANTY DEED

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, **NORTH AMERICAN MINERALS, LLC,** a Tennessee limited liability company ("Grantor"), has bargained and sold, and by these presents does transfer and convey to **ROGERS GROUP, INC.,** an Indiana corporation ("Grantee"), its heirs, successors, and assigns, certain real estate (the "Property") in Davidson County, Tennessee, described in Exhibit A attached hereto and hereby made a part, together with any and all improvements, buildings and facilities located thereon (the "Property").

The Property is being conveyed subject to those matters set forth on Exhibit B attached hereto and hereby made a part (the "Permitted Encumbrances")

TO HAVE AND TO HOLD said tracts or parcels of land, with the appurtenances, estate, title and interest thereto belonging to the Grantee, its heirs, successors and assigns, forever.

The Grantor covenants with the Grantee that Grantor is lawfully seized and possessed of the said Property in fee simple; that Grantor has a good right to convey the Property; and that the Property is unencumbered, except for the Permitted Encumbrances.

The Grantor further covenants to warrant and forever defend the title to the Property to the Grantee, its heirs, successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has executed this Warranty Deed this 13th day of August, 2004.

NORTH AMERICAN MINERALS LLC

By: Mark R. Rechter
Mark R. Rechter, Chief Manager

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, an official Notary Public of the said county and state, Mark R. Rechter, 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 Chief Manager of North American Minerals, LLC, the within named bargainor, a Tennessee limited liability company, and who acknowledged that as such Chief Manager, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as Chief Manager.

WITNESS MY HAND, at office, this 13th day of August, 2004.

Notary Public

LESLIE M. UNICK NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: 11/24/07

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $ 3,815,000.00

Affiant

Sworn to and subscribed before me this 13th day of August, 2004.

Notary Public

My Commission Expires: 11/24/07

Rechter/NAM/MartinMarietta/SixExchangeQuarries/Deed.Davidson

EXHIBIT A

DAVIDSON COUNTY, TENNESSEE
FEE PROPERTY

PARCEL 1: The following parcels of land located in Davidson County, Tennessee, described as follows:

TRACT 1:

Beginning at a point in the westerly line right of way of Old Ewing Road opposite Station 13/25 of the survey of said road by the Davidson County Highway Department and running N 87 degrees 00 minutes 00 seconds West 204.00 feet to a point; thence N 3 degrees 00 minutes 00 seconds East 415.00 feet to a point; thence S 87 degrees 00 minutes 00 seconds East 322.00 feet to a point in the westerly right of way line of Old Ewing Road now known as Knight Road opposite Station 17/63.9; thence southerly with said westerly right of way line with its meanderings the following two calls: S 28 degrees 30 minutes 00 seconds West 230.00 feet to a point; thence S 09 degrees 00 minutes 00 seconds West 190.00 feet to the point of beginning, containing 2.33 acres, more or less.

TRACT 2:

Beginning at the Southwest corner of the Woods Quarry, said corner being N 87 degrees 00 minutes 00 seconds West 204 feet from the west right of way of the Old Ewing Road also known as Knight Road as shown on plan of Woods Quarry dated July 26, 1932; thence N 87 degrees 00 minutes 00 seconds West 210.00 feet to a point; thence N 3 degrees 00 minutes 00 seconds East 415.00 feet to a point; thence S 87 degrees 00 minutes 00 seconds East 210 feet to the Northwest corner of the said Woods Quarry; thence with the westerly side of said Woods Quarry S 03 degrees 00 minutes 00 seconds West 415.00 feet to the point of beginning, containing 2.00 acres, more or less.

