BK 35

BK 10629 PG 766

Address New Owner:	Map-Parcel Numbers:	Send Tax Bills To:
Phillips Builders, Inc.	129 - E 151 [redacted]	Same
This instrument prepared by: Boult, Cummings, Conners & Berry, PLC (JIVB) 414 Union Street, Suite 1600, P.O. Box 198062, Nashville, TN 37219		

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, the undersigned:

Bettye Duncan	15%
Clyde Lee Rust	15%
Mamie Vogel	15.57%
James R. Rust	15.57%
Charles L. Rust, Jr.	7.78%
Michael Jared Rust	7.78%
Richard Rust, Jr.	7.78%
Joyce Rust McKelvey	7.78%
Evelyn Sinor	1.29%
Lenard Putman	1.29%
James T. Putman	1.29%
Andrew G. Putman	1.29%
Barbara Jean Clark	0.43%
Robert Martin	0.43%
Marylin Harris	0.43%
Judy Martin	0.32 1/4%
Jean P. Miller	0.32 1/4%
James Putman	0.32 1/4%
Terry D. Putman	0.32 1/4%

97 OCT -1 PM 4:04

FELIX [illegible] REGISTER

0354534

IDENTIF. & REFERENCE

(collectively, the "Grantors"), have bargained and sold, and by these presents do transfer and convey to Phillips Builders, Inc., (the "Grantee"), Grantee's successors and assigns, certain real property in Davidson County, State of Tennessee, being more particularly described in Exhibit A, which is attached hereto and incorporated herein by this reference (the "Property").

STATE OF TENNESSEE
COUNTY OF Davidson

The actual consideration or value, whichever is greater, for this transfer is $ 900,000.00

John W. Ew
Affiant

Subscribed and sworn to before me this 1st day of September, 1997.

[illegible] LEANNE [illegible] NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Notary Public
My Commission Expires 9/8/98

0389885.01
083870-001 02/17/97

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

1. State and Metropolitan taxes for the year in which this Deed is delivered, which shall be prorated between the parties.

2. Such matters as are set forth on Exhibit B hereto.

This is unimproved property.

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.

Grantors covenant with the Grantee that Grantors are lawfully seized and possessed of the Property in fee simple; that Grantors have a good right to convey the Property, and that the Property is unencumbered except as set forth hereinabove.

Grantors further covenant and bind themselves to warrant and forever defend the title to the Property to the said Grantee, Grantee's successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantors have executed this Deed this 18 day of February, 1997.

Richard Rust, Jr., Individually and as
Attorney-in-Fact for
Bettye Duncan
Clyde Lee Rust
Mamie Vogel
James R. Rust
Charles L. Rust, Jr.
Michael Jared Rust
Joyce Rust McKelvey
Evelyn Sinor
Lenard Putman
James T. Putman
Andrew G. Putman
Barbara Jean Clark
Robert Martin
Marylin Harris
Judy Martin
Jean P. Miller
James Putman
Terry D. Putman

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Personally appeared before me, Leanne R. Neal, Notary Public, Richard Rust, Jr., with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 18TH day of February, 1997.

Leanne R Neal

Notary ~~Public~~

My Commission Expires: 9/18/99

LEANNE R. NEAL NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Personally appeared before me, Leanne R. Neal, Notary Public, Richard Rust, Jr., to me known to be the person who executed the within instrument on behalf of Bettye Duncan, Clyde Lee Rust, Mamie Vogel, James R. Rust, Charles L. Rust, Jr., Michael Jared Rust, Joyce Rust McKelvey, Evelyn Sinor, Lenard Putman, James T. Putman, Andrew G. Putman, Barbara Jean Clark, Robert Martin, Marylin Harris, Judy Martin, Jean P. Miller, James Putman, and Terry D. Putman, and who is authorized by them to execute this instrument on behalf of Bettye Duncan, Clyde Lee Rust, Mamie Vogel, James R. Rust, Charles L. Rust, Jr., Michael Jared Rust, Joyce Rust McKelvey, Evelyn Sinor, Lenard Putman, James T. Putman, Andrew G. Putman, Barbara Jean Clark, Robert Martin, Marylin Harris, Judy Martin, Jean P. Miller, James Putman, and Terry D. Putman and who acknowledged that he executed the same on their behalf as their free act and deed.

WITNESS my hand, at office, this 18TH day of FEBRUARY, 1997.

Leanne R Neal

Notary Public

My Commission Expires: 9/18/99

LEANNE R. NEAL NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

SURVEYOR'S DESCRIPTION

Being land in Nashville, Second Civil District, Twenty-third Councilmanic District, Davidson County, Tennessee.

PARCEL 1:

Located generally north of Interstate 40 and East of Dunaway Drive and being Parcel 151 on the P.U.D Boundary and Subdivision Plat of Pine Forest of record in Book 9700, Page 476, Register's Office for Davidson County, Tennessee. Said Parcel being more particularly described as follows:

BEGINNING at an existing concrete monument on the north right-of-way of George Horn Road and also being the southeasterly corner of Section One: Dunaway Wood's Subdivision as recorded in Plat Book 5200, Page 132, R.O.D.C.;

THENCE, with the easterly line of Section One Dunaway Wood the following calls;

N22°04'22"W, 623.66 feet to an existing iron rod;
N22°11'22"W, 191.03 feet to an existing iron rod;
N21°31'53"W, 20.71 feet to a set iron rod;
N21°25'40"W, 250.11 feet to an existing concrete monument;
N21°55'19"W, 520.00 feet to a set iron rod;

THENCE, leaving said east line of Section One Dunaway Woods with a severance line the following calls:

N47°36'09"E, 413.62 feet to a set iron rod;
N8°56'26"W, 455.00 feet to a set iron rod;
N58°22'49"E, 639.86 feet to a set iron rod;
S21°32'52"E, 851.44 feet to a set iron rod;
S47°33'46"E, 542.46 feet to a set iron rod;
On the east property line of the Rust property recorded in Will Book 73, Page 54, R.O.D.C.

And also being the west line of the Bob Burdine property as recorded in Book 3643, Page 23, R.O.D.C.

THENCE, with. the above mentioned line;

S4°33'34"W, 482.93 feet to a set iron rod on the northerly right-of-way line of Interstate 40;

THENCE, with said right-of-way the following calls;
With a curve to the right 233.70 feet, said curve having a delta of 03°02'24", having a radius of 4,404.70 feet, a tangent of 116.88, a chord of S43°27'27"E, for 233.67 feet to a existing concrete monument;

THENCE; S46°05'33"E, 150.18 feet to existing concrete monument;

THENCE, along a curve to the right 1,028.35 feet having a delta of 12° 56' 10', a radius of 4,554.70 feet, a tangent of 516.37 feet, a chord of S51°24'46"W, for 1026.16 feet to the point of beginning.

Containing 2,178,130 sq. feet or 50.00 acres, more or less;

PARCEL 2:

Located east of Dunaway Drive and south of Indian Springs Drive; also being adjacent to Lot 7 as shown on Plan of Section One, Dunaway Woods, of record in Plat Book 5200, page 132, and being more particularly described as follows:

Beginning at a point in the southeast corner of Lot 7;

THENCE, along the south line of Lot 7, N 83° 57' 43" W, 41.04 feet to a point;

THENCE, along the east line of said Lot 7, N 02° 36' 09" E, 198.00 feet to an existing monument;

THENCE, S 21° 31' 53" E, 199.56 feet to a point;

THENCE, S 68° 18' 23" W, 44.58 feet to the point of beginning.

Containing 8,504 square feet more or less.

PARCEL 3:

Located east of Dunaway Drive and south of Indian Springs Drive, also being adjacent to Lot 6 as shown on Plan of Section One, Dunaway Woods, of record in Plat Book 5200, page 132, and being more particularly described as follows:

Beginning at an existing iron pin in the northeast corner of said Lot 6;

THENCE, along the north line of Lot 6, N 86° 44' 50" W, 49.10 feet to an existing monument;

THENCE, N 68° 18' 23" E, 44.58 feet to a new iron pin;

THENCE, S 21° 31' 53" E, 20.71 feet to the point of beginning.

Containing 462 square feet more or less.

Being parts of the same property conveyed to W. F. Rust and wife, Della Rust, by deeds of record in Book 372, page 634, Book 379, page 504, and Book 539, page 205, Register's Office for Davidson County, Tennessee, and also being part of the same property conveyed to W. F. Rust by deed of record in Book 626, page 570, said Register's Office. W. F. Rust and Della Rust have since died, Della Rust having predeceased W. F. Rust. W. F. Rust left a will which is of record in Will Book 73, page 64, Probate Court of Davidson County, Tennessee, in which said property was devised to T. Richard Rust, Trustee, during the life of Jordan Rust and Cora Lee Rust and, upon the last of the two of them to die, to the heirs at law of W. F. Rust. Both Cora Lee Rust and Jordan Rust have since died, and title is therefore vested in the heirs at law of W. F. Rust, namely his seven remaining children, to wit: Bettye Duncan, Clyde Lee Rust, Mamie Vogel, James Rust, Charles L. Rust, Thomas Richard Rust, and Thelma Rust Putman. Four of these, the Grantors, Bettye Duncan, Clyde Lee Rust, Mamie Vogel and James R. Rust are still living. The remaining three children of W, F. Rust are deceased and their shares are now vested as follows:

1. Charles L. Rust died intestate and his share is vested equally between his two surviving children, the Grantors, Charles L. Rust, Jr. and Michael Jared Rust.

2. Thomas Richard Rust left a will which is of record in Will Book 162 at page 52, Probate Court for Davidson County, Tennessee, in which his interest in the Property was devised in trust to Richard Rust, Jr. for the lifetime of his widow, Johnnie Doris Bryant Rust, who has since died. This trust terminated at the death of the widow of Thomas Richard Rust, after which his interest in the Property, under the terms of his will, became vested in his two children, the Grantors, Richard Rust, Jr. and Joyce Rust McKelvey.

3. Thelma Rust Putman left a will which is of record in Book 177, page 652, Probate Court of Davidson County, under which her interest in the Property became vested in the following persons:

(i) Grantors, Bettye Duncan, Clyde Lee Rust, Mamie Vogel, James R. Rust, Evelyn Sinor, Lenard Putman, James T. Putman and Andrew G. Putman.

(ii) Grantors, Charles L. Rust, Jr. and Michael Jared Rust, as the surviving children of Charles L. Rust, who predeceased Thelma Rust Putman.

(iii) Grantors, Richard Rust, Jr., and Joyce Rust McKelvey, as the surviving children of Thomas Richard Rust, who predeceased Thelma Rust Putman.

(iv) Grantors, Judy Martin, Jean P. Miller, James Putman and Terry D. Putman, as the surviving children of Ernest Putman, who predeceased Thelma Rust Putman.

(v) Grantors, Barbara Jean Clark, Robert Martin and Marylin Harris, as the three children of Mary Martin.

Barge, Waggoner, Sumner and Cannon, Inc.
a. File 9915-07
December 4, 1996
Revised September 9, 1997

EXHIBIT B

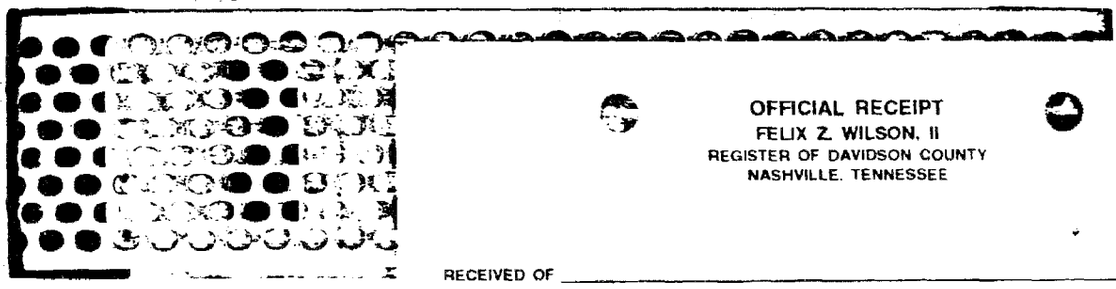
1. Easement for drainage granted to the State of Tennessee in a Deed of record in Book 3316, page 483, Register's Office for Davidson County, Tennessee.

2. Sign Lease to National Advertising Company of record in Book 6575, page 253, said Register's Office.

3. Easement granted to the Tennessee Electric Power Company by instrument of record in Book 787, page 25, said Register's Office.

4. Easements for roads and rights-of-way within the boundaries of the Property.

506B 10/01 0101 03CHECK 3359.00



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

RECEIVED OF _____

FOR _____

BOOK 10629 PG 773

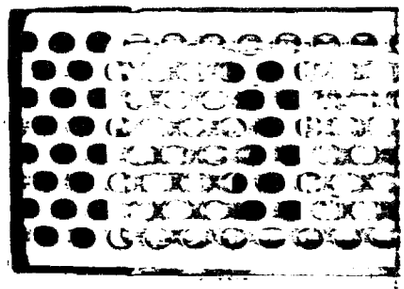
CO - CONVEYANCE	CC - CERTIFIED COPY	MISC - MISCELLANEOUS
MO - MORTGAGE	REL - RELEASE	CO TX - STATE TAX CONVEY
WD - WARRANTY DEED	UCC - UNIFORM COMMERCIAL CODE	MO TX - STATE TAX MORT
TD - TRUST DEED		PRFEE - PROBATE FEE

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL PAID

CAMT	
	900000.00
CON TX	3330.00
PRFEE	1.00
WDEED	28.00
TOTAL	3359.00
CHECK	3359.00

10/01/97 01 16:02 0001 5068

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK



0354534
IDENTIF. # REFERENCE

97 OCT -1 PM 4:04
FELIX Z. WILSON, REGISTER
DAVIDSON COUNTY, TN

No. 1204423