

METRO INVESTMENT COMPANY, Grantor

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WARRANTY DEED

TO

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HERKULES U.S.A. CORP. Grantee

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FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, receipt of which is hereby acknowledged, METRO INVESTMENT COMPANY, a Partnership comprised of Belz Investment Company, Inc. (a Tennessee Corporation), BICO Associates (a Tennessee limited partnership, the general partners of which are Jack A. Belz and Martin S. Belz), Andrew J. Groveman, Jan B. Groveman, and the Emerson V. Glazer & Erika J. Glazer 1976 Trusts (James L. Krasne, Trustee) acting by and through its authorized official, does hereby sell, convey and warrant unto HERKULES U.S.A. CORP., a Delaware Corporation, authorized to do business in the State of Mississippi, the land lying and being situated in Section 23, Township 1, Range 6, Chickasaw Cession, in DeSoto County, Mississippi, more particularly described on Exhibit A hereto.

Grantor covenants with the said Grantee and its assigns, that Grantor is lawfully seized and possessed of the above described real estate, and has a good and lawful right to sell and convey same; that said real estate is free of all liens and mortgages; and Grantor does hereby covenant that it will forever warrant and defend the title to said real estate against the lawful claims of all persons whosoever.

The warrant in this deed is subject to:

1. Rights of way for proposed Cedar Ridge Road and public roads which may be shown on Survey of Reaves & Sweeney, Inc. dated December 23, 1985 and subdivision and zoning regulations in effect in DeSoto County, Mississippi.

2. Taxes for the year 1985, which are not yet due and payable.

3. Restrictive covenants for Phase II, Section B, Metro Industrial Park, recorded in the office of the Chancery Clerk of DeSoto, Mississippi, as recorded in Plat Book 20, Pages 49-57, which restrictive covenants are hereby imposed upon the property conveyed herein.

4. Utility, drainage, building lines, and other easements and restrictions which may be imposed by DeSoto County upon subdivision of the property.

5. Easements for Railroad Trackage and Drainage on Lead Track "A", Easement Parcel 2, Book 110, Page 586, Chancery Clerk's office, DeSoto County, Mississippi and Easement for Lead Track "B", Book 150, Page 342, Chancery Clerk's Office, DeSoto County, Mississippi.

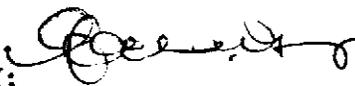
6. Rights of parties in possession, deficiency in quantity of land, boundary line disputes, roadways, unrecorded servitudes or easements, any matters not of record which would be disclosed by an accurate survey and inspection of the property, and easements or other uses of subject property not visible from the surface.

Grantee covenants and agrees that no improvements shall be erected upon the property conveyed herein, until such time as the plans and specifications have been submitted to and approved by Grantor or its successors or assigns as to outward appearance and design, parking and landscaping. Grantor covenants that such approval shall not be unreasonably withheld.

Grantee acknowledges that the property conveyed herein is not a subdivided lot and in connection with the subdivision of the property Grantee will cooperate with Grantor in such subdivision including the imposition of easements, conditions and restrictions as are consistent with those currently in effect for Phase II, Section B, Metro Industrial Park (Book 20, Pages 49-51, Office of the Chancery Clerk of DeSoto County, Mississippi) or as reasonably may be required by Grantor or DeSoto County.

WITNESS THE SIGNATURE of the authorized official of the Grantor this 23rd day of December, 1985.

METRO INVESTMENT COMPANY

BY: 

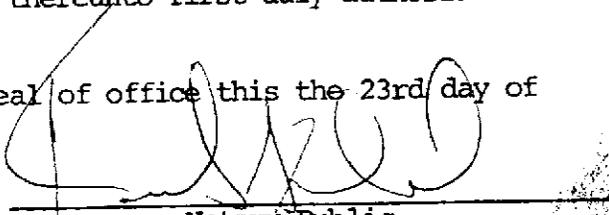
Jack A. Belz

STATE OF TENNESSEE, COUNTY OF SHELBY

Personally appeared before me, the undersigned Notary Public in and for the jurisdiction aforesaid, Jack A. Belz, who is the General Partner of BICO Associates (a Tennessee limited partnership) the Managing General Partner of Metro Investment Company, the above named partnership, who acknowledged that for and on behalf of said partnership, he signed, sealed and delivered the above and foregoing Warranty Deed on the date and year therein written as the act and deed of said partnership, being thereunto first duly authorized so to do.

