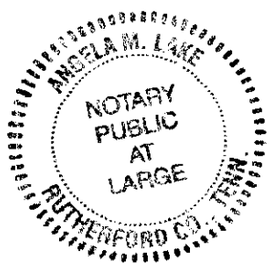
23302

WARRANTY DEED



STATE OF TENNESSEE
COUNTY OF Davidson

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $100,000.00

Lori Holloway
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 6TH DAY OF SEPTEMBER, 2005.

Angela M Lake
Notary Public

MY COMMISSION EXPIRES: .

(AFFIX SEAL)

THIS INSTRUMENT WAS PREPARED BY
Guaranty Title and Escrow Co., 2711 Murfreesboro Road, Suite 200, Antioch, TN 37013

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
Robert W. Phillips Sr.	**First Tennessee Bank**	**135-9-11**
(NAME)	(NAME)	
2001 Forges Drive	**231 Public Square, Suite 301**	
(ADDRESS)	(ADDRESS)	
Nashville, TN 37217	**Franklin, TN 37065**	
(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, **Vulcan Lands, Inc.**, HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO **Robert W. Phillips Sr.**, 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:

Being Lot No. 11 on the Plan of Una Manor Subdivision, Section 2, of record in Book 2900, Page 95, and Register's Office of Davidson County, Tennessee.

Being the same property conveyed to **Vulcan Lands, Inc.** by deed of record in Book 7723, Page 516, Register's Office for **Davidson** County, Tennessee.

Grantee, for himself, his personal representatives, estate, heirs, assigns and beneficiaries (collectively referred to as "Grantee") herby acknowledges that blasting is a normal part of the quarrying operations which Grantor conducts on its property located near or adjacent to the Property ("Grantor's Property"). As a material part of the consideration for this conveyance, Grantee does forever release and hold harmless Grantor, its agents, employees, contractors, successors and assigns (collectively, "Grantor") from and against any and all liability of any kind or nature incurred as a result of the operation of the quarry on Grantor's Property, including, without limitation, blasting, except to the extent of Grantor's gross negligence. Furthermore, Grantee does forever release and waive the right to maintain a suit at law or in equity against Grantor on a theory of trespass, public or private nuisance of for any claim for strict liability in connection with the blasting or other operations of Grantor on Grantors's Property or any claim arising out of the conduct of an ultra hazardous activity. This release and covenant is expressly inteded to and does hereby bind Grantee and is intended to and does hereby run with the Property.

This conveyance is subject to any and all existing plat notes, conditions, restrictions and easem ents of record.

unimproved ☐

This is improved ☒ property, known as **2001 Forges Drive, Nashville, TN 37217**

(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.

Davidson County DEEDWARR
Recvd: 09/12/05 10:39 2 pgs
Fees:13.00 Taxes:370.00
20050912-0109201

Witness **our hands** this **23rd day of August, 2005**.

Vulcan Lands, Inc.

By: RC Reynolds VP

* **Attest:** [signature]

State of Tennessee County of Knox

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared RC Reynolds, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself/herself to be the VP + Assist. Sec. of the Vulcan Lands INC., a corporation, and that he/she as such VP + Assist. Sec. by signing the name of the corporation by himself/herself as RC Reynolds.

Witness my hand and seal at Knox County, Tennessee, and this 1 day of ~~August~~ Sept. 2005.

Commission expires: Nov. 15, 2005

Melissa D Deakins
Notary Public

MELISSA D. DEAKINS NOTARY PUBLIC AT LARGE BLOUNT CO., TENN.