Davidson County DEEDWARR
Recvd: 12/29/05 13:06 7 pgs
Fees:38.00 Taxes:7122.50
20051229-0156194

This Instrument Prepared By:
WYATT, TARRANT & COMBS, LLP
(BAS)
2525 West End Avenue, Suite 1500
Nashville, Tennessee 37203

SPECIAL WARRANTY DEED

Address New Owner(s)	Send Tax Bills To:	Map & Parcel Nos.:
West Properties, L.P. Attn: David Hudgens P.O. Box 903 Brentwood, TN 37024-0903	Same	93-16-0-441.00

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **HUDGENS INVESTMENTS, LLC**, a Tennessee limited liability company (hereinafter "Grantor"), has bargained and sold and does hereby transfer and convey unto **WEST PROPERTIES, L.P.**, a Tennessee limited partnership ("Grantee"), and its successors and assigns, certain tracts or parcels of land located in Davidson County, Tennessee and described with greater particularity in **Exhibit A**, attached and incorporated by reference (collectively the "Property"). This is improved property known as 131 West Express Drive, Nashville, Tennessee 37210.

TO HAVE AND TO HOLD the Property, together with all the appurtenances and hereditaments thereunto belonging or in any way appertaining to the Grantee, its successors and assigns forever.

AND Grantor does hereby covenant with Grantee that it is lawfully seized and possessed of the Property in fee simple, that it has a good right to sell and convey the same, and that the same is unencumbered, except for (1) matters that would be shown on a survey; (2) all matters or

encumbrances described in **Exhibit B**, attached and incorporated by reference; (3) all zoning restrictions; and (4) real estate taxes for 2005 and subsequent years, liens but not yet delinquent.

AND Grantor does further covenant and bind itself, its successors and assigns, to warrant and forever defend the title to the Property against the lawful claims and demands of persons claiming by, through, or under Grantor, but not otherwise or further.

Grantor also assigns to Grantee, without warranty or representation, all of Grantor's right, title and interest, whatever it may be, under that lease agreement dated August 10, 2000, between West Properties, L.P., as landlord, and Intermodal Cartage, Inc., as tenant, said lease having been modified and extended by the agreement dated October 10, 2003 and the notice dated July 15, 2004 (hereinafter referred to collectively as the "Lease"), and subsequently assigned to Grantor pursuant to that Special Warranty Deed and Assignment of Lease of record at Instrument No. 20050817-0097892, Register's Office for Davidson County, Tennessee .

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed on this 28th day of December, 2005

GRANTOR:

HUDGENS INVESTMENTS, LLC

By: _____

Print Name: DAVID HUDGENS

Title: CHIEF PARTNER

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer is $1,925,000.00.

WEST PROPERTIES, L.P.

By: Hudgens Investments, LLC, general partner

By: _____
David Hudgens, Chief Manager

Subscribed and sworn to before me, this 28th day of December, 2005.

_____
NOTARY PUBLIC

My Commission Expires:

7/29/06

CHERYL W. HOWELL
STATE OF TENNESSEE NOTARY PUBLIC
WILSON COUNTY, TENN.
My Commission Expires JULY 29, 2006

STATE OF TENNESSEE)
: SS
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared **David Hudgens**, 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 **HUDGENS INVESTMENTS, LLC**, the within-named bargainor, a Tennessee limited liability company, and that he as such Chief Manager, being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the limited liability company by himself as such Chief Manager.

Witness my hand and seal, at office in Nashville, Tennessee, this 28th day of December, 2005.

_____
Notary Public

CHERYL W. HOWELL
STATE OF TENNESSEE NOTARY PUBLIC
WILSON COUNTY, TENN.
My Commission Expires JULY 29, 2006

My commission expires:

7/29/06

Exhibit A

Land in Davidson County, Tennessee, being Lot No. 1 on the plat for West Properties Subdivision as recorded in Plat Book 9700, page 179, Register's Office for said County, to which reference is hereby made for a more complete description and also described as follows:

