BOOK 9483 PG 714

94 OCT -4 AM 10:55

FELIX E. DUNN, REGISTER
DAVIDSON COUNTY, TN.

IDENTIF. & REFERENCE

96767

This Instrument Prepared By:
Joseph B. Pitt, Jr., Attorney
First American Center
Nashville, Tn 37238
00274774, Box 35

WARRANTY DEED

| ADDRESS NEW OWNER | SEND TAX BILLS TO | MAP/PARCEL NUMBERS |
|---|---|---|
| Kenneth Owen McCullough<br>510 Gay St., #911<br>Nashville, Tn 37219 | Owners | Map 93-01-A<br>Parcel 242CO |

FOR AND IN CONSIDERATION of the sum of Ten and No/100 dollars ($10.00), cash in hand paid by Kenneth Owen McCullough and wife, Janet S. McCullough, and other good and vaulable considerations accepted as cash, the receipt and sufficiency of which are hereby acknowledged, Capitol Towers Ltd., a Tennessee limited partnership, has this day bargained and sold, and does hereby transfer and convey unto the said Kenneth Owen McCullough and wife, Janet S. McCullough, the Grantees herein, their heirs and assigns, certain real estate in Davidson County, Tennessee, as follows:

Land in Davidson County, Tennessee, described as follows:

Being Union No. 911, as more particularly described in that certain Master Deed fro Capitol Towers, or record in Book 8607, page 417, Register's Office for Davidson County, Tennessee, to which Master Deed reference is hereby made for a more complete and accurate description.

Being part of the same property conveyed to Capitol Towers, Ltd., a Tennessee limited partnership, by deed from Capitol Towers Apartments, Inc. of record in Book 5428, page 329, Register's Office of Davidson County, Tennessee.

STATE OF TENNESSEE )
)
COUNTY OF DAVIDSON )

The actual consideration or value, whichever is greater, for this transfer is $66,000.00.

K. Owen McCullough
Affiant

Subscribed and sworn to before me, this the 3rd day of October, 1994.

Linda V. Jones
Notary Public

LINDA V. JONES NOTARY PUBLIC AT LARGE WILSON CO TENN.

My Commission Expires: 11-10-97

This is improved (X) unimproved ( ) property, known as:

510 Gay Street, Unit 911, Nashville, TN 37219

TO HAVE AND TO HOLD said real estate, with the appurtenance, estate, title and interest thereto belonging, to the Grantee, their (successors), heirs and assigns, forever, it covenants that it is lawfully seized and possessed of said real estate in fee simple, has a good right to convey it, and that the same is unencumbered except for matters shown on Schedule A, attached hereto.

IT FURTHER COVENANTS AND BINDS itself, its (successors), heirs and assigns, to warrant and forever defend the title to said real estate to said Grantee, their (successors), heirs and assigns, against the lawful claims of all persons.

Whenever used, the singular number shall include the plural, the plural the singular and the use of any gender shall be applicable to all genders.

WITNESS our hands this 3rd day of October, 1994, the corporate party, if any, having caused its name to be signed hereto by its duly authorized officers on said day and date.

Capitol Towers Ltd., a Tennessee limited partnership

By: CAPITOL TOWERS, INC., ITS CORPORATE GENERAL PARTNER

BY: _____
JERRY KIRKPATRICK, PRESIDENT

STATE OF TENNESSEE )
)
COUNTY OF DAVIDSON )

Before me, the undersigned authority, a Notary Public of the State and County aforesaid, personally appeared Jerry Kirkpatrick with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged himself to be President of Capitol Towers, Inc., a Tennessee corporation, the within named bargainor, a corporation and that he as such President, being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself as President.

WITNESS my hand and seal, at office in Nashville, Tennessee, this 3rd day of October, 1994.

_____
NOTARY PUBLIC

Commission expires: 11-10-97

EXHIBIT "A"

1. Restrictive Covenants contained in an instrument of record in Book 2735, page 473, Register's Office for Davidson County, Tennessee.

