File 35

THIS INSTRUMENT JOINTLY
PREPARED BY:
BASS, BERRY & SIMS (CDB)
2700 First American Center
Nashville, Tennessee 37238

CHAMBERLAIN, HRDLICKA, WHITE,
JOHNSON & WILLIAMS (DAW)
1400 Citicorp Center
1200 Smith
Houston, Texas 77002

SPECIAL WARRANTY DEED

| Address New Owner(s) | Send Tax Bills To | Map-Parcel Number(s) |
|---|---|---|
| Nashville Lakeview Church, Ltd.<br>c/o Century Investments Company<br>333 Clay Street<br>Suite 4800<br>Houston, Texas 77002<br>Attention: D. Keith Oden | 333 Clay,<br>Suite 4800<br>Houston, Texas 77002 | Map 165, Parcel 11 |

Mortgagee:
The University of Tennessee
432 Communications Building
Knoxville, Tennessee 37996-0342

Jenkins Cumberland Presbyterian Church
c/o Mrs. Hannah Strasser, Trustee
Route 1, Box A-76
Mullins Road
Arrington, Tennessee 37401

Bethel College
c/o Dr. William L. Odom
President
McKenzie, Tennessee 38201

T.D.H. Trust
Robert B. Camp, Jr. and
Thomas C. Solomon, III, as Trustees
c/o F.I.S. Associates
1919 Plaza Tower
Knoxville, Tennessee 37929

2.7.0.2.7.

IDENTIFICATION REFERENCE

MAY 18 4 12 PM '87
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

FOR AND IN CONSIDERATION OF THE SUM OF TEN ($10.00) DOLLARS and other good and valuable consideration, receipt of all of which is hereby acknowledged, THE UNIVERSITY OF TENNESSEE, JENKINS CUMBERLAND PRESBYTERIAN CHURCH, BETHEL COLLEGE AND THE T.D.H. TRUST (collectively "Grantor"), have this day bargained and sold, and do hereby transfer and convey unto NASHVILLE LAKEVIEW, LTD., a Texas limited partnership ("Grantee"), all of the interest in and to the certain real property in Davidson County, Tennessee, more fully described on Exhibit A, together with (i) any and all appurtenances belonging or appertaining thereto; (ii) any and all improvements located thereon; (iii) any and all appurtenant easements or rights of way affecting said real property and any of Grantor's rights to use same; (iv) any and all rights of ingress and egress to and from said real property and any of Grantor's rights to use same; (v) any and all

mineral rights and interests relating to said real property (present or reversionary); (vi) any and all rights to the present or future use of wastewater, wastewater capacity, drainage, water or other utility facility to the extent same pertain to or benefit said real property whether now owned or hereafter acquired; (vii) any and all rights and interests of Grantor in and to any leases covering all or any portion of said real property; and (viii) all right, title and interest of Grantor, if any, in and to (a) any and all roads, streets, alleys and ways (open or proposed) affecting, crossing, fronting or bounding said real property, including any unpaid awards made or to be made relating thereto including, without limitation, any unpaid awards or unpaid damages payable by reason of damages thereto or by reason of a widening of or changing of the grade with respect to same, (b) any and all strips, gores or pieces of property abutting, bounding or which are adjacent or continguous to said real property (whether owned or claimed by deed, limitations or otherwise), (c) any and all air rights relating to said real property and (d) any and all reversionary interests in and to said real property (said real property together with any and all of the related improvements, appurtenances, rights and interests referenced in items (i) through (viii) above are herein collectively referred to as the "Property").

Without limiting the foregoing, the above described Property is the same property conveyed to the University of Tennessee a 1/3 interest by deed of record in Book 5243, Page 679, Register's Office of Davidson County, Tennessee, to Margaret M. Soloman and husband, a 1/3 interest, by deed of record in Book 5037, Page 315, Register's Office of Davidson County, Tennessee, and to Adam Strasser, a 1/3 interest, by deed of record in Book 3979, Page 35, Register's Office of Davidson County, Tennessee, and is conveyed subject to the limitations, restrictions, and encumbrances set forth on Exhibit B.

