55959

IDENTIF. # REFERENCE

Box 47

95-27503

This Instrument Prepared by:

PASTRNAK LAW FIRM, P.C.
313 W. Third Street
Davenport, Iowa 52801

95 APR 28 PM 2:59

FELIX [illegible] REGISTER
DAVIDSON COUNTY, TN.

New Owner:	Tax Bills To:	Map/Parcel
SCA - North Carolina Limited Partnership 7777 Market Center Avenue El Paso, Texas 79912 Attn: Thomas L. Poe	Same	Map 161, Parcel 251

BOOK 9658 PG 49

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS ($10.00) cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **Enclave at Brentwood Partnership, a Texas joint venture** ("Grantor" herein) has bargained and sold, and does hereby sell, transfer, convey, and confirm unto **SCA - North Carolina Limited Partnership, a Delaware limited partnership** ("Grantee" herein), its successors, and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, more particularly described in Exhibit "A" attached hereto and made a part hereof.

Being a portion of the same property conveyed to The Enclave at Brentwood Partnership, a Texas joint venture by deed of record in Book 7565, page 968, Register's Office for Davidson County, Tennessee.

This is improved property located in Davidson County, Tennessee.

Said property is conveyed subject to the following matters:

1. Easements, or claims of easements, not shown by the public records, including but not limited to, a 60" concrete pipe crossing the westerly boundary along Woodlands Avenue.

2. Property taxes for 1995, a lien, but not yet due and payable.

3. Permanent easement as set forth in instrument of record in Book 7973, page 769, said Register's Office.

4. Transmission Line Easement of record in Book 2400, page 596, said Register's Office.

5. Sanitary sewer and/or storm drainage easements of record in Book 6710, page 495, said Register's Office.

6. Storm Water Detention Agreement of record in Book 7336, page 3 said Register's Office.

7. All matters shown and stated on the Plan of record in Book 6900, page 497, Book 6900, page 498 and Book 6900, page 518, said Register's Office.

8. Rights or claims of parties in possession as tenants only under existing leases without any option to purchase or acquire an interest (other than as tenants) in the property described herein.

9. Commercial laundry lease of record in Book 7754, page 413, said Register's Office.

TO HAVE AND TO HOLD the said tract or parcel of land with the appurtenances, hereditaments, estate, title, and interest thereto belonging to said Grantee, its heirs, successors, and assigns, forever. And Grantor does covenant with said Grantee that, subject to the matters set forth above, Grantor is lawfully seized and possessed of said land, has a good right to convey it, warrants the title against all persons claiming under Grantor but not further or otherwise, and that same is unencumbered.

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.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand as of this 26th day of April 1995.

ENCLAVE AT BRENTWOOD PARTNERSHIP,
a Texas Joint Venture

By: Heartland Funding Inc., a Delaware Corporation,
Joint Venturer

[CORPORATE SEAL]

By: _____
Name: Thomas R. Jager
Title: President

AND

By: RP INC., a Delaware Corporation,
Joint Venturer

[CORPORATE SEAL]

By: _____
Name: Thomas R. Jager
Title: President

[ACKNOWLEDGMENTS APPEAR ON SUCCEEDING PAGES]

STATE OF IOWA)
) ss.
COUNTY OF SCOTT)

On this 26th day of April 1995, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Thomas R. Jager, to me personally known, who, being duly sworn did say that he is the President of **HEARTLAND FUNDING INC.**, a Delaware corporation, a joint venturer of **ENCLAVE AT BRENTWOOD PARTNERSHIP**, a Texas joint venture, executing the foregoing instrument, that the seal affixed hereto is the seal of the corporation; that the instrument was signed and sealed on behalf of the corporation as a joint venturer of **ENCLAVE AT BRENTWOOD PARTNERSHIP**, a Texas joint venture, by authority of its Board of Directors; and that Thomas R. Jager as such officer, acknowledged the execution of the instrument to be the voluntary act and deed of the corporation and joint venture, by the corporation and joint venture and by them voluntarily executed.