TRACT 3:

Land in the 12th, formerly 21st, Civil District of Davidson County, Tennessee, described as follows:

BEGINNING at the southwest corner of a 50-acre tract of land conveyed to J. P. Padgett, as of record in Book 201, page 352, Register's Office for said County; running thence South 87-1/2 East 48-12 poles, passing a stone on margin of Ewing Pike to its center; thence with the center of said Ewing Pike, South ½ degrees West 7.4 poles, South 28-1/2 degrees West 29 poles, South 9 degrees West 12 poles and South 3 degrees West 80-3/5 poles to the center of Whites Creek Pike; thence with the center of Whites Creek Pike, North 43 degrees West 12 poles, North 35 degrees West 22 poles, North 59-1/2 degrees West 8 poles, North 79 degrees West 26 poles, North 62 degrees West 10 poles, North 36 degrees West 14 poles, North 3 degrees West 18 poles, North 25 degrees West 15 poles, North 56-1/2 degrees West 20 poles, North 43 degrees

West 10 poles and North 39-1/2 degrees West 30 poles to the center of a bridge; thence up the center of said bridge; thence up the center of East or Ewing's Fork of Whites Creek with its meanders, South 69 degrees East 7-1/2 poles, South 34 degrees East 13 poles, South 50 degrees East 11 poles, North 75 degrees East 19.8 poles, North 49-3/4 degrees East 20 poles, North 61-3/4 degrees East 30 poles, North 13 degrees East 13 poles, North 80-1/4 degrees East 13 poles and North 36-1/2 degrees East 7 poles to a point in the western boundary line of said 50-acre tract; thence with the western boundary of said 50-acre tract, South 3 degrees West 43 poles to the beginning, containing 60 acres, more or less, including but excluding from the above description one-half acre conveyed to J. R. Goodpasture, or record in Book 318, page 222, said Register's Office, and also the right of way of the new pike and rock quarry.

LESS AND EXCEPT Land in the 12th Civil District of Davidson County, Tennessee, located on the west side of the Whites Creek Pike and designated as the Menefee Stone Company property, on an unrecorded map prepared by Hickerson & Hickerson, Engineers, in accordance with their survey, dated March 31, 1964, described as follows:

BEGINNING at a point in the westerly right of way of Whites Creek Pike, 750.7 feet from the southeast corner of the Binkley property (where an old rock fence running along the southerly line of the Binkley property intersects the said westerly right of way line of the Whites Creek Pike); said beginning point being the point where the center line of the old Whites Creek Road intersects the westerly right of way line of the present Whites Creek Pike; thence with the center line of old Whites Creek Road north 75 degrees 25' west 278 feet to an iron pin; thence continuing with said center line north 64 degrees 05' west 200 feet to an iron pin; thence north 33 degrees 05' west 255 feet to an iron pin; thence north 0 degrees 50' east 204 feet to a point where the center line of said old Whites Creek Road intersects the westerly right of way line of the present Whites Creek Pike; (all of the calls for an iron pin being within the center line of the old Whites Creek Road); thence south 45 degrees 58' east with said westerly right of way line of the Whites Creek Pike 825.8 feet to the point of beginning, and containing 2.36 acres, more or less.

TRACT 4:

Land in the 12th Civil District of Davidson County, Tennessee, located on the east side of the Whites Creek Pike and designated as Tract B on an unrecorded map prepared by Hickerson & Hickerson, Engineers, in accordance with their survey dated March 31, 1964, described as follows:

BEGINNING at a point in the easterly right of way line of Whites Creek Pike, 25 ft. north of the point of intersection of the southerly right of way line of Tennessee Valley Authority easement, with said easterly right of way line of the Whites Creek Pike as shown on said map; thence with said easterly right of way line of the Whites Creek Pike in a southerly direction 848.8 feet to the point where the center line of the old Whites Creek Road intersects the easterly right of way line of the present Whites Creek Pike; thence north 0 degrees 50' east 18 feet to an iron pin; thence north 26 degrees 50' west 250 feet to an iron pin; thence north 53 degrees 50' west 435 feet to an iron pin; thence north 43 degrees 50' west 168 feet to the point of beginning, (all of said calls to an iron pin being in the center line of the old Whites Creek Road), containing 1.07 acres, more or

less.