2. All matters shown on the Plan of record in Book 2663, page 120 and 121, said Register's Office.

3. All matters shown on the Plan of record in Book 7900, page 345, said Register's Office.

4. Covenants and Conditions in instrument of record in Book 2883, page 312, said Register's Office.

5. Short Form Lease by and between Capitol Towers, Limited, a Tennessee limited partnership, and Capitol Towers Condominium Association, Inc., dated April 22, 1992, of record in Book 8607, page 469, said Register's Office.

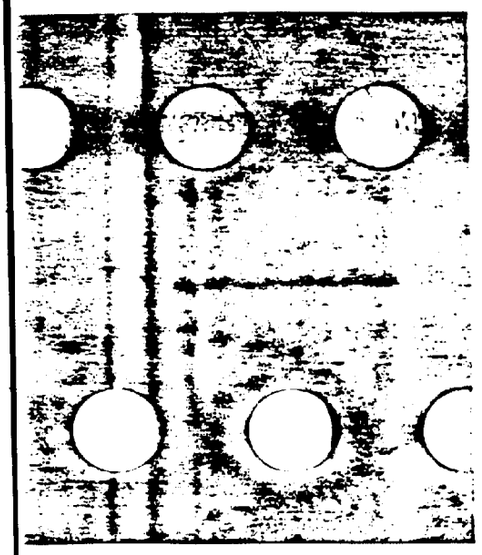
6. Master Deed for Capital Towers executed by Capitol Towers, Limited, a Tennessee limited partnership, dated April 22, 1992, of record in Book 8607, page 417, said Register's Office.

7. Quitclaim Deed from Capitol Towers, Limited, a Tennessee limited partnership, to Robertson/Tennessee, L.P., dated August 24, 1992, of record in Book 8710, page 734, said Register's Office.

8. Short Form Lease by and between Capitol Towers, Limited, a Tennessee limited partnership, and Capitol Towers Condominium Association, Inc., a Tennessee nonprofit corporation, dated April 22, 1992, of record in Book 8607, page 414, said Register's Office.

9. Collateral Assignment of Subleases, Assessments and Lien for Assessments by and between Capitol Towers Condominium Association, Inc., a Tennessee nonprofit corporation, and Capitol Towers, Limited, a Tennessee limited partnership, dated April 22, 1992, of record in Book 8607, page 472, said Register's Office.

4757 10/04 0101 03CHECK 257.20



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

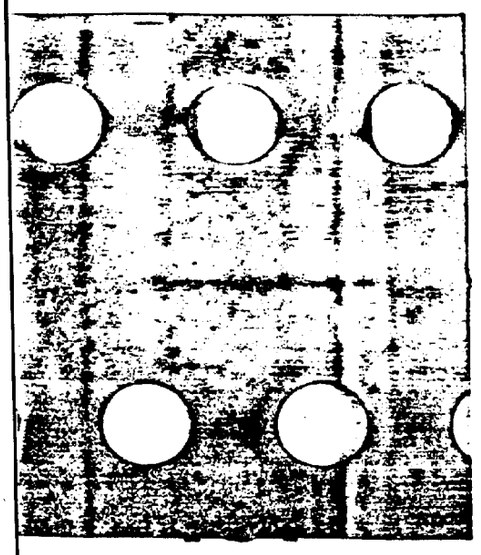
**RECEIVED OF** _____

**FOR** _____

BOOK 9483 PG 717

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



| | |
|---|---|
| CAMT | 66000.00 |
| CON TX | 244.20 |
| PRFEE | 1.00 |
| WDEED | 12.00 |
| TOTAL | 257.20 |
| CHECK | 257.20 |

10/04/94 01 10:54 0001 4757

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

96767
IDENTIF. # REFERENCE

94 OCT -4 AM 10: 55
FELIX Z. WILSON, II REGISTER
DAVIDSON COUNTY, TN.

**No.** 840998