NEW OWNER:

Metro Ready Mix Concrete, LLC
1136 Second Avenue North
Nashville, TN 37208

SEND TAX BILLS TO:
NEW OWNER

Map 105
Group 07-0
Parcels 114 & 116

THIS INSTRUMENT PREPARED BY:

Rochelle, McCulloch & Aulds, P.L.L.C.
Attorneys at Law
109 Castle Heights Ave. North
Lebanon, TN 37087
FILE NO: 06-1440

Space for Recorder's Stamp

Davidson County DEEDWARR
Recvd: 11/14/06 11:31 3 pg
Fees:18.00 Taxes:1794.50
20061114-0141272

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of **Four Hundred Eighty-Five Thousand and 00/100 Dollars ($485,000.00)** cash in hand paid, the receipt of which is hereby acknowledged, **Kirby Welding Company, Inc., a Tennessee corporation, formerly known as Kirby Service, Inc.** ("Grantor") has this day bargained and sold and by these presents does hereby transfer and convey unto **Metro Ready Mix Concrete, LLC, a Tennessee limited liability company,** ("Grantee"), its successors and assigns, forever, the following tract or parcel of land, situated and lying **Davidson** County, Tennessee, bound and described as follows, to-wit:

See Exhibit "A" for legal description and derivation.

This description is the same as in the prior deed.

This is not the principal residence of the Grantor.

THIS IS IMPROVED PROPERTY.

TO HAVE AND TO HOLD said property, together with any and all appurtenances and improvements thereunto, belonging to the said Grantee, its successors and assigns, in fee simple, forever.

GRANTOR covenants with said Grantee that Grantor is lawfully seized and possessed of said property; that Grantor has a good and lawful right to make this conveyance; that the same is

free, clear and unencumbered, except as noted herein; and Grantor will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

THIS CONVEYANCE is made subject to all visible easements, rights-of-way, and any and all restrictions, existing roadways, easements and rights-of-way of record.

POSSESSION shall be given with date of deed.

PROPERTY TAXES for the current year shall be prorated and paid as of date of deed.

IN WITNESS WHEREOF, Grantor has executed or caused this instrument to be executed by its duly authorized representative, this 10th day of November, 2006.

KIRBY WELDING COMPANY, INC.

By: James E Kirby Jr

Its: President

STATE OF TENNESSEE

COUNTY OF Davidson

Personally appeared before me, the undersigned authority, a notary public in and for the state and county aforesaid, James E. Kirby Jr, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), who acknowledged that he is the President of **Kirby Welding Company, Inc.**, the within-named bargainor, and as such authorized officer, being given the authority to so do, executed the within instrument on behalf of the corporation by signing its name as such authorized officer.

WITNESS my hand and official seal at office this 10th day of November, 2006.

Kari J Kernell

NOTARY PUBLIC

My commission expires: 9-19-09

KARI J. KERNELL STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires SEPT. 19, 2009

****

The actual consideration or value, whichever is greater, for this transfer is **$485,000.00.**

Steve Turner, Pres.

AFFIANT

Sworn to and subscribed to before me this 10th day of November, 2006.

Kari J Kernell

NOTARY PUBLIC

My commission expires: 9-19-09

KARI J. KERNELL STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

My Commission Expires SEPT. 19, 2009

EXHIBIT "A"
LEGAL DESCRIPTION

Being a certain tract or parcel of land lying and being in the western half of Block G on the Plan of Hagan and Merritt Lands of record in Minute Book "N" Page 241 of the County Court Clerk's Office of Davidson County, Tennessee and of record in Book 5870 Page 617, Book 5870 Page 619 in the Registers Office of Davidson County (R.O.D.C.), Nashville, Tennessee and being more particularly described as follows:

Beginning at a ½" Iron Rod (New) with cap stamped Wiser Company lying on the eastern right-of-way of Martin Street having a lateral tie reference from the centerline intersection of Martin Street and Merritt Avenue N 12°55'38" E a distance of 221.71' and said Iron Rod being the northwest corner of Luther E. Cantrell, Sr. (Book 4182 Page 187 R.O.D.C.) and the southwest corner of the property herein described; thence with the right-of-way of Martin Street, N 06°27'00" E a distance of 339.00' to an Iron Rod (Old) being the southwest corner of Alan Ray (Book 7067 Page 322 R.O.D.C.) and the northwest corner of the property herein described; thence leaving said right-of-way and with the south line of Ray, S 83°00'00" E a distance of 191.25' to a 1/2" Iron Rod with cap stamped Wiser Company lying in the western margin of a 15.00' undefined alley approximately 5.0' south of a chain link fence corner post; thence with the margin of said alley, S 06°27'00" W a distance of 339.00' to a ½" Iron Rod (New) with cap stamped Wiser Company being the northeast corner of Luther E. Cantrell, Sr. (Book 4182 Page 187 R.O.D.C.) and the southeast corner of the property herein described; thence with the north line of Cantrell and with a chain link fence, N 83°00'00" W a distance of 191.25' to the Point Of Beginning containing 1.5 Acres or 64831.0 Sq. Ft. more or less according to a survey performed by Wiser Company, LLC on October 25, 2006.

Being the same property conveyed to Kirby Welding Company, Inc., by deed from Jerald Eugene Tomlin, Conservator of the Estate of Mollie Elizabeth Hensley (Veach), dated December 9, 1986, and of record in Book 7067, page 322, Register's Office for Davidson County, Tennessee, and being the same property conveyed to Kirby Service, Inc., a Tennessee corporation, by Quitclaim Deed from James E. Kirby, Sr. and James E. Kirby, Jr., dated April 7, 1982, and of record in Book 5870, page 619, Register's Office for Davidson County, Tennessee, and also by Quitclaim Deed from James E. Kirby and wife, Mary Lucille Kirby, dated April 7, 1982, and of record in Book 5870, page 617, Register's Office for Davidson County, Tennessee. Reference is further made to deeds of record in Book 5169, Page 365, and Book 3851, page 830, said Register's Office. By Amend to Charter dated February 19, 1985, Kirby Service Company, Inc. changed its name to Kirby Service Company, Inc.