PARCEL 2:

LAND in Davidson County, Tennessee, described according to a survey by Donald R. Carver, Surveyor, dated Oct. 7, 1986, as follows:

SAID tract begins at a point at the intersection of the center line of Whites Creek Pike and Knight Drive and thence with the center line of Whites Creek Pike North 36 deg. 45' West, 248.00 feet to a point; thence leaving said center line of said Pike, North 72 deg. 13' East 191.20 feet to a point in the center line of Knight Drive; thence with said center line of said Drive, South 98 deg. 15' West, 261.00 feet to the beginning and containing 0.40 acres, more or less.

PARCEL 3:

A tract of land in the 12th, formerly 21st, Civil District of Davidson County, Tennessee being Lot No. 2 as shown on the survey of the preliminary plan of subdivision of The Hinson 18.31 acres tract of land, described according to survey made by George W. Watkins, Surveyor, March 4, 1952, as follows:

BEGINNING at a point in the center of Knight, formerly Ewing Road a the southeast corner of Lot No. 2 shown on said survey, said point being 895.4 feet southerly from the intersection of the center line of Knight Road and the center of Ewing Creek; thence with the southern boundary line of said Lot No. 2, westwardly 492.7 feet to the southwest corner of said Lot No. 2; thence with the western boundary line of said Lot No. 2, northwardly 151.6 feet to a point in the southern boundary line of Lot No. 3 as shown on said survey; thence with the southern boundary line of said Lot No. 3, north 86 degrees west 302.6 feet; thence south 4 degrees west 239.6 feet; thence south 86 degrees east 795.3 feet to the center of said Knight Road; thence with the center of the said Knight Road, north 4 degrees east 88 feet to the beginning, containing 1.65 acres, more or less.

PARCEL 4:

Land in the 12th, formerly 21st Civil District of Davidson County, Tennessee, being Lot No. 2 on the Plan of Subdivision of Part of J.Y. Hinson, Jr.'s, 18.31 acres tract, not of record, described according to a survey made by Watkins and Murray, Surveyors, July 3, 1948, as follows:

BEGINNING in the center of Knight, formerly Ewing Creek Road at a point 400 feet south of the southeast corner of the property conveyed to Gale Watson and wife, by deed from John T. Hinson, Jr. and wife, of record in Book 1631, page 519, Register's Office for said County, being the corner of Lots 2 and 3; thence with the line between said two lots, north 66 degrees west 200 feet to the southwest corner of said Lot No. 3, continuing in the same direction 292.7 feet, in all 492.7 feet to a stake; thence south 4 degrees west 151.6 feet to a 12 inch cedar; thence south 86 degrees east 492.7 feet to the center of said Knight Road; thence north 4 degrees east 151.6 feet to the beginning.

PARCEL 5:

BEING Lot No. 3 as shown on the survey of the Preliminary Plat of the Subdivision of the Hinson 18.31 acres tract of land, described according to a survey made by George W. Watkins, Surveyor, March 4, 1951, as follows:

BEGINNING at a point in the center of Knight formerly Ewing Road at the southeast corner of Lot No. 4 shown on said survey, said point being 593.8 feet southerly from the intersection of the center line of said Knight Road and the center of Ewing Creek, said point also being 150 feet southerly from the southeast corner of Lot No. 6 shown on said survey conveyed to Aria Ruther Cox, by deed from John Y. Hinson, Jr., and wife, as of record in Book 1874, page 113, Register's Office for said County, thence with the line between said Lots Nos. 3 and 4, North 86 degrees west 795.3 feet; thence south 4 degrees west 150 feet to the northwest corner of Lot No. 1 shown on said survey; thence with the line between said Lots No. 1, 2 and 3, south 86 degrees east 795.3 feet to the center of said Knight Road; thence with the center of said Knight Road, north 4 degrees east 150 feet to the beginning, containing 2.75 acres, more or less.

