(5)

WARRANTY DEED

THIS INDENTURE, made and entered into this 15th day of March, 1985, by and between CLUB PROPERTIES, INC., a Georgia corporation, party of the first party; and CLUB-HICKS ASSOCIATES, LTD., a Georgia limited partnership, party of the second part;

WITNESSETH:

That for and in consideration of Ten Dollars ($10.00) cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, the said party of the first part has bargained and sold and does hereby bargain, sell, convey and confirm unto the said party of the second part all that certain tract or parcel of land situated and being in the 2nd Civil District of Nashville Davidson County, Tennessee and being more particularly described in Exhibit A attached hereto and by this reference made a part hereof.

The above described property is conveyed subject to the matters described in Exhibit B attached hereto and by this reference made a part hereof.

By acceptance of delivery of this Warranty Deed, the party of the second part assumes and agrees to perform all obligations of the party of the first part under that certain Deed of Trust to John W. Kelley, as Trustee, for the benefit of Mary M. Burns and William Leo Burns and wife, Mary Jo Burns, which encumbers the property and which is dated June 6, 1984 and recorded at Book 6309, page 994, Office of the Registor of Deeds, Davidson County, Tennessee, including payment of the indebtedness evidenced by that certain Deed of Trust dated June 6, 1984, which is secured by said Deed of Trust and which is made by party of the first part in favor of Mary M. Burns and William Leo Burns and wife, Mary Jo Burns.

TO HAVE AND TO HOLD the aforesaid real estate, together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining, unto the said party of the second part, its successors and assigns, in fee simple forever.

The said party of the first part does hereby covenant with the said party of the second part that it is lawfully seized in fee of the aforedescribed real estate; that it has a good right to sell and convey the same; that the same is unencumbered, except as set out above; and that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons.

IN WITNESS WHEREOF, party of the first part has caused this instrument to be executed by and through its duly authorized officer(s) the day and year first above written.

CLUB PROPERTIES, INC.

[CORPORATE SEAL]

By: B. R. Van Hook

Its: Pres.

Attest: Lee W. Hicks

Its:

STATE OF GEORGIA

COUNTY OF DEKALB

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Brian Van Holen & Gene Lidelman, with whom I am personally acquainted and who, upon oath, acknowledged himself to be the President & Secretary of Club Properties, Inc., the within named bargainor, a corporation, and that he as such President & Secretary being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the Corporation by himself as such President & Secretary.

WITNESS my hand and notarial seal at office this 15th day of March, 1985.

Jeffrey N. Pharr
Notary Public

My Commission expires:
Notary Public, Georgia, State at Large
My Commission Expires March 1, 1986

[NOTARIAL SEAL]

****

Property address:

N.W. Corner of U.S. 70 South & Hicks Road

Tax Map and Parcel Nos.
142-0-147 and 142-0-264

Tax Notices to:

Club-Hicks Associates, Ltd.
47 Perimeter Center East
Suite 106
Atlanta, Georgia 30346

Prepared by:

Andrew C. Williams
King & Spalding
2500 Trust Company Tower
Atlanta, Georgia 30303

I hereby swear or affirm that to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $520,000.00, which amount the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and Sworn to before me this 15 day of March, 1985.

Jeffrey N. Pharr
Notary Public

My Commission expires:
Notary Public, Georgia, State at Large
My Commission Expires March 1, 1986

[NOTARIAL SEAL]

Exhibit A

Being a parcel of land in the Second Civil District, Nashville, Davidson County, Tennessee, located in the northwesterly quadrant of the intersection of U. S. Highway 70, South, and Hicks Road and being Reserve Parcels "A" and "B" as shown on the plan of the Burns property, as of record in Book 6250, Page 26, R.O.D.C., and revised by a Surveyor's Certificate of Correction, of record in Book 6400, Page 786, R.O.D.C., and being more particularly described as follows:

BEGINNING at a point in the northerly margin of U. S. Highway 70, South, as widened at the intersection with the westerly margin of Hicks Road;

THENCE, with said northerly margin of U. S. Highway 70, South, as widened, S 86° 07' 18" W, 801.50 feet;

THENCE, leaving said northerly margin of U. S. Highway 70, South, with a portion of the easterly line of Reserve Parcel "C", as shown on the aforementioned plan of the Burns' property, the following calls:

N 06° 37' 18" E, 205.21 feet with a curve to the left 214.30 feet, said curve having a central angle of 30° 41' 44", a radius of 400.00 feet, a tangent of 109.79 feet and a chord S 08° 43' 34" E, 211.74 feet;

N 24° 04' 26" W, 270.95 feet;

N 30° 07' 18" E, 200.00 feet to a portion of the southerly line of said Reserve Parcel "C";

THENCE, with said portion of the southerly line of Reserve Parcel "C", N 86° 07' 18" E, 892.87 feet to the westerly margin of Hicks Road;

THENCE, with said westerly margin of Hicks Road with a curve to the right 261.74 feet, said curve having a central angle of 15° 45' 23", a radius of 951.77 feet, a tangent of 131.70 feet and a chord of S 02° 35' 51" E, 260.91 feet;

THENCE, continuing with said westerly margin of Hicks Road S 05° 16' 51" W, 522.63 feet;

THENCE, continuing with said westerly margin of Hicks Road S 31° 44' 17" W, 68.94 feet to the point of beginning.

Containing 17.07 acres, more or less.

The above-described parcel is subject to the following:

1. A portion of a 20-foot wide sanitary sewer easement of record in Book 5222, Page 744, R.O.D.C.

BARGE, WAGGONER, SUMNER AND CANNON
File No. 8930-01
March 13, 1985

pag/SD.8930-01

EXHIBIT B

TITLE EXCEPTIONS
(Club-Hicks Associates, Ltd.)

1. Deed of Trust executed by Club Properties, Inc. to John W. Kelley, as Trustee, of record at Book 6309, page 994, Office of the Register of Deeds, Davidson County, Tennessee, as corrected in Book 6453, page 546, said Register's Office.

2. Storm Water Detention Agreement, dated October 1, 1984, by and between Club Properties, Inc. and the Metropolitan Government of Nashville and Davidson County, of record in Deed Book 6411, page 272, said Register's Office.

3. Sewer Easement of record in Book 5222, page 742, Register's Office for Davidson County, Tennessee.

4. Matters shown by the plan of record in Plan Book 6250, page 26, as corrected by Surveyor's Certificate of Correction of record in Deed Book 6400, page 786, said Register's Office.

1:8:0 2:3:8
IDENTIF. REFERENCE
MAR 19 2 14 PM '85
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN
PUSH
75 03/19 1367.50- CHECK

OFFICIAL RECEIPT

FELIX Z. WILSON, II

REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

BOOK 6513 PAGE 437

CO - CONVEYANCE	CC - CERTIFIED COPY	MISC - MISCELLANEOUS
MO - MORTGAGE	REL - RELEASE	CO TX - STATE TAX CONVEY
WD - WARRANTY DEED	UCC - UNIFORM COMMERCIAL CODE	MO TX - STATE TAX MORT
TD - TRUST DEED		PRFEE - PROBATE FEE

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL PAID

520000.00- CAMT.
1352.00 CSTAX
.50 PRFEE
15.00 WDEED
CHECK 1367.50-
0075A03/19/85 BAL .00

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

19023.8

IDENTIFICATION REFERENCE

MAR 19 2 54 PM '85

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN

No. 117221