35

| Address New Owner: | Map-Parcel Numbers: | Send Tax Bills To: |
|---|---|---|
| Hickory Cambridge Limited Partnership<br>1800 St. James Place<br>Suite 206<br>Houston, TX 77056 | 163-366 | same |
| This instrument prepared by: Boult, Cummings, Conners & Berry (ACB)<br>414 Union Street, Suite 1600, P.O. Box 198062, Nashville, TN 37219 | | |

## 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 all of which are hereby acknowledged, **SOUTHEAST ACQUISITIONS III, L.P.**, a Delaware limited partnership (the "Grantor") has bargained and sold, and by these presents transfers and conveys to **HICKORY CAMBRIDGE LIMITED PARTNERSHIP**, a Texas limited partnership (the "Grantee"), Grantee's successors and assigns, certain land in Davidson County, State of Tennessee, being more particularly described in Exhibit A, which is attached hereto and incorporated herein by reference (the "Property").

This conveyance of the Property, and all covenants and warranties contained herein, are made expressly subject to the following:

1. Real estate taxes for the current year which have been prorated between the parties.

2. Drainage Easement of record in Book 6196, page 135, Register's Office for Davidson County, Tennessee.

3. Sanitary Sewer and/or Storm Drainage Easement recorded in Book 7453, page 460, and in Book 7775, page 361, Register's Office for Davidson County, Tennessee.

4. All matters shown on the Plan of Bellwood Trace recorded in Book 6250, page 13, and the Plan of Hickory Highlands recorded in Book 6900, pages 561 and 562, Register's Office for Davidson County, Tennessee.

5. Restrictive Covenants of record in Book 6301, page 745, as amended by Amended and Restated Declaration of Covenants and Restrictions for Bellwood Trace of record in Book 9659, page 14, Register's Office for Davidson County, Tennessee.

STATE OF Florida
COUNTY OF Orange

The actual consideration or value, whichever is greater, for this transfer is $ 1,440,000.00.

Hickory Cambridge Limited Partnership

By: James M. Easterling, Jr.
Affiant (James M. Easterling, Jr., President of Hickory Cambridge Apartments, Inc., General Partner

Subscribed and sworn to before me this 28th day of July, 1995.

Notary Public
My Commission Expires:

OFFICIAL NOTARY SEAL
FRANKIE M SMITH
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC306283
MY COMMISSION EXP. SEPT 27 199

7. Gas Line Easement of record in Book 2203, page 575, as assigned by instrument of record in Book 2875, page 299, and as partially released by instrument of record in Book 4457, page 377, all in said Register's Office.

This is unimproved property, known as Phase II, Bellwood Trace (Reserve Parcel "A" and a portion of Reserve Parcel "B" on the recorded Plan of Bellwood Trace).

TO HAVE AND TO HOLD the Property, with all appurtenances, estate, title, and interest thereto belonging to the Grantee, Grantee's successors and assigns, forever.

Grantor covenants with the Grantee that the Property is free from all encumbrances made or suffered by Grantor, except to the extent otherwise set forth herein.

Grantor further covenants and binds itself, to warrant and forever defend the title to the Property to the Grantee, Grantee's successors and assigns against the lawful claims of all persons whomsoever claiming by, through or under Grantor, except that no warranty is made as to the amount of acreage in the Property.

IN WITNESS WHEREOF, the Grantor has executed this Deed this 20 day of July, 1995.

**SOUTHEAST ACQUISITIONS III, L.P.**, a Delaware limited partnership

By: Southeast Acquisitions, Inc., a Delaware corporation, its general partner

By: Arthur W. Mullen
Title: President

STATE OF Pennsylvania

COUNTY OF Delaware

Personally appeared before me, Sandra J. Tindale Notary Public, Arthur W. Mullen, with whom I am personally acquainted and who acknowledged that he executed the within instrument for the purposes therein contained and further acknowledged that he is the President of Southeast Acquisitions, Inc., a corporation, and that said corporation is a general partner of Southeast Acquisitions III, L.P., a limited partnership, and is authorized by said corporation, said corporation being authorized by said limited partnership to execute this instrument on behalf of said limited partnership.

WITNESS my hand, at office, this 20th day of July, 1995.

Sandra J. Tindale
Notary Public

My Commission Expires: 2/22/99

NOTARIAL SEAL
SANDRA J. TINDALE NOTARY PUBLIC
RADNOR TWP., DELAWARE COUNTY, PA

Notarial Seal
Sandra J. Tindale Notary Public
Radnor Twp., Delaware County
My Commission Expires Feb. 22, 1999
Member, Pennsylvania Association of Notaries

00839711
IDENTIF. ← REFERENCE

95 JUL 31 PM 12:45
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

240971.1 ABARACH
030108-003 7/14/95

**EXHIBIT "A"** BOOK 9745PG130

The Land is described as follows:

Land in Davidson County, Tennessee, being all of Reserve Parcel "A", Bellwood Trace Subdivision and a portion of Reserve Parcel "B", Bellwood Trace Subdivision recorded in Book 6250, Page 13, Register's Office for Davidson County, Tennessee, and also known as all of Lot No. 2, and a portion of Lot No. 3 on the Plan of the Master Plat of Hickory Highlands, recorded in Book 6900, Pages 561 and 562, Register's Office for Davidson County, Tennessee, more particularly described as follows:

Beginning at an iron pin corner common with Russell O. Cashion, Jr., in the east right of way line of Bell Road;

Thence, with the east right of way line of Bell Road the following bearing and distances; thence north 03 deg. 45 min. 31 sec. east, 140.44 feet to a point;