GIVEN UNDER MY HAND and Official Seal of office this the 23rd day of December, 1985.

My Commission Expires: 3/26/87

  
Notary Public



624

EXHIBIT "A"

PROPERTY DESCRIPTION

BEING A PART OF SECTION 23, TOWNSHIP 1, RANGE 6 WEST CHICKASAW CESSION, IN DESOTO COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 23 OF SAID TOWNSHIP AND RANGE, SAID CORNER BEING A P.K. NAIL ON THE CENTERLINE OF HACKS CROSS ROAD AT DESOTO ROAD; THENCE N00°19'00"E ALONG THE EAST LINE OF SECTION 23 (CENTERLINE OF HACKS CROSS ROAD) 2,872.26 FEET TO A POINT IN THE CENTERLINE OF THE BURLINGTON NORTHERN (FRISCO) RAILROAD LEAD TRACK "A"; THENCE RUN N89°27'50"W ALONG SAID CENTERLINE OF TRACK (BEING THE SOUTH LINE OF PHASE 1, SECTION "B", HOLIDAY INDUSTRIAL PARK, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 15, PAGES 9-14, IN THE CHANCERY CLERK'S OFFICE, DESOTO COUNTY, MISSISSIPPI), 3,995.27 FEET TO THE POINT OF BEGINNING, SAID POINT LYING ON THE WEST LINE OF THE PROPOSED EXTENSION OF CEDAR RIDGE ROAD; THENCE SOUTHWARDLY ALONG SAID PROPOSED WEST LINE WITH A 534.00 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 95.21 FEET (CHORD OF S13°38'57"E 95.08 FEET) TO A POINT OF TANGENCY; THENCE CONTINUING ALONG THE PROPOSED WEST LINE OF CEDAR RIDGE ROAD S18°45'25"E, 131.70 FEET TO A POINT; THENCE LEAVING SAID PROPOSED WEST LINE, N89°27'54"W, 598.21 FEET TO A POINT ON THE CENTERLINE OF THE BURLINGTON NORTHERN RAILROAD LEAD TRACK "B"; THENCE NORTHWESTWARDLY ALONG THE CENTERLINE OF LEAD TRACK "B", WITH A 603.29 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 450.86 FEET (CHORD OF N60°54'23"W 440.45 FEET) TO A POINT OF TANGENCY; THENCE N82°19'00"W, 10.00 FEET TO A POINT OF CURVATURE; THENCE ALONG A 602.65 FOOT RADIUS CURVE TO THE LEFT AN ARC DISTANCE OF 75.67 FEET (CHORD OF N85°54'49"W 75.62 FEET) TO THE POINT OF INTERSECTION OF THE CENTERLINE OF LEAD TRACK "A" AND THE CENTERLINE OF LEAD TRACK "B"; THENCE EASTWARDLY ALONG THE CENTERLINE OF LEAD TRACK "A", S89°27'54"E, 1,003.65 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 3.50 ACRES (152,460 SQUARE FEET).

SUBJECT TO EASEMENTS FOR RAILROAD TRACKAGE AND DRAINAGE ON LEAD TRACK "A", EASEMENT PARCEL 2, BOOK 110, PAGE 586, AND LEAD TRACK "B", EASEMENT 150-342.