PARCEL 6:

LAND in the 12th, formerly the 21st, Civil District of Davidson County, Tennessee, being part of Lot No. 4 as shown on the survey of the Preliminary plan of the Subdivision of the Hinson 18.31 acre tract of land described partly according to a survey made by George W. Watkins, Surveyor, March 4, 1952, as follows:

BEGINNING at a point in the center of Knight, formerly Ewing Road at the southeast corner of a part of Lot No. 4 conveyed to Milton L. Bozeman and wife, by Bryan Omohundro and wife, of record in Book 2593, page 126, Register's Office for said County; thence with the southern boundary line of said Bozeman property, north 86 deg. west 200 feet to Bozeman's southwest corner; thence with Bozeman's western boundary line and the western boundary line of Lot No. 6 on said survey, north 4 deg. east 175 feet to the common corner of Lots Nos. 4, 5, 6 and 7 as shown on said survey; thence with the line between said Lots Nos. 4 and 5, north 86 deg. west 593.3 feet; thence south 4 deg. west 250 feet to the northwest corner of Lot No. 3 on said survey; thence with the line between said Lots Nos. 3 and 4, south 86 deg. east 795.3 feet to the center of said Knight Road; thence with the center of said Road, north 4 deg. east 75 feet to the beginning, containing 3.79 acres, more or less.

PARCEL 7:

LAND in the 12th, formerly the 21st, Civil District of Davidson County, Tennessee, being Lot No. 6 on the plan of the subdivision of part of J.Y. Hinson, Jr.'s 18.31 acre tract, not of record, described according to a survey made by Watkins and Murray, Surveyors, July 3, 1918, as follows:

BEGINNING at the center of Knight, formerly Ewing Creek Road, at the southeast corner of the property conveyed to Gale Watson and wife, by deed from John Y. Hinson, Jr. and wife, of record in Book 1631, page 619, Register's Office for said County, being the corner of Lots Nos.

6 and 7; thence with the center of said Road, South 4 degrees West 100 feet to the corner of Lots Nos. 5 and 6; thence with the line between said two lots, North 86 degrees West 200 feet to a stake; thence North 4 degrees East 100 feet to a stake, the Southwest corner of said Watson property; thence with said Watson's southerly line, South 86 degrees East 200 feet to the beginning.

PARCEL 8:

BEING a tract of land in the 12th, formerly 21st, Civil District of said County, being Lot No. 7 on the unrecorded Map of subdivision of part of the J. Y. Hinson, Jr., 18.31 acre tract and described according to copy of a survey dated July 3, 1948, by Watkins & Murray, Surveyors, as follows:

BEGINNING at a point in the center line of Knight Road, formerly Ewing Creek Road, at an iron bolt which is 243.8 feet south of the center line of a bridge over Ewing Creek; thence North 86 degrees West 200 feet to a point; thence South 4 degrees West 100 feet to the corner of Lots Nos. 6 and 7; thence with the line between said lots North 86 degrees East 200 feet to the center line of Knight Road; thence with the center line of same, north 4 degrees east 100 feet to the beginning.

PARCEL 9:

BEING Lot No. 5 as shown on the survey of the Preliminary Plan of Subdivision of the Hinson 18.31 acres tract of land, according to a survey made by George W. Watkins, Surveyor, March 4, 1952, as follows:

BEGINNING at a point in the center of Knight, formerly Ewing Road, at the intersection of the center line of said Knight Road and the center of Ewing Creek, said point being 343.8 feet northerly from the northwest corner of Lot No. 6 on said survey, conveyed to Aria Ruth Cox, by deed from John Y. Hinson, Jr. and wife, as of record in Book 1874, page 113, Register's Office; thence with the center of said Ewing Creek north 80 degrees west 574.2 feet; north 87 degrees west 66 feet; thence south 50 degrees west 198 feet; thence south 8 degrees west 212.2 feet; thence south 4 degrees west 57.8 feet to the northwest corner of Lot No. 4 on said survey; thence with the line between said Lots Nos. 4 and 5, south 8 degrees east 595.3 feet to the common corner of Lots Nos. 4, 5, 6 and 7; thence with the western boundary line of said Lot No. 7, northeast 100 feet to the northwest corner of Lot No. 7; thence with the northerly boundary line of said Lot No. 7, south 86 degrees east 200 feet to the center of said Knight Road, being the northeast corner of said Lot No. 7; thence with the center of said Knight Road, north 4 degrees east 243.8 feet to the beginning, containing 6.2 acres, more or less.

