BOX 60 R.O.D.C.T.

BOOK 10152 PG 187

This Instrument Prepared By:
BOTTORFF & KAVIN, Attorneys
5110 Maryland Way, Suite 200
Brentwood, Tennessee 37027
(615) 371-0800

# SPECIAL WARRANTY DEED

| Address New Owner: | Send Tax Bills To: | Map-Parcel Nos. |
|---|---|---|
| Jerry Butler Construction, Inc.<br>5068 Murfreesboro Road<br>Lavergne, Tennessee 37086 | Owner | 176-5-B- 41.00 176-5-B-42.00<br>176-5-B-134.00 176-5-B-137.00<br>176-5-B-144.00 176-5-B-155.00<br>176-5-B-162.00 176-5-A-102.00<br>176-5-A-94.00 |

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

I hereby swear or affirm that the actual consideration or true value of this transfer whichever is greater, is $ 162,000.00 .

Affiant

Subscribed and sworn to before me this 8th day of August 1996.

Notary Public

My Commission Expires:

July 28, 1997

**********

FOR AND IN CONSIDERATION OF Ten Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **T & T PARTNERS I, a Texas general partnership,** ("Grantor") by these presents does hereby transfer, sell and convey to JERRY BUTLER CONSTRUCTION, INC., a Tennessee corporation ("Grantee") its successors and assigns, a certain tract or parcel of real property located in DAVIDSON County, State of Tennessee, and all improvements located thereon (such land and improvements are hereinafter collectively referred to as the "Property"), more particularly described as follows:

Being Lots Numbered 136, 137, 232, 235, 242, 259, 266, 269 and 277, on the Plan of Hickory Woods Estates, Section C, of record in Plat Book 6900, page 885, 886, and 887, Register's Office for Davidson County, Tennessee, reference to which is hereby made for a more complete description thereof.

BEING part of the same property conveyed to T & T Partners I, a Texas general partnership, by deed from Southern Development Corporation, of record in Book 9616, page 481, and re-recorded in Book 9668, page 701, and as corrected in Book 9701, page 443, and FURTHER BEING part of the same property conveyed to the said T & T Partners I, by Successor Trustee's deed recorded at Book 9656, page 488, as corrected in Book 9701, page 443, Register's Office for Davidson County, Tennessee.

This is unimproved property. 5324 Sunnyvale Dr.; 5320 Sunnyvale Dr.; 6209 Rocky Top Dr.; 6221 Rocky Top Dr.; 312 Rocky Top Ct.; 6208 Rocky Top Dr.; 6312 Wildgrove Dr.; 6300 Wildgrove Dr.; 6605 Shadyview Dr.

This conveyance is subject to: Property taxes for 1996 and subsequent years; The plan of record at Plat Book 6900, page 885; The plan of record at Plat Book 6900, page 886; The plan of record at Plat Book 6900, page 886, R.O.D.C.T.; Amended and Re-Stated Restrictive Covenants of record at Book 9678, page 187; Bylaws of the Hickory Woods Homeowners Association, of record at Book 7932, page 648, as corrected in Book 9616, page 470, Book 9616, page 477, and Book 9678, page 213; and easements and assignments of public record, Register's Office for Davidson County, Tennessee.

For the same consideration, Grantor further transfers to Grantee all of Grantor's rights, titles and interests (if any) appurtenant solely to the Property (including any rights of Grantor to water service, sewer service and other utility services) without warranty of any kind, either express or implied, except that Grantor has not previously transferred the same to any other party.

This Special Warranty and the conveyance hereinabove set forth is executed by Grantor and accepted by Grantee subject to the matters described herein, to the extent the same are validly existing and applicable to the Property (herein referred to collectively as the "Permitted Encumbrances").

TO HAVE AND TO HOLD the said property, with the appurtenances, estate, title and interest thereto belonging to Grantee, JERRY BUTLER CONSTRUCTION, INC., its successors and assigns forever.

AND the Grantor does hereby covenant with JERRY BUTLER CONSTRUCTION, INC., that it is lawfully seized and possessed of the said land in fee simple, has a good right to convey it, and the same is unencumbered except for those matters herein mentioned.

AND the Grantor does further covenant and bind itself, its successors and assigns to warrant and forever defend the title to the said real property to the said JERRY BUTLER CONSTRUCTION, INC. and its successors and assigns, against the lawful claims of all persons whomsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise, subject to the Permitted Encumbrances.

IN WITNESS WHEREOF, I have hereunto set my hand as of this the 8th day of August, 1996.

GRANTOR:

T & T PARTNERS I, a Texas general partnership

By: TWD TENNESSEE, LTD., a Texas limited partnership, its Managing General Partner

By: TAYLOR-DUNCAN INTERESTS, INC., its sole general partner

By: Phillip W. Duncan
Name: Phillip W. Duncan
Title: Vice President

STATE OF TEXAS )
COUNTY OF DALLAS )

BOOK 10152 PG 188

Personally appeared before me, Nomita A. Surtani, a Notary Public in and for said county and state, the within named Phillip W. Duncan, with whom I am personally acquainted and who, upon oath, acknowledged that he executed the within instrument for the purposes therein contained and further acknowledged Taylor-Duncan Interests, Inc., a Texas corporation, to be the sole general partner of TWD Tennessee, Ltd., a Texas limited partnership, and that said limited partnership is the managing general partner of T & T Partners I, a Texas general partnership, and is authorized by said partnership to execute this instrument on behalf of said partnership.

WITNESS my hand and seal at office on this 8th day of August, 1996.

My Commission Expires:

4-22-00

Nomita A. Surtani
Notary Public

NOMITA A. SURTANI
Notary Public
STATE OF TEXAS
My Commission Expires04-22-00

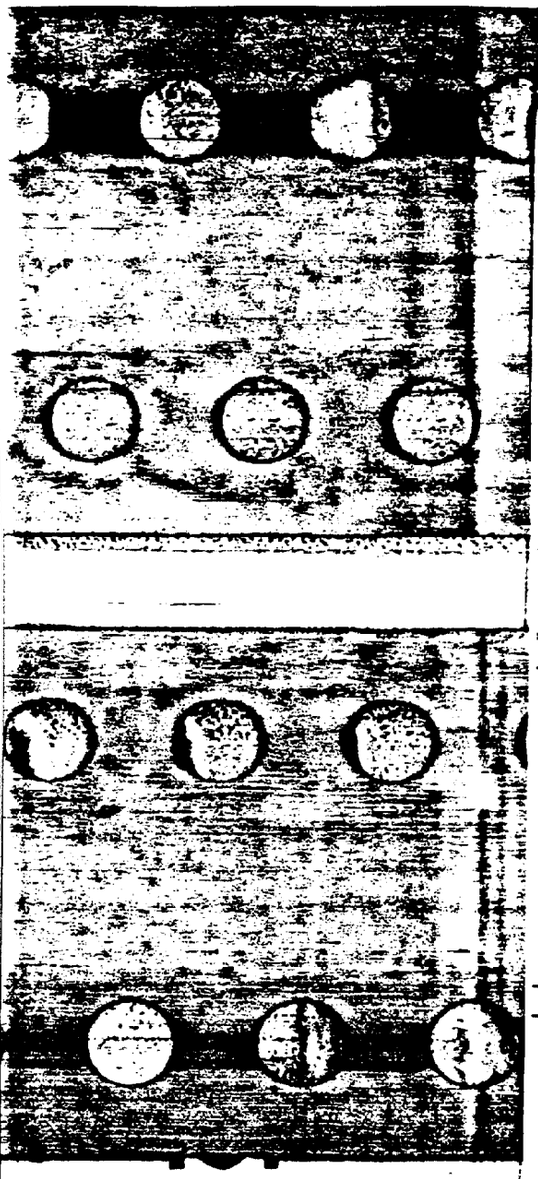
021314

IDENTIF. ↑ REFERENCE

96 AUG -9 PM 12:30

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

5510 08/09 0101 03CHECK 608.40



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

RECEIVED OF _____

FOR _____

BOOK 10152 PG 189

| | | |
|---|---|---|
| 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 | 162000.00 |
| | | | CON TX | 599.40 |
| | | | PRFEE | 1.00 |
| | | | MOEED | 8.00 |
| | | | TOTAL | 608.40 |
| | | | CHECK | 608.40 |
| 08/09/96 | 01 | | 12:32 0001 | 5510 |

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

021314
IDENTIF. # REFERENCE

96 AUG -9 PM 12:30

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

**No.** 1018108