30 FOOT WIDE INGRESS - EGRESS EASEMENT

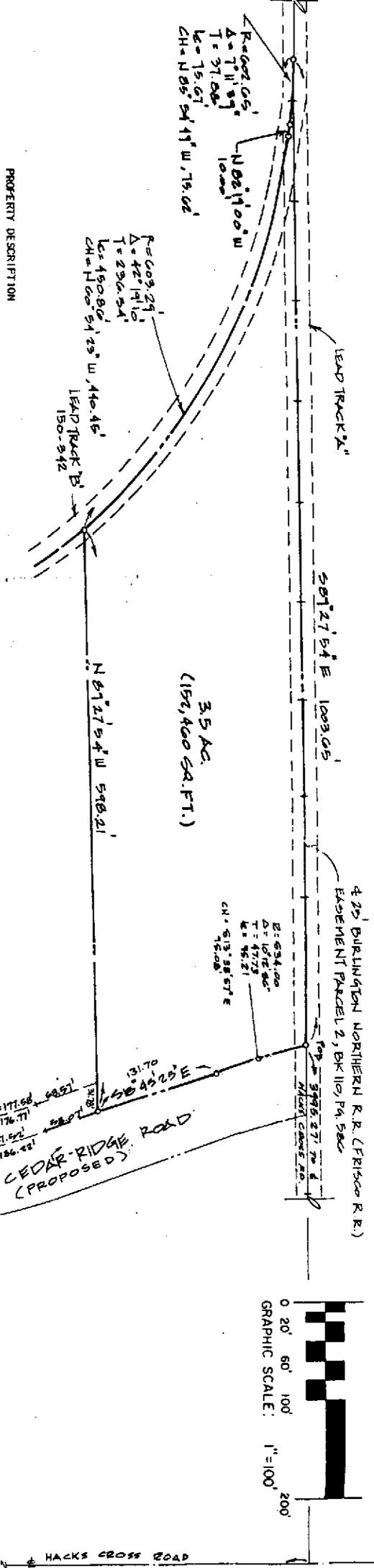
BEGINNING AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED 3.50 ACRE PARCEL (BEING THE POINT OF BEGINNING OF SAID 3.5 ACRE PARCEL) SAID POINT LYING ON THE WEST LINE OF THE PROPOSED EXTENSION OF CEDAR RIDGE ROAD; THENCE ALONG THE PROPOSED WEST LINE OF CEDAR RIDGE ROAD S18°45'25"E, 58.07 FEET TO A POINT OF CURVATURE; THENCE WITH A 566.00 FOOT CURVE TO THE RIGHT, AN ARC DISTANCE OF 187.52 FEET (CHORD S09°15'57"E 186.66 FEET) TO A POINT OF TANGENCY; THENCE S00°13'31"W 185.37 FEET TO A POINT IN THE WEST LINE OF THE DEDICATED PORTION OF CEDAR RIDGE ROAD; THENCE N89°46'29"W 30.00 FEET TO A POINT; THENCE N00°13'31"E 185.37 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 536.00 FEET, AN ARC DISTANCE OF 177.58 FEET (CHORD OF N09°15'57"W 176.77 FEET) TO A POINT OF TANGENCY; THENCE N18°45'25"W 68.57 FEET TO A POINT IN THE SOUTH LINE OF THE ABOVE DESCRIBED 3.50 ACRE PARCEL; THENCE S89°27'54"E 31.78 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED EASEMENT CONTAINS 0.297 ACRES (12,938 SQUARE FEET).

The above described easement is for vehicular traffic only, is temporary, and shall expire upon the first of the following events to happen, to-wit:

- (1) The expiration of one year from the date of this instrument OR
- (2) The completion of the construction of Cedar Ridge Road and the acceptance of said road by DeSoto County, Mississippi.

