To be recorded in both
Davidson and Sumner Counties

Box 60

9:55

(1)

This Instrument Prepared By:
THOMAS I. BOTTORFF, Attorney
155 Franklin Road, Suite 120
Brentwood, Tennessee 37027
(615) 371-0800

# WARRANTY DEED

| Address New Owner: | Send Tax Bills To: | Map-Parcel No. |
|---|---|---|
| J. D. Eatherly & Dial Properties, LLC<br>1700 Hayes St. Ste 104<br>Nashville, TN 37203 | Owner | See legal description |

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 $520,000.00 .

Affiant

My Commission Expires:

July 15, 2001

Subscribed and sworn to before me this 19th day of December, 2000.

Notary Public

**********

NH

TENNESSEE

FOR AND IN CONSIDERATION OF Ten Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **HOLIGAN HOMES, LTD, a Texas limited partnership** ("Grantor") by these presents does hereby transfer, sell and convey to J.D. EATHERLY and DIAL PROPERTIES, LLC, ("Grantees") their successors, heirs and assigns, a certain tract or parcel of real property located in **DAVIDSON** County, State of Tennessee, and a certain tract or parcel of real property located in **SUMNER** County, State of Tennessee, and more particularly described as follows, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN VERBATIM

Davidson County DEEDWARR
Recvd: 12/28/00 16:06 3pgs
Fees:15.00 Taxes:1924.00
[redacted]
20001228-0127136

TO HAVE AND TO HOLD the said property, with the appurtenances, estate, title and interest thereto belonging to J. D. EATHERLY and DIAL PROPERTIES, LLC, their successors, heirs and assigns forever.

AND the Grantor does hereby covenant with J. D. EATHERLY and DIAL PROPERTIES, LLC, 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 hereinabove mentioned.

Davidson County DEEDWARR
Recvd: 02/20/01 11:30 3pgs
Fees:14.00 Taxes:0.00
20010220-0015430

Pamela L. Whitaker, Register
Sumner County Tennessee
Rec #: 431561 Instrument 543247
Rec'd: 12.00 MBk: 80 Pg 223
State: 0.00 Recorded
Clerk: 0.00 1/11/2001 at 9:55 am
EDP: 2.00 in Record Book
Total: 14.00

1196 Pg 369

RE-RECORD

(2)

JAN 11 2001

5th 164 D-B 5.

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 J. D. EATHERLY and DIAL PROPERTIES, LCC, their successors, heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 18 day of December, 2000.

GRANTOR:

Holigan Homes Tennessee LTD, a Texas limited partnership
by: Holly Management, LLC, a Texas limited liability company, its General Partner

By: _____

Title: Ron J. Hoyl, Vice President

STATE OF TEXAS )
COUNTY OF Dallas )

Personally appeared before me, Renee' Lee, a Notary Public in and for said county and state, the within named Ron J. Hoyl, 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 he is Vice President of Holigan Homes Tennessee, Ltd., a Texas limited partnership, and is authorized by said partnership to execute this instrument on behalf of said partnership and company.

WITNESS my hand and seal at office on this 18th day of December, 2000.

My Commission Expires:

_____

Renee Lee
Notary Public

RENEE LEE
MY COMMISSION EXPIRES
June 2, 2004

Holly Management, LLC, a Texas limited liability company, the general partner of

**EXHIBIT A**

**(Legal Property Description)**

**Parcel 1: Tax Map/Parcel #164-D-B-5**
**Land in the 5th Civil District of Sumner County, Tennessee, being Lot No. 5 on the Plan of The Maples, Section 13, Water View Estates, of record in Plat Book 12, page 50, Register's Office for Sumner County, Tennessee, reference to which is hereby made for a more complete description thereof.**

**Being part of the same property conveyed to Holigan Homes Tennessee, Ltd, *a Texas limited partnership*, by deed from Holigan Family Investments, Inc., *a Texas corporation*, of record in Record Book 764, page 45, Register's Office for Sumner County, Tennessee.**
**This is improved property known as 240 Water View Drive, Hendersonville, TN 37075**

**Parcel 2: Tax Map/Parcel #87-9-82**
**Land in the 13th Councilmanic District of Davidson County, Tennessee, being Lot No. 27, on the Plan of Phase One, New Hope Estates, of record in Plat Book 9700, page 319, 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 Holigan Homes Tennessee, Ltd, *a Texas limited partnership*, by deed