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This Instrument Prepared By:

Hartzog, Silva & Davies
Heritage Federal Building
123 Fifth Avenue North
Franklin, Tennessee 37064

CORRECTION TO WARRANTY DEED

THIS INSTRUMENT made and entered into this 21st day of June, 1989, by and between A. A. COLEBROOKE (unmarried) hereinafter referred to as Colebrooke, and DOUGLAS O. HERNDON, hereinafter referred to as Herndon;

WITNESSETH:

WHEREAS, Colebrooke did heretofore transfer to Herndon Unit No: B-4 on the Plan of Hickory Plaza Office Townhouses by instrument of record in Book 6469, page 365, Register's Office of Davidson County, Tennessee, to which reference is here made for a more complete description; and,

WHEREAS, prior to said transfer, Colebrooke did fail to file a Master Deed and By-Laws for Hickory Plaza Office Townhouses such as is required by the Horizontal Property Act of the State of Tennessee, T.C.A. Section 66-27-101, et seq., thereby precluding Herndon from sharing in the common elements of said development; and,

WHEREAS, Colebrooke desires to correct said error and does desire to record a Master Deed and By-Laws to correct said omission; and,

WHEREAS, the conveyance from Colebrooke to Herndon as hereinabove described does make reference to the fact that said conveyance is subject to the Declaration of Covenants, Conditions and Restrictions of record in Book 6457, page 189, Register's Office for Davidson County, Tennessee; and,

WHEREAS, Colebrooke, Herndon, and the remaining property owners have amended said Declaration of Covenants, Conditions and Restrictions, said Amendment being of record in Book 7857, page 594, Register's Office of Davidson County, Tennessee; and,

NOW, THEREFORE, for good and valuable consideration exchanged, the parties herein modify the Warranty Deed hereinabove referenced by providing that the transfer from Colebrooke to Barton shall be subject to the following additional encumbrances:

1. Subject to the Master Deed and By-Laws of Hickory Plaza Office Townhouses of record in Book 8000, page 910, Register's Office of Davidson County, Tennessee; and,

2. The premises herein described is a condominium office complex established pursuant to the provisions of the Tennessee Horizontal Property Act, as the same is set out in T.C.A. Section 66-27-101, et seq., as amended, and is subject to the provisions and requirements thereof; and subject to the By-Laws for the administration thereof; and also subject to easements, rights and interest in favor of other owners and all sewer, water, electrical, telephone or other utility easements now or hereafter established over, through or upon the land embracing the regime and buildings thereon; and also including without limitation, all conditions, covenants, restrictions, options, burdens, liens, assessments, and other undertakings contained in the Master Deed for Hickory Plaza Office Townhouses of record in Book 8000, page 910, Register's Office of Davidson County, Tennessee, and the By-Laws attached thereto as an exhibit.

3. Subject to an amendment to the Declaration of Covenants, Conditions and Restrictions of record in Book 7851, page 594, Register's Office of Davidson County, Tennessee.

IN WITNESS WHEREOF, the parties have hereunto attached their signatures on this the day and date first above written.

A. A. Colebrooke

Douglas O. Herndon

STATE OF TENNESSEE

COUNTY OF Davidson

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named A. A. COLEBROOKE, the bargainor, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 21st day of June, 1989.

My Commission Expires: _____.

Notary Public

STATE OF TENNESSEE

COUNTY OF Davidson

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named DOUGLAS O. HERNDON, the bargainor, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nash., Tennessee, this 21st day of June, 1989.

My Commission Expires: _____.

Notary Public

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IDENTIF. TREFERENCE

Dec 7 12 10 PM '89

FELIX A. TOLLEY, REGISTER
DAVIDSON COUNTY TN.

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