PARCEL 10:

The 1.004 more or less acre tract, begins at the northwesterly corner of the 7.372 more or less acre tract at an iron pin set on the easterly right of way line of Knight Drive; thence with a curve to the left with a radius of 664.01 feet, in a generally northerly direction, a distance of 102 feet to an iron pin a the southwesterly corner of a tract of land conveyed to Mary P. W. Swift by deed of record in Book 5579, page 623, Register's Office for Davidson County, Tennessee and also

being approximately 875 feet south of the southerly right of way line of Ewing Drive; thence with the southerly line of the Mary P.W. Swift property of record in Book 5579, page 623, Register's Office of Davidson County, Tennessee, north 87 degrees 57' 18" east 435.32 feet t an iron pin in a fence now which is the westerly line of Claymille Station, Phase Two, of record in Book 6900, page 626, Register's Office for Davidson County, Tennessee (said iron pin is also just to the north and east of a 2-foot by 4-foot concrete well house located on this 1.004 acre tract more or less); thence with the westerly line of Claymille Station, Phase Two, of record in Book 6900, page 626, Register's Office for Davidson County, Tennessee, and a fence 72.61 feet to an existing iron pin and continues with said line and said fence south 03 degrees 59' 27" west 27.38 feet to an iron pin set on said fence line and marking the southeasterly corner of said 1.004 more or less tract; thence leaving the westerly line of Claymille Station, Phase Two, and said fence in a westerly direction south 87 degrees 57' 18" west 447.10 feet to the point of beginning and containing 1.004 more or less acres (43,738 square feet).

PARCEL 11:

The 7.372 more or less acre tract, begins at an existing iron pin on the easterly margin of Knight Drive at the northwesterly corner of a tract of land conveyed to Valere Potter Menefee, by deed of record in Book 3506, page 209, Register's Office of Davidson County, Tennessee; thence with the easterly right of way line of Knight Drive and a curve to the right with a radius of 707.6 feet, a distance of 159.4 feet to an iron pin on said margin; thence continuing with the easterly margin of Knight Drive north 26 degrees 35' 41" east 362.58 feet to an iron pin in said margin; thence with a curve to the left with a radius of 664.01 feet, a distance of 159.73 feet to an iron pin at the southwesterly corner of the 1.004 more or less acre tract, thence leaving the right of way line of Knight Drive north 87 degrees 57' 18" east 447.10 feet to an iron pin at the southeast corner of said 1.004 more or less acre tract, marked by an iron pin set in a fence row, the dividing line between the subject property and Claymille Station Phase Two, as of record in Book 6900, page 626, Register's Office for Davidson County, Tennessee; thence with the westerly line of Claymille Station and said fence row south 04 degrees 06' 36" west 563 feet to an existing iron pin at a fence corner; thence with the northerly line of the property conveyed to Valere Potter Menefee of record in Book 3506, page 209, Register's Office of Davidson County, Tennessee and with a fence south 85 degrees 14' 37" west 675.69 feet to the point of beginning and containing 7.372 more or less acres (321,142 square feet).

