GREENS OF RIVERGATE

CORRECTIVE SPECIAL WARRANTY DEED

BOOK 9628 PG 466

FROM: J. D. Eatherly,
Grantor

TO: Greens of Rivergate
Limited Partnership,
a Kentucky partnership,
Grantee

This instrument was prepared by:
Warren H. Wild, Jr., Esquire
Farris, Warfield & Kanaday
Third National Financial Center
Suite 1900, 424 Church Street
Nashville, Tennessee 37219

Address New Owner as Follows:	Name and Address of the Person or Entity Responsible for the Payment of Real Property Taxes	Map-Parcel Numbers
Greens of Rivergate Limited Partnership c/o Cumberland Ventures, Inc. 120 Vista Pointe Drive Wilder, Kentucky 41071	Same	Part of 33-0-205 33-8-62

STATE OF ~~TENNESSEE~~ Ohio)
COUNTY OF ~~DAVIDSON~~ Hamilton)

The actual consideration or value, whichever is greater, for this transfer is Zero and No/100 Dollars ($0.00).

Affiant

SUBSCRIBED AND SWORN TO before me, this the 7th day of March, 1995.

Notary Public

Karen S. Sharp
Notary Public, State of Ohio
My Commission Expires Feb 28, 1999

My Commission Expires:_____

This Corrective Deed is entered into by and between J. D. EATHERLY ("Grantor") and GREENS OF RIVERGATE LIMITED PARTNERSHIP, INC., a Kentucky limited partnership ("Grantee"), for the purpose of correcting an error in the Special Warranty Deed from Grantor to Grantee recorded in Book 9533, page 95, Register's Office for Davidson County, Tennessee (the "Deed"). All capitalized terms not otherwise defined herein shall have the same meanings set forth in the Deed.

RECITALS:

A. The second paragraph of Exhibit A of the Deed describing the Property conveyed by the Deed reads as follows:

> "Being Lot Number 5A on a survey entitled "Resubdivision Plat of Lot 5, Section Two, Rivergate Acres Limited", prepared by James M. Overfelt, R.L.S. #1634, of Gresham, Smith and Partners, dated 11-09-94, presently not of record but currently under City of Goodlettsville Planning Commission review for recordation, to be recorded in Plat Book 7900, Page 846, in the Register's Office of Davidson County, Tennessee, said Lot 5A being more particularly described as follows:"

B. At the time the Deed was recorded, the parties contemplated that the aforesaid "Resubdivision Plat of Lot 5, Section Two, Rivergate Acres Limited" would be recorded in Plat Book 7900, page 846, said Register's Office; however, it was not recorded in Plat Book 7900, page 846, as contemplated.

C. Subsequently, a subdivision plat of certain property which included the Property was recorded in Plat Book 7900, page 899, said Register's Office.

D. The parties wish to correct the Deed to reflect the correct recording data for such subdivision plat.

Now, therefore, in consideration of the foregoing and for good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties hereto, the parties agree as follows:

1. Grantor and Grantee hereby amend Exhibit A to the Deed by deleting the aforesaid second full paragraph on Exhibit A and inserting in lieu thereof a paragraph reading as follows:

> "Being Lot No. 5A on the Plat entitled "Resubdivision Plat of Lot 5, Section Two, Rivergate Acres Limited" recorded in Book 7900, page 899, Register's Office for Davidson County, Tennessee (the "Recorded Plat"), also shown on a survey entitled "Resubdivision Plat of Lot 5, Section Two, Rivergate Acres Limited" prepared by James M. Overfelt, R.L.S. No. 1634, of Gresham, Smith and Partners, dated November 9, 1994, last revised January 9, 1995, to which Recorded Plat reference is here made for a complete legal description. This conveyance includes, without limitation, the following described property:"

2. To effectuate and confirm the foregoing amendment of the Deed, Grantor confirms that he has bargained and sold, and by these presence does transfer and convey unto Grantee, its successors and assigns, all of Lot No. 5A as depicted and described on the Recorded Plat, with the same covenants and warranties contained in

the Deed, which covenants and warranties are incorporated herein by reference.

3. Daisy Eatherly, wife of J. D. Eatherly, joins in this conveyance for the purpose of conveying to Grantee, without warranty, all of her rights, title and interest, if any, in Lot No. 5A as depicted and described on the Recorded Plat.

WITNESS my hand this 19th day of March, 1995.

J. D. Eatherly

Daisy Eatherly

STATE OF TENNESSEE)
COUNTY OF Dickson)

Personally appeared before me, Faye Lunn, a Notary Public of said County and State, J. D. EATHERLY, the within named 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, at Office, this 19th day of March, 1995.

Faye Lunn
Notary Public

My Commission Expires: Sept. 23, 1997

STATE OF TENNESSEE)
COUNTY OF Dickson)

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

Witness my hand, at Office, this 19th day of March, 1995.

Faye Lunn
Notary Public

My Commission Expires: Sept. 23, 1997

Agreed to and Accepted by:

Greens of Rivergate Limited Partnership

By: Cumberland Ventures, Inc., its general partner

By: _____

Title: PRESIDENT

STATE OF Ohio)
COUNTY OF Hamilton)

Before me, Karen S. Sharp, a Notary Public of said County and State, personally appeared Joseph Faisant with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged him self to be President of Cumberland Ventures, Inc., a corporation, the general partner, of Greens of Rivergate Limited Partnership, the within named bargainor, a limited partnership, and that he as such President executed the foregoing instrument for the purposes therein contained, by signing the name of him self as president of Cumberland Ventures, Inc., in its capacity as general partner of Greens of Rivergate Limited Partnership.

Witness my hand and seal, at Office in ~~Nashville~~ Cincinnati, this 7 day of March, 1995.

_____
Notary Public

My Commission Expires: _____

Karen S. Sharp
Notary Public, State of Ohio
My Commission Expires Feb 26, 1999

NOTARIAL SEAL STATE OF OHIO

45581
IDENTIF. # REFERENCE

95 MAR 27 PM 2:57
REGISTER
DAVIDSON COUNTY, TN.

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