TRACT I:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING PARTS OF LOTS NOS. 42 AND 43 ON THE UNRECORDED MAP OF HOSTETTLER'S TRACT, DESCRIBED ACCORDING TO A SURVEY BY DAN BARGE, SURVEYOR, NOVEMBER 21, 1960, AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT IN THE EAST RIGHT-OF-WAY OF TENNESSEE CENTRAL RAILWAY LOCATED APPROXIMATELY 300' NORTH OF MURFREESBORO ROAD, THE BEGINNING OF A CURVE TO THE RIGHT; THENCE WITH SAID CURVE HAVING A CENTRAL ANGLE OF 42 DEG. 44', A RADIUS OF 1300.8' A CHORD OF 947.9' BEARING N 30 DEG. 01' E, A DISTANCE OF 971.2' TO A CONCRETE MONUMENT; THENCE WITH SAID RAILWAY, N 51 DEG. 23' E, 810.0' TO A POINT IN THE SOUTHERLY MARGIN OF INTERSTATE HIGHWAY RIGHT-OF-WAY AS RECORDED IN BOOK 3030, PAGE 473; THENCE WITH SAID HIGHWAY RIGHT-OF-WAY S 67 DEG. 43' 30" E, 387.0' TO A POINT; THENCE S 23 DEG. 58' 07" W, 90.0' TO A POINT; THENCE S 61 DEG. 20' 53" E, 50' MORE OR LESS TO A POINT IN THE CENTER OF BROWN'S CREEK RELOCATED; THENCE WITH THE CENTER OF BROWN'S CREEK AS RELOCATED IN A SOUTHWESTERLY DIRECTION APPROXIMATELY 1770' TO A POINT IN WALLACE'S NORTH LINE; THENCE WITH WALLACE'S NORTH LINE N 73 DEG. 22' W, 170' MORE OR LESS TO THE POINT OF BEGINNING, CONTAINING A GROSS AREA OF 20.2 ACRES MORE OR LESS, AND A NET AREA OF 16.7 ACRES, MORE OR LESS.

INCLUDED IN THE ABOVE DESCRIPTION BUT SPECIFICALLY EXCLUDED FROM THIS CONVEYANCE IS A 6 ACRE TRACT OF LAND CONVEYED TO H. G. LIPSCOMB & COMPANY, OF RECORD IN BOOK, 4025, PAGE 200, SAID REGISTER'S OFFICE, AS FOLLOWS:

BEING A PARCEL OF LAND IN THE THIRD CIVIL DISTRICT, DAVIDSON COUNTY, TENNESSEE, BOUNDED ON THE WEST BY T. C. RAILWAY, SOUTH BY LAND OWNED BY WALLACE, AND EAST BY BROWN'S CREEK RELOCATED, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT IN THE EAST RIGHT OF WAY OF TENNESSEE CENTRAL RAILWAY LOCATED APPROXIMATELY 300 DEG. NORTH OF MURFREESBORO ROAD, THE BEGINNING OF A CURVE TO THE RIGHT; THENCE WITH SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1300.8 FEET, A CENTRAL ANGLE OF 32 DEG. 33', A LONG CHORD OF 729.1 FEET BEARING NORTH 25 DEG. 06' EAST TO A CONCRETE MONUMENT LOCATED 50' SOUTHERLY FROM THE CENTER OF TENNESSEE CENTRAL RAILWAY; THENCE SOUTH 38 DEG. 45' EAST, PASSING A WITNESS MONUMENT AT 524.47 FEET, A TOTAL DISTANCE OF 584.93 FEET TO A POINT IN THE CENTER OF BROWN'S CREEK AS RELOCATED; THENCE UPSTREAM WITH THE CENTER OF SAID CREEK SOUTH 58 DEG. 20' WEST 520.7 FEET TO A POINT; THENCE NORTH 73 DEG. 22' WEST PARALLEL AND 296.1 FEET NORTHERLY FROM THE NORTH MARGIN OF MURFREESBORO ROAD PASSING A WITNESS MONUMENT AT 80.4 FEET A TOTAL DISTANCE OF 242.4 FEET TO THE POINT OF BEGINNING, AND CONTAINING 6.00 ACRES, MORE OR LESS.

ALSO INCLUDED IN THE ABOVE DESCRIPTION BUT SPECIFICALLY EXCLUDED FROM THIS CONVEYANCE IS THE FOLLOWING DESCRIBED PROPERTY CONVEYED TO THE METROPOLITAN GOVERNMENT OF NASHVILLE, DAVIDSON COUNTY, TENNESSEE, BY DEED OF RECORD IN BOOK 8873, PAGE 917, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LAND IN DAVIDSON COUNTY, TENNESSEE, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EASTERN BOUNDARY LINE OF THE PROPERTY HEREIN DESCRIBED, SAID POINT ALSO BEING 10 FEET SOUTH OF E. N. HESTER PROPERTY'S NORTHWEST CORNER OF RECORD IN DEED BOOK 4427, PAGE 929, R.O.D.C., TENNESSEE;

THENCE, WITH SAID EAST LINE S 35 DEGREES 11' W 80.02 FEET TO A POINT, SAID POINT ALSO BEING 10 FEET NORTH OF HESTER SOUTHWEST CORNER;

THENCE, N 56 DEGREES 00' W 310.15 FEET TO A POINT;

THENCE, N 35 DEGREES 11' E 80.02 FEET TO A POINT;

THENCE, S 56 DEGREES 00' E 310.15 FEET TO A POINT OF BEGINNING CONTAINING 0.5697 ACRES MORE OR LESS.

