60

BOOK 10487 PG 657

This Instrument Prepared By:

Bottorff, Kavin & Cook
5110 Maryland Way, Suite 200
Brentwood, TN 37027

PCD 1st

SPECIAL WARRANTY DEED

ADDRESS NEW OWNER:
Lakeside II L.L.C.
100 Corporate Center, Suite B
Stockbridge, Georgia 30281

SEND TAX BILL:
*To Owner *

MORTGAGEE:

MAP AND PARCEL:
MAP 97-114
GROUP
PARCEL

FOR AND IN CONSIDERATION of the sum of Ten and 00/100 Dollars ($10.00) cash in hand paid by the hereinafter named Grantees, and other good and valuable considerations, the receipt of which is hereby acknowledged, Vastland/Eatherly/McClung LLC, hereinafter called the Grantor, has bargained and sold, and by these presents does transfer and convey unto Lakeside II L.L.C., a GA Limited Liability Company hereinafter called the Grantees, their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to wit:

SEE ATTACHED EXHIBIT "A" FOR COMPLETE DESCRIPTION

Being the same real property conveyed to Grantors herein by deed from Frank G. Friedman, Trustee, et al of record in Book 10184, page 89, Register's Office for Davidson County, Tennessee.

This is unimproved property known as 14.96 Acres, Old Hickory Blvd., Nashville, TN.

This conveyance is made subject to real property taxes for 1997 and subsequent years, and all restrictions, easements, zoning and planning ordinances, and health department regulations that may affect the premises.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Lakeside II L.L.C., their heirs and assigns, forever; and Vastland/Eatherly/McClung LLC, does covenant with the said Grantees that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered unless otherwise herein set out; and Grantor does further covenant and bind itself, its successors, assigns and representatives, to warrant and forever defend the title to the said land to the said Grantees, their heirs and assigns, against the lawful claims of all persons whomsoever claiming by or through said Grantor. Wherever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness the hand of a duly authorized officer this the ~~9th~~ 23rd day of May, 1997.

BOOK 10487 PG 658

VASTLAND/EATHERLY/MCCLUNG, L.L.C.

By: _____
J.D. Eatherly, Chief Manager

By: _____
Mack McClung, Chief Manager

STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)

Before me, the undersigned Notary Public in and for said County and State, personally appeared J.D. Eatherly and Mack McClung, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged themselves to both be Chief Managers (or other officer authorized to execute the instrument) of VASTLAND/EATHERLY/MCCLUNG, L.L.C., the within named bargainor, a corporation, and that they as such Chief Managers, executed the within Warranty Deed for the purposes therein contained.

Witness my hand and official seal this the 23rd day of May, 1997.

_____
NOTARY PUBLIC Rebecca T. Garland

My Commission Expires: 3/24/01

STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)

The actual value or consideration, whichever is greater, for this transfer is $ 712,500.00.

_____
AFFIANT

Subscribed and sworn to before me this 23rd day of May, 1997.

_____
NOTARY PUBLIC Rebecca T. Garland

My Commission Expires: 3/24/01

97 JUN 10 PM 12:03
FELIX E. ROSSER REGISTER
DAVIDSON COUNTY, TN.

IDENTIF. → REFERENCE

03144 90

1409 06/10 0101 03CHECK 2649.25

EXHIBIT "A" BOOK 10487 PG 659

ALL THAT TRACT OR PARCEL OF LAND lying and being in the Second Civil District of Metropolitan Nashville and Davidson County, Tennessee, being more particularly described as follows:

BEGINNING at an iron pin in the southwesterly right-of-way line of Old Hickory Boulevard, the northeasterly corner of the herein described tract and the southeasterly corner of property now or formerly owned by Property Development Joint Venture of record in Deed Book 6954, page 719, Register's Office for Davidson County, Tennessee, said iron pin being southeasterly 780 feet more or less, as measured along said southwesterly right-of-way line from the southerly right of way line of Interstate Highway 40, thence, with said southwesterly line, South 40° 31' 26" East, 519.66 feet to an existing iron pin; thence, continuing with said southwesterly line, a 2834.93 foot radius curve to the right, 409.47 feet to an existing iron pin in the northeasterly corner of property now or formerly owned by Zell/Merrill Lynch Real Estate, of record in Deed Book 7793, page 569, Register's Office for Davidson County, Tennessee, said curve having a chord bearing and distance of South 36° 23' 10" East, 409.11 feet; thence, leaving said southwesterly right-of-way and running along the northerly line of said tract, South 85° 00' 17" West, 1052.94 feet to an existing iron pin in the northwesterly corner of said tract; thence, along the westerly line of said tract, South 2° 42' 14" East, 199.67 feet to an existing iron pin in the northerly right of way line of Bell Road, having an 80 foot right-of-way; thence, along said northerly right-of-way line in a westerly direction and an 1185.92 foot radius curve to the left, 53.86 feet to an existing iron pin in the southeasterly corner of property now or formerly owned by United States of America property, said curve having a chord bearing and distance of North 70° 23' 26" West, 53.86 feet; thence, leaving said right-of-way line and running along the easterly line of said tract, North 3° 07' 54" West, 98.10 feet to an existing concrete Corps monument in the southeasterly corner of property now or formerly owned by Lady Ruth Earhart, of record in Deed Book 9649, page 213, Register's Office for Davidson County, Tennessee, thence, with the easterly line of said tract, North 6° 41' 47" West, 98.40 feet to an existing iron pin set in the southeasterly corner of property now or formerly owned by Guy T. Gleaves, of record in Deed Book 4208, page 419, Register's Office for Davidson County, Tennessee; thence, with the easterly line of said tract, North 0° 57' 28" West, 98.32 feet to an existing iron pin set in the southeasterly corner of property now or formerly owned by Guy T. Gleaves, of record in Deed Book 4024, page 502, Register's Office for Davidson County, Tennessee; thence, with the easterly line of said tract, North 1° 32' 16" East, 100.29 feet to an existing steel pipe in the southeasterly corner of property now or formerly owned by Richard H. Marcrum, of record in Deed Book 5374, page 785, Register's Office for Davidson County, Tennessee; thence with the easterly line of said tract, North 1° 24' 31" West 198.65 feet to an existing iron pin in the northeasterly corner of property now or formerly owned by Thomas V. Swafford, of record in Deed Book 7601, page 769, Register's Office for Davidson County, Tennessee; thence, with the easterly line of said tract, North 2° 29' 32" West, 76.57 feet to an existing steel pipe; North 4° 25' 44" West, 256.44 feet to an existing iron pin in the southerly line of property now or formerly owned by Hermitage Hotel, LLC; thence, with the southerly line of said tract, North 82° 32' 56" East, 558.42 feet to the point of beginning and containing 14.962 acres (651, 732 square feet), more or less, as more particularly described on that plat of survey prepared for Waterford Mt. Zion, L.P., Lakeside II, L.L.C., and Watauga Title Company, Inc. by H & H Land Surveying, Inc. by Michael V. Holmes, Registered Land Surveyor No. 213, dated December 1, 1996, last revised May 21, 1997.

Being the same property conveyed to Vastland Eatherly/McClung LLC, a Tennessee limited liability company, by Deed from Frank G. Friedman, Trustee, et als., of record in Book 10184, page 89, Register's Office for Davidson County, Tennessee.

RECORDER'S MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN
THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

OFFICIAL RECEIPT

FELIX Z. WILSON, II

REGISTER OF DAVIDSON COUNTY

NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

BOOK 10487 PG 660

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 712500.00

CON TX 2636.25

PRFEE 1.00

WDEED 12.00

TOTAL 2649.25

CHECK 2649.25

06/10/97 01 13:08 0001 1409

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

03 14490

IDENTIF. ↑ REFERENCE

97 JUN 10 PM 12:03

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

No. 1161317