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

Grantor further covenants and binds himself, his heirs and representatives to warrant specially and forever defend the title to said real estate to Grantee, its successors and assigns, against the lawful claims of all persons claiming through and under Grantor (other than claims arising out of the matters set forth on Exhibit B), but not further or otherwise.

All ad valorem taxes for the Property for years prior to 1987 and for 1987 to the date of this Deed, now or hereafter determined to be due and owing, including any redetermination, recalculation or adjustment of taxes heretofore or hereafter made shall be paid by the Grantor. Subject to the foregoing, taxes for the year 1987 have been estimated and prorated between the parties hereto as of the date of this Deed, and Grantee hereby assumes liability for the payment thereof.

IN WITNESS WHEREOF, Grantor executed this instrument on this 18th day of May, 1987.

THE UNIVERSITY OF TENNESSEE

By: _____ MAY 13 '87

Name: EMERSON H. FLY

Title: VICE PRESIDENT

JENKINS CUMBERLAND
PRESBYTERIAN CHURCH

By: Norma Fraser

Name: _____

Title: Trustee

BETHEL COLLEGE

By: William L. Odom

Name: William L. Odom

Title: President of the College

T.D.H. TRUST

By: _____
Robert B. Camp, Jr.
Trustee

By: _____
Thomas C. Soloman, III
Trustee

JENKINS CUMBERLAND
PRESBYTERIAN CHURCH

By: _____

Name: _____

Title: _____

BETHEL COLLEGE

By: _____

Name: _____

Title: _____

T.D.H. TRUST

By: Robert B. Camp, Jr.
Robert B. Camp, Jr.
Trustee

By: _____
Thomas C. Soloman, III
Trustee

THE STATE OF TENNESSEE §
§
COUNTY OF Knox §

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared E. H. Fly 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 Vice President of University of Tennessee, the within named bargainor, a corporation, and that he, as such Vice President, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself and as such Vice President.

WITNESS my hand and seal, at office, in Knox County Tennessee, this 13th day of May, 1987.

Agneta H. Frew
Notary Public

My Commission Expires:

July 18, 1988

THE STATE OF TENNESSEE §
§
COUNTY OF Carroll §

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared William L. Odom 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 President of Bethel College, the within named bargainor, a corporation, and that he, as such President, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself and as such President.

WITNESS my hand and seal, at office, in Carroll County Tennessee, this 11th day of May, 1987.

Emily F. Webb
Notary Public

My Commission Expires:

9/13/87

THE STATE OF TENNESSEE §
§
COUNTY OF Davidson §

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared Hannah Strasser 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 Trustee of Jenkins Cumberland Presbyterian Church, the within named bargainor, a corporation, and that he, as such Trustee, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself and as such Trustee.

WITNESS my hand and seal, at office, in Davidson County Tennessee this 18th day of May, 1987.

Linda V. Bodkins
Notary Public

My Commission Expires:

July 5, 1990

THE STATE OF TENNESSEE §
§
COUNTY OF Knox. §

Personally appeared before, the undersigned, a Notary Public in and for the State and County aforesaid, Robert B. Camp, Jr., Trustee of the T.D.H. Trust, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 18th day of May, 1987.

Pat Boyd
Notary Public

My Commission Expires:

November 19, 1990

THE STATE OF TENNESSEE §
§
COUNTY OF Davidson §

Personally appeared before, the undersigned, a Notary Public in and for the State and County aforesaid, Thomas C. Solomon, III, Trustee of the T.D.H. Trust, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 18th day of May, 1987.

Linda V. Bradhead
Notary Public

My Commission Expires:

Feb 5, 1990

STATE OF TENNESSEE §
COUNTY OF Davidson §

The actual consideration or value (whichever is greater) for this transfer is $772,672.14.

"AFFIANT"

Subscribed and sworn to before me, this 18th day of May, 1987.