NOTE: SAID DEED AT BOOK 8873, PAGE 917, CONTAINS CERTAIN PROVISIONS PROVIDING FOR REVERSION OF THE ABOVE DESCRIBED PROPERTY UPON THE OCCURRENCE OF CERTAIN EVENTS DESCRIBED IN SAID DEED, TO WHICH DEED REFERENCE IS HERE MADE FOR THE TERMS AND CONDITIONS UPON WHICH SUCH REVERSION MAY OCCUR.

BEING THE SAME PROPERTY CONVEYED TO WEST PROPERTIES, L.P., A TENNESSEE LIMITED PARTNERSHIP BY WARRANTY DEED FROM THOMAS E. BIANCONI OF RECORD IN BOOK 9205, PAGE 495, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

TRACT II:

BEING A PARCEL OF LAND IN NASHVILLE, FIRST CIVIL DISTRICT, SIXTEENTH COUCILMANIC DISTRICT, DAVIDSON COUNTY, TENNESSEE LOCATED ON THE SOUTHERLY SIDE OF INTERSTATE 40 BETWEEN THE NASHVILLE AND EASTERN RAILROAD AND BROWNS CREEK AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT AT THE POINT OF INTERSECTION OF EASTERLY RIGHT-OF-WAY LINE OF THE NASHVILLE AND EASTERN RAILROAD CORPORATION AND THE SOUTHERLY RIGHT-OF-WAY LINE TO INTERSTATE 40.

THENCE, WITH SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING CALLS:
S 71° 19' E, 273.00 FEET TO A CONCRETE MONUMENT;
S 62° 02' E, 138.45 FEET TO A CONCRETE MONUMENT;
S 23° 58' W, 90.03 FEET TO A POINT;
S 61° 21' E, 63.03 FEET TO A POINT IN THE CENTERLINE OF BROWNS CREEK;

THENCE, WITH THE CENTERLINE OF SAID CREEK AND THE WESTERLY LINE OF EXPRESSWAY COMMERCIAL PARK AS OF RECORD IN BOOK 3700, PAGE 94, R.O.D.C. THE FOLLOWING CALLS:
S 56° 24' W, 143.43 FEET TO A POINT;
WITH A CURVE TO THE LEFT 118.65 FEET TO A POINT, SAID CURVE HAVING A CENTRAL ANGLE OF 21° 12', A RADIUS OF 320.51 FEET, A TANGENT OF 60.00 FEET AND A CHORD OF S 45° 48' W, 117.92 FEET;
S 35° 11' W, 260.66 FEET TO A POINT IN THE NORTHERLY RIGHT-OF-WAY LINE OF STATELINE LANE;

THENCE, WITH SAID RIGHT-OF-WAY LINE N 56° 00' W, 310.15 FEET TO A POINT;

THENCE, LEAVING SAID RIGHT-OF-WAY LINE WITH THE TERMINUS OF SAID LANE S 35° 11' W, 80.02 FEET TO A POINT;

THENCE, WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID LANE S 56° 00' E, 310.15 FEET TO A POINT;

THENCE, LEAVING SAID RIGHT-OF-WAY LINE WITH THE CENTERLINE OF BROWNS CREEK AND THE WESTERLY LINE OF THE AFOREMENTIONED EXPRESSWAY COMMERCIAL PARK THE FOLLOWING CALLS:
S 35° 11' W, 89.24 FEET TO A POINT;
WITH A CURVE TO THE RIGHT 198.78 FEET TO A POINT, SAID CURVE HAVING A CENTRAL ANGLE OF 15° 48', A RADIUS OF 720.84 FEET, A TANGENT OF 100.00 FEET AND A CHORD OF S 43° 05' W, 198.15 FEET;
S 50° 59' W, 312.92 FEET TO A POINT;

THENCE, LEAVING SAID LINE WITH THE NORTHERLY LINE OF PROPERTY CONVEYED TO D. J. L. CORPORATION BY DEED OF RECORD IN BOOK 7074, PAGE 128, R.O.D.C., N 38° 43' W. 584.93 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF THE NASHVILLE AND EASTERN RAILROAD CORPORATION;

THENCE, WITH SAID LINE WITH A CURVE TO THE RIGHT 231.05 FEET TO A POINT, SAID CURVE HAVING A CENTRAL ANGLE OF 10° 11', A RADIUS OF 1,300.00 FEET, A TANGENT OF 115.83 FEET AND A CHORD OF N 46° 15' 30" E, 230.74 FEET;

THENCE, CONTINUING WITH SAID LINE N 51° 21' E, 806.23 FEET TO THE POINT OF BEGINNING.

CONTAINING 595,492 SQUARE FEET OR 13.67 ACRES MORE OR LESS.

BEING THE SAME PROPERTY CONVEYED TO WEST PROPERTIES, L.P., A TENNESSEE LIMITED PARTNERSHIP BY WARRANTY DEED FROM THOMAS E. BIANCONI OF RECORD IN BOOK 9205, PAGE 502, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

TRACT III:

BEING A PARCEL OF LAND IN THE THIRD CIVIL DISTRICT, DAVIDSON COUNTY, TENNESSEE, BOUNDED ON THE WEST BY T.C. RAILROAD, SOUTH BY LAND OWNED BY WALLACE, AND EAST BY BROWN'S CREEK RELOCATED, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT IN THE EAST RIGHT-OF-WAY OF TENNESSEE CENTRAL RAILWAY LOCATED APPROXIMATELY 300 DEGREES NORTH OF MURFREESBORO ROAD, THE BEGINNING OF A CURVE TO THE RIGHT; THENCE WITH SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1300.8 FEET, A CENTRAL ANGLE OF 32 DEGREES 33', A LONG CHORD OF 729.1 FEET BEARING NORTH 25 DEGREES 06' EAST TO A CONCRETE MONUMENT LOCATED 50' SOUTHERLY FROM THE CENTER OF TENNESSEE CENTRAL RAILWAY; THENCE SOUTH 38 DEGREES 46' EAST, PASSING A WITNESS MONUMENT AT 524.47 FEET, A TOTAL DISTANCE OF 384.93 FEET TO A POINT IN THE CENTER OF BROWN'S CREEK AS RELOCATED; THENCE UPSTREAM WITH THE CENTER OF SAID CREEK SOUTH 58 DEGREES 20' WEST 520.7 FEET TO A POINT; THENCE NORTH 73 DEGREES 22' WEST PARALLEL AND 296.1 FEET NORTHERLY FROM THE NORTH MARGIN OF MURFREESBORO ROAD PASSING A WITNESS MONUMENT AT 80.4 FEET A TOTAL DISTANCE OF 242.4 FEET TO THE POINT OF BEGINNING, AND CONTAINING 6.00 ACRES, MORE OR LESS.

BEING THE SAME PROPERTY CONVEYED TO WEST PROPERTIES, L.P., A TENNESSEE LIMITED PARTNERSHIP BY WARRANTY DEED FROM LDJ CORPORATION OF RECORD IN BOOK 9602, PAGE 449, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, AS RE-RECORDED IN BOOK 9848, PAGE 521, SAID REGISTER'S OFFICE; and subsequently conveyed to Hudgens Investments, LLC by Special Warranty Deed and Assignment of Lease of record at Instrument No. 20050817-0097892, said Register's Office.

EXHIBIT B

Taxes and assessments for the year **2005**, which are not yet delinquent (Map & Parcel #93-16-441.00 - 2004 County Taxes paid for $24,655.06)

All matters as shown on the plat of record in Plat Book 9700, page 179, Register's Office for Davidson County, Tennessee.

Easement(s) of record in Book 372, page 392, Book 1153, page 385 and Book 737, page 111 in the Register's Office, Davidson County, Tennessee .

Agreement for Dedication of Easement for Sanitary Sewers and/or Storm Drainage of record in Book 3767, page 252, Book 7061, page 114, Book 7121, page 119, Book 9056, page 489, and Book 9277, page 148 in the Register's Office, Davidson County, Tennessee .

Agreement for Dedication of Easement Water Mains and Appurtenances of record in Book 10011, page 923 in the Register's Office, Davidson County, Tennessee .

Agreement for Dedication of Easement for Purpose of Ingress and Egress to Provide Maintenance for Sanitary Sewers, Sewage Regulators and Appurtenances of record in Book 8290, page 947 in the Register's Office, Davidson County, Tennessee .

Easements as shown in the deed of record in Book 4025, page 200 in the Register's Office, Davidson County, Tennessee .

Lack of access to and from a controlled access highway (I-40).

Easement for the flow of the waters of the Brown's creek, and the rights of the public therein.

Rights of upper and lower riparian owners to the flow of the waters of the Brown's creek, free from diminution or pollution.

Changes in the boundary of the land resulting from erosion or accretion caused by the flow of the Brown's creek.

Subject to the Charter Right of Way of a Railroad.

Rights of tenants of the unrecorded lease by and between Intermodal Cartage, Inc., and West Properties, L.P.