Miss. Acct. 110  
157-149



PROPERTY DESCRIPTION  
BEING A PART OF SECTION 23, TOWNSHIP 1, RANGE 6 WEST CHICKASAW CESSION, IN DESOTO COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 23 OF SAID TOWNSHIP AND RANGE, SAID CORNER BEING A P.K. NAIL ON THE CENTERLINE OF HACKS CROSS ROAD AT DESOTO ROAD; THENCE N00°19'00"E ALONG THE CENTERLINE OF SECTION 23 (CENTERLINE OF THE BURLINGTON NORTHERN (FRISCO) RAILROAD LEAD TRACK "A"; THENCE RUN N89°27'50"W ALONG SAID CENTERLINE OF TRACK (BEING THE SOUTH LINE OF PHASE 1, SECTION "B", HOLIDAY INDUSTRIAL PARK, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 15, PAGES 9-14, IN THE CHANCERY CLERK'S OFFICE, DESOTO COUNTY, MISSISSIPPI), 5,995.27 FEET TO THE POINT OF BEGINNING, SAID POINT LYING ON THE WEST LINE OF THE PROPOSED EXTENSION OF CEDAR RIDGE ROAD; THENCE SOUTHWARDLY ALONG SAID PROPOSED WEST LINE WITH A 354.00 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 95.21 FEET (CHORD OF 513.58157 FEET) TO A POINT OF TANGENCY; THENCE CONTINUING ALONG THE PROPOSED WEST LINE OF CEDAR RIDGE ROAD 518.45123"E, 58.07 FEET TO A POINT OF CURVATURE; THENCE WITH A 566.00 FOOT CURVE TO THE RIGHT, AN ARC DISTANCE OF 187.52 FEET (CHORD 509.15157"E 186.66 FEET) TO A POINT OF TANGENCY; THENCE S00°13'13"W 195.37 FEET TO A POINT IN THE WEST LINE OF THE DEDICATED PORTION OF CEDAR RIDGE ROAD; THENCE N89°46'28"W 30.00 FEET TO A POINT; THENCE N00°13'51"E 189.57 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 556.00 FEET, AN ARC DISTANCE OF 177.58 FEET (CHORD OF N09°15'57"W 176.77 FEET) TO A POINT OF TANGENCY; THENCE N18°45'23"W 88.57 FEET TO A POINT IN THE SOUTH LINE OF THE ABOVE DESCRIBED 3.50 ACRE PARCEL; THENCE S89°27'54"E 31.78 FEET TO THE POINT OF BEGINNING.

30 FOOT WIDE INGRESS - EGRESS EASEMENT  
BEGINNING AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED 3.50 ACRE PARCEL (BEING THE POINT OF BEGINNING OF SAID 3.5 ACRE PARCEL) SAID POINT LYING ON THE WEST LINE OF THE PROPOSED EXTENSION OF CEDAR RIDGE ROAD; THENCE ALONG THE PROPOSED WEST LINE OF CEDAR RIDGE ROAD 518.45123"E, 58.07 FEET TO A POINT OF CURVATURE; THENCE WITH A 566.00 FOOT CURVE TO THE RIGHT, AN ARC DISTANCE OF 187.52 FEET (CHORD 509.15157"E 186.66 FEET) TO A POINT OF TANGENCY; THENCE S00°13'13"W 195.37 FEET TO A POINT IN THE WEST LINE OF THE DEDICATED PORTION OF CEDAR RIDGE ROAD; THENCE N89°46'28"W 30.00 FEET TO A POINT; THENCE N00°13'51"E 189.57 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 556.00 FEET, AN ARC DISTANCE OF 177.58 FEET (CHORD OF N09°15'57"W 176.77 FEET) TO A POINT OF TANGENCY; THENCE N18°45'23"W 88.57 FEET TO A POINT IN THE SOUTH LINE OF THE ABOVE DESCRIBED 3.50 ACRE PARCEL; THENCE S89°27'54"E 31.78 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 3.50 ACRES (152,460 SQUARE FEET), SUBJECT TO EASEMENTS FOR RAILROAD TRACKAGE AND DRAINAGE ON LEAD TRACK "A", EASEMENT PARCEL 2, BOOK 110, PAGE 586, AND LEAD TRACK "B", EASEMENT 150-342.

I CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION.

*J. G. Sweeney*  
JAMES G. SWEENEY, III, RLS  
MISSISSIPPI, 1730

BOUNDARY SURVEY 3.5 ACRES TRACT  
PART OF SECTION 23, TOWNSHIP 1,  
RANGE 6 WEST CHICKASAW CESSION  
METRO INDUSTRIAL PARK  
DESOTO COUNTY, MISSISSIPPI  
DECEMBER 23, 1985

REV. 12/30/85

**REAVES & SWEENEY**  
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Engineering & Planning  
Consultants  
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