[NOTARIAL SEAL]

SHANNON H. PAAPANEN
MY COMMISSION EXPIRES
3-18-98

Shannon H. Paapanen
Notary Public in and for said State

My commission expires:
3-18-98

STATE OF IOWA)
) ss.
COUNTY OF SCOTT)

On this 26th day of April 1995, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Thomas R. Jager, to me personally known, who, being duly sworn did say that he is the President of **RP INC.**, a Delaware corporation, a joint venturer of **ENCLAVE AT BRENTWOOD PARTNERSHIP**, a Texas joint venture, executing the foregoing instrument, that the seal affixed hereto is the seal of the corporation; that the instrument was signed and sealed on behalf of the corporation as a joint venturer of **ENCLAVE AT BRENTWOOD PARTNERSHIP**, a Texas joint venture, by authority of its Board of Directors; and that Thomas R. Jager as such officer, acknowledged the execution of the instrument to be the voluntary act and deed of the corporation and joint venture, by the corporation and joint venture and by them voluntarily executed.

[NOTARIAL SEAL]

SHANNON H. PAAPANEN
MY COMMISSION EXPIRES
3-18-98

Shannon H. Paapanen
Notary Public in and for said State

My commission expires:
3-18-98

STATE OF TENNESSEE)
) ss.
COUNTY OF DAVIDSON)

The actual consideration for this transfer or value of property conveyed (whichever is greater) is $15,000,000.00.

Affiant

Sworn to and subscribed before me this 28 day of April, 1995.

[NOTARIAL SEAL]

STUART JONES NOTARY AT LARGE STATE OF TENNESSEE

Notary Public in and for said State

My commission expires:

My Commission Expires S., 26, 1998

G:\DOCS\WHITEHAL\ENCLAVE.WD

5705 04/28 1101 03CHECK 55525.00

EXHIBIT "A"

LEGAL DESCRIPTION

BEING a certain parcel of land located in the 32nd Councilmanic District (Old First Civil District) of Nashville-Davidson County, Tennessee, and being further described as follows:

BEGINNING at an old iron rod situated in the southerly margin of Old Hickory Boulevard; said iron rod being the northwest corner of the Hickory Heights Partners property as recorded in Book 7948, page 830, Register's Office for Davidson County, Tennessee; said iron rod being the most northeast corner of the herein described tract;

THENCE, leaving the said margin of Old Hickory Boulevard and along the westerly boundary line of the Hickory Heights Partners property, and generally with an old fence line, South 09° 12' 39" West 150.13 feet to an old iron rod;

THENCE, South 06° 06' 17" West 616.11 feet to an old iron rod;

THENCE, South 00° 50' 54" West 160.95 feet to an old iron rod;

THENCE, South 04° 46' 55" West 125.19 feet to an old iron rod;

THENCE, South 07° 48' 19" West 321.87 feet to an old iron rod;

THENCE, South 04° 52' 48" West 187.20 feet to an old iron rod;

THENCE, South 08° 25' 58" West 213.01 feet to an old iron rod;

THENCE, South 04° 26' 34" West 161.38 feet to an old iron rod;

THENCE, South 02° 10' 25" West 210.69 feet to an old iron rod;

THENCE, South 06° 22' 32" West 190.80 feet to an old iron rod;

THENCE, South 03° 38' 13" West 436.09 feet to an iron rod situated in the easterly margin of Woodlands Avenue (60' Right-of-Way); the most southeast corner of the herein described tract;

THENCE, leaving the said boundary line of the Hickory Heights Partners property and along the margin of Woodlands Avenue North 11° 31' 15" West 461.44 feet to a point;

THENCE, in a northwesterly direction and with a curve to the left having a radius of 399.74' a distance of 287.42 feet (chord = North 32° 07' 11" West 281.27') to a point;

THENCE, North 52° 43' 06" West 100.00 feet to a point;

(Continued on next page)

THENCE, in a northwesterly direction and with a curve to the right having a radius of 300.00', a distance of 250.53 feet (chord = North 28° 47' 42" West 243.31') to a point;

THENCE, North 04° 52' 17" West 357.11 feet to a point;

THENCE, in a northwesterly direction and with a curve to the left having a radius of 330.00', a distance of 414.31 feet (chord = North 40° 50' 18" West 387.63') to a point;

THENCE, in a northwesterly direction and with a curve to the right having a radius of 62.50' a distance of 73.81 feet (chord = North 42° 58' 21" West 69.60') to an iron rod situated in the margin of the aforementioned Old Hickory Boulevard (Right-of-Way varies);

THENCE, leaving the said Woodlands Avenue and along the margin of Old Hickory Boulevard, North 07° 57' 51" East 149.26 feet to an iron rod;

THENCE, in a northeasterly direction and with a curve to the right having a radius of 912.93', a distance of 246.97 feet (chord = North 20° 32' 54" East 246.22') to an iron rod;

THENCE, in a northeasterly direction and with a curve to the right having a radius of 1390.39', a distance of 219.03 feet (chord = North 31° 47' 56" East 218.80') to an iron rod;

THENCE, North 42° 21' 09" East 48.57 feet to an iron rod;

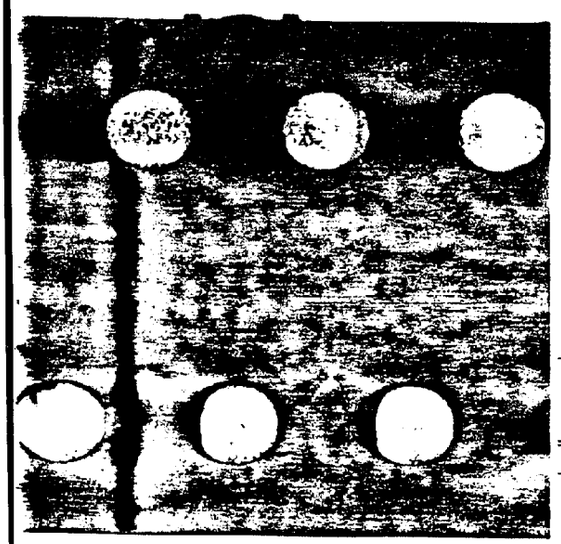
THENCE, North 34° 39' 57" East 48.57 feet to an iron rod;

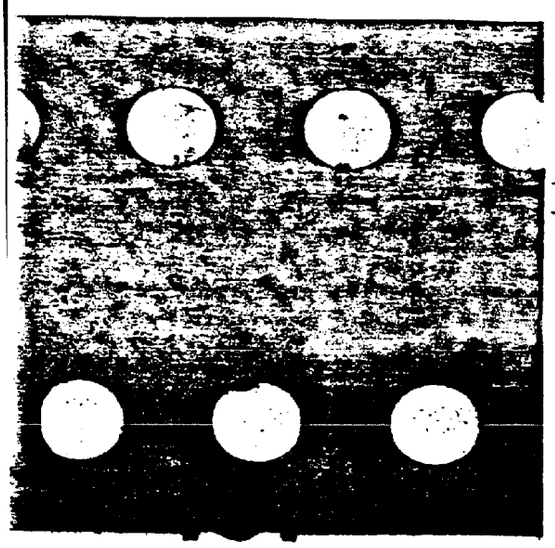
THENCE, in a northeasterly direction and with a curve to the right having a radius of 1390.39', a distance of 633.71 feet (chord = North 53° 49' 08" East 628.64') to an iron rod;

THENCE, in a northeasterly direction and with a curve to the right having a radius of 1867.86', a distance of 256.70 feet (chord = North 70° 57' 50" East 256.50') to the point of beginning.

CONTAINING 31.30 acres (1,363,466 square feet), more or less.

BEING a portion of the same property conveyed to The Enclave at Brentwood Partnership, a Texas Joint Venture, by Deed of Record in Book 7565, page 968, Register's Office for Davidson County, Tennessee.





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

RECEIVED OF _____

FOR _____

BOOK 9658 PG 55

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 15,000,000.00

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

55959
IDENTIF. ↑ REFERENCE

95 APR 28 PM 2:59
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

04/28/95 01 15:00 0001 5705

CON TX	55500.00
PRFEE	1.00
WDEED	24.00
TOTAL	55525.00
CHECK	55525.00

No. 905142