PARCEL 12:

A tract of land in the 12th Civil District of Davidson County, Tennessee, described according to a copy of a survey made by Harvey Gee, March 20, 1950, as follows:

BEGINNING at a point in the center line of Knight Road, formerly Ewing Lane, the southwest corner of tract marked "Waters" on said survey; thence along a wire fence and along Waters south line north 86 degrees 30' east 1647.4 feet to a fence post; thence along another fence north 2 degrees 01' west 483.1 feet to a fence post, and continuing with said fence south 89 degrees 50' east 466 feet to a fence post; and continuing with the fence south 3 degrees 36' west 600.9 feet to an iron pin; thence south 87 degrees 13' west 113.8 feet to an iron pin and 4 inch elm; thence south 38 degrees 05' west 47.3 feet to an iron pin and 6 inch elm; thence south 0 degrees

01' west 98.3 feet to an 18 inch locust; thence south 2 degrees 36' west 196.2 feet to a fence post; thence south 19 degrees 23' east 137.5 feet to a fence post; thence along a fence line south 0 degrees 45' west 399.4 feet to a 24 inch hackberry; thence south 6 degrees 11' east 332.7 feet to a fence post; thence south 5 degrees 37' east 174.8 feet to an iron pin in a rock wall on the north margin of Old Lane; thence along the fence and along the north margin of said Land north 88 degrees 02' west 431.6 feet to an iron pin and 3 inch hackberry, and south 57 degrees 29' west 454.3 feet to a fence post; thence leaving said Lane and along a fence north 6 degrees 31' west 845.6 feet to a fence post opposite a walnut tree; thence continuing with the fence south 83 degrees 55' west 480.2 feet to a fence post; thence south 83 degrees 44' west 219.3 feet to a 15 inch walnut, and north 83 degrees 27' west 501.7 feet to a point in the center line of Knight Road; thence along the center of said road north 6 degrees 52' east 669.6 feet to a point; thence around a curve, having a radius of 955 feet, and a distance of 132.8 feet to the beginning, containing 57.2 acres, more or less.

PARCEL 13:

A tract of land in the 12th, formerly 21st, Civil District of Davidson County, Tennessee, described according to a survey made June 24, 1938, by Z. J. Wilkinson, Surveyor, as follows:

BEGINNING at the intersection of the center line of White's Creek Pike and Ewing Creek Road or Ewing Lane; thence with the center of Ewing's Creek Road, north 6degrees 30' east 531.5 feet to a point opposite a stone pier on the easterly margin of said Road; thence south 84 degrees east 489 feet to a hickory; thence south 7 degrees east 228 feet; thence south 60 degrees west 600 feet to a point 17.5 feet southwest of the northeasterly margin of the New White's Creek Pike; thence with said Pike, north 47 degrees 30' west 65.5 feet to the beginning, containing 5 acres, more or less.

Included in the above description, but excluded therefrom, a tract of land conveyed to Steve O. Jones and wife, Beatrice Jones, by deed from Anna Pearl Colgate and husband, of record in Book 1879, page 434, Register's Office for said County. Also included in the above description, but excluded therefrom, a tract of land conveyed to Pat Vaughn, Trustee, by Deed from Leonard Lee Jackson, Sr. and wife, of record in Book 2497, page 213, Register's Office for said County.

PARCEL 14:

Land in the 12th Civil District of Davidson County, Tennessee, described partly according to a survey made by Z. J. Wilkinson, surveyor, November 19, 1937 and partly according to a survey made by George W. Watkins, Surveyor, November 4, 1959, described as follows:

BEGINNING at the intersection of the center lines of Whites Creek Pike and Vester's Lane; thence with the center of said Vester's Lane north 56 degrees east 1,075 feet; thence 6 degres 15 West 863 feet; thence South 83 degrees 45' west 702 feet; thence South 7 degrees 228 feet; thence south 60 degrees west 609 feet to the center of Whites Creek Pike; thence with the center of the same south 40 degrees east 88.4 feet to the beginning of a curve; thence around said curve having a radius of 1,432.5 feet southeasterly 594.2 feet, and continuing with the same, south 16 degrees 14' east 251 feet, more or less, to the beginning.

PARCEL 15:

Land in the 12th, formerly the 21st, Civil District of Davidson County, Tennessee, being part of Lot No. 4, as shown on the survey of the preliminary plan of the Subdivision of Hinson 18.31 acre tract of land, described partly according to a survey made by George W. Watkins, Surveyor, March 4, 1952, as follows:

Beginning at a point in the center of Knight, formerly Ewing Road, at the southeast corner of Lot No. 6 conveyed to Arla Ruth Cox by deed from John Y. Hinson, Jr. and wife, of record in Book 1874, page 113, Register's Office of said County, said point being 443.8 feet southerly from the intersection of the center line of Knight Road and the center of Ewing Creek; thence with the southern boundary line of said Lot No. 6, North 86 degrees West, 200 feet to the southwest corner of said Lot No. 6; thence South 4 degrees West, 75 feet to a point; thence South 86 degrees East, 200 feet to a point in the center of said road; thence with the same, North 4 degrees East, 75 feet to the point of beginning.

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All of the above-described property being the same property conveyed to North American Minerals, LLC by that certain deed from Martin Marietta Materials of Tennessee, Inc., a Delaware corporation, dated April 30, 2004 and recorded May 7, 2004 in the Register's Office of Davidson County, Tennessee at Instrument Number 20040507-0052457.

EXHIBIT B

PERMITTED ENCUMBRANCES

1. Statutory liens for current taxes or assessments, not yet due or delinquent.

2. Zoning, entitlement, conservation restriction and other land use and environmental regulations by governmental authorities.

3. All exceptions, restrictions, easements, charges, rights of way and other matters of record or as set forth in any state, local or municipal franchise under which the Property is located.

4. Any rights-of-way of public roads and any private roadways constructed and maintained pursuant to legally enforceable rights or easements.

5. Such other imperfections in title, easements, rights of way, encroachments, exceptions, restrictions and encumbrances that do not materially interfere with the present use or operation of the Property.

6. Easement(s) to Metropolitan Government of Nashville and Davidson County, as set forth in instrument recorded in Book 4806, page 504 (Parcel 6 and 15).

7. Easement(s) to Metropolitan Government of Nashville and Davidson County, as set forth in instrument recorded in Book 4806, page 507 (Parcel 5).

8. Easement(s) to Metropolitan Government of Nashville and Davidson County, as set forth in instrument recorded in Book 4806, page 501 (Parcel 1).

9. Easement(s) to Metropolitan Government of Nashville and Davidson County, as set forth in instrument recorded in Book 10083, page 319 (Parcel 2).

10. Easement(s) to Metropolitan Government of Nashville and Davidson County, as set forth in instrument recorded in Book 7492, page 474 and Book 9003, page 17 (Parcel 1).

11. Easement(s) to Metropolitan Government of Nashville and Davidson County, as set forth in instrument recorded in Book 7492, page 477 (Parcel 5).

12. Easement(s) to Tennessee Valley Authority, as set forth in instrument recorded in Book 2861, page 1 and Book 2927, page 384.

13. Easement for the flow of Whites Creek.

14. Easement for the flow of Ewing Creek.

15. Permanent Easement Agreement to Nashville Gas Company as of record at Instrument

No. 20030130-0013013.

16. Title to that portion of the Owned Real Property within the bounds of Metropolitan Government of Nashville and Davidson County and Whites Creek Pike (Parcel 2).

17. Title to that portion of the Owned Real Property within the bounds of Knight Road, formerly Ewing Creek Road (Parcels 3 through 7 and 12).

18. Title to that portion of the Owned Real Property within the bounds of Whites Creek Pike and Vestors Lane (Parcel 14).

19. Title to that portion of the Owned Real Property within the bounds of Ewing Pike.

20. Lease and Supply Agreement dated May 30, 2002 by and between Martin Marietta Materials, Inc. and HMA Contractors.

21. License to Enter Lands of Martin Marietta Materials, Inc. dated April 3, 2002 between Martin Marietta Materials, Inc. and Marilyn Branhan.