Notary Public

My Commission Expires:

Feb 5, 1990

EXHIBIT "A"

Being a parcel of land in the Second Civil District, Nashville, Davidson County, Tennessee, located on the southerly side of Hamilton Church Road, between Hobson Pike and Lavergne-Couchville Pike, being property conveyed to the University of Tennessee, a 1/3 interest, by deed of record in Book 5243, Page 679, R.O.D.C., Margaret M. Soloman and husband, a 1/3 interest, by deed of record in Book 5037, Page 315, R.O.D.C., and Adam Strasser, a 1/3 interest, by deed of record in Book 3979, Page 35, R.O.D.C., and being more particularly described as follows:

BEGINNING at an iron pin set in the southerly margin of Hamilton Church Road, said iron pin being the northwesterly corner of the property conveyed to Guy Wallace, Jr., by deed of record in Book 4683, Page 593, R.O.D.C., said iron pin also being westerly 50 feet, as measured along said southerly margin, from an iron pin found at the northwesterly corner of Lot No. Two, as shown on the plan of the Wallace Subdivision, as of record in Book 5190, Page 223, R.O.D.C., and being the northeasterly corner of the herein described parcel;

THENCE, leaving said southerly margin with the westerly line of property conveyed to Guy Wallace by deed of record in Book 4683, Page 593, R.O.D.C., S 04° 40' W, 247.92 feet to an iron pin found;

THENCE, with the westerly line of Lot No. Two, as shown on the plan of Wallace Subdivision, as of record in Book 5190, Page 223, R.O.D.C., S 04° 10' W, 350.57 feet to an iron pin set;

THENCE, with the southerly line of said Lot No. Two and Lot No. One, Wallace Subdivision the following calls:

S 77° 50' E, 72.40 feet to an iron pin set;
S 88° 04' E, 73.06 feet to an iron pin set;
S 82° 25' E, 365.11 feet to an iron pin set;

THENCE, S 11° 52' W, 282.54 feet to an iron pin set;

THENCE, S 14° 46' E, 74.88 feet to an iron pin set;

THENCE, S 01° 33' W, 184.11 feet to an iron pin set;

THENCE, S 03° 36' W, 412.00 feet to an iron pin found;

THENCE, S 06° 18' W, 69.23 feet to an iron pin found;

THENCE, S 10° 16' W, 141.38 feet to an iron pin set;

THENCE, with the northerly line of property conveyed to W.C. Wheeler, et ux, by deed of record in Book 4259, Page 86, R.O.D.C., N 87° 00' W, 1,755.00 feet to an iron pin set;

THENCE, N 02° 45' E, 1,798.07 feet to an iron pin set in the southerly margin of Hamilton Church Road;

THENCE, with said southerly margin in the following calls:

S 84° 15' E, 482.22 feet to an iron pin set;

With a curve to the left 424.01 feet to an iron pin set, said curve having a central angle of 05° 25' 22", a radius of 4,480.00 feet, a tangent of 212.16 feet and a chord of S 86° 57' 33" E, 423.85 feet;

S 89° 40' E, 405.70 feet to the point of beginning.

Containing 2,877,649 square feet or 66.06 acres, more or less.

And being the same property conveyed to Grantor by Deed in Book 5243, Page 679, R.O.D.C., Book 5037, Page 315, and Book 3979, R.O.D.C., Page 35 R.O.D.C.

EXHIBIT "B"

A perpetual easement and right to flood premises or such parts thereof as may be necessary as a result of operation of the J. Percy Priest Dam and Reservoir Project, with all other and additional rights as are fully set out in Warranty Deed of Flowage Easement from Jimmie Woods and wife, to United States of America, of record in Book 3917, page 967, Register's Office for Davidson County, Tennessee.

1987 Taxes for 1987 due and not yet payable.

DAW406:11

**OFFICIAL RECEIPT**
**FELIX Z. WILSON, II**
**REGISTER OF DAVIDSON COUNTY**
**NASHVILLE, TENNESSEE**

RECEIVED OF _____

FOR _____

BOOK 7239 PAGE 820

| | | |
|---|---|---|
| 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 |
|---|---|---|---|---|

772672.14- CAMT.
2163.56 CSTAX
.50 PRFEE
33.00 WDEED
CHECK 2197.06-
8540A05/18/87 BAL .00

**RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK**

2702 7.

IDENTIFICATION REFERENCE

MAY 18 4 12 PM '87

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

**No.** 83059