Thence, on a curve to the right, the radius of which is 1367.39 feet, the central angle of which is 31 deg. 52 min. 23 sec. the chord of which is north 18 deg. 36. min. 15 sec. east, 750.90 feet, along the curve distance of 760.67 feet to a point;

Thence, north 55 deg. 27 min. 34 sec. west, 5.00 feet to a point; thence on a curve to the right, the radius of which is 1372.39 feet, the central angle of which is 06 deg. 07 min. 37 sec. the chord of which is north 37 deg. 36 min. 15 sec. east 146.69 feet, along the curve distance of 146.76 feet to a point;

Thence, north 40 deg. 40 min. 03 sec. east, 46.00 feet to a point, a corner common with Lot 1, Bellwood Trace;

Thence, leaving Bell Road and with Lot 1, Bellwood Trace the following bearings and distances;

Thence, south 50 deg. 55 min. 29 sec. east, 662.15 feet to a point;

Thence, south 19 deg. 04 min. 03 sec. west, 250.00 feet to a point;

Thence, south 60 deg. 19 min. 52 sec. east, 450.08 feet to a point, a corner common with Lot 1, Bellwood Trace;

Thence, on a severance line across P.U.D. Tract 8, Hickory Highlands the following bearings and distances;

Thence, south 38 deg. 54 min. 38 sec. west, 127.31 feet to a point;

Thence, south 45 deg. 58 min. 31 sec. west, 1153.60 feet to a point in the north line of TBCREC Residential No. 1 as of record in Book 8539, Page 765, R.O.D.C.;

Thence, with the north line of said TBCREC, north 88 deg. 54 min. 54 sec. west, 50.86 feet to a point, a corner common with Russell O. Cashion, Jr., as of record in Book 6474, Page 951, R.O.D.C.;

Thence, with Russell O. Cashion, Jr., the following bearings and distances:

Thence, north 01 deg. 06 min. 28 sec. east, 770.93 feet to a point;

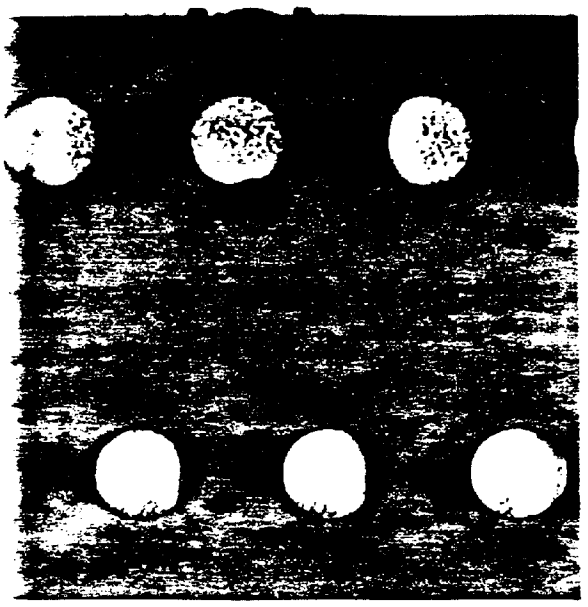
Thence, south 89 deg. 56 min. 22 sec. west, 242.18 feet to the point of beginning.

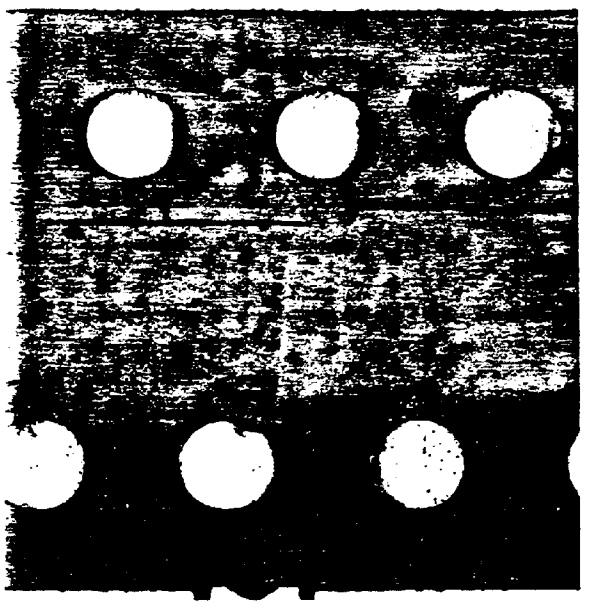
Being the same property conveyed to Southeast Acquisitions III, L.P., a limited partnership by quitclaim deed from Southeastern Land Fund, Inc., a Georgia corporation, recorded in Book 8105, Page 356, Register's Office for Davidson County, Tennessee.

Said property is more particularly described as follows:

Lot 1, as shown on the Plan of CAMBRIDGE AT HICKORY HOLLOW as of record in Book 9700, Page 2, Register's Office for Davidson County, Tennessee.

5473 07/31 0101 03CHECK 5345.00





**OFFICIAL RECEIPT**

**FELIX Z. WILSON, II**

**REGISTER OF DAVIDSON COUNTY**
**NASHVILLE, TENNESSEE**

RECEIVED OF _____

FOR _____

BOOK 9745 PG 132

| | | |
|---|---|---|
| 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
1440000.00
CON TX 5328.00
PRFEE 1.00
MDEED 16.00
TOTAL 5345.00
CHECK 5345.00
07/31/95 01 12:44 0001 6473

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

0083971
IDENTIF. ↑ REFERENCE

95 JUL 31 PM 12:45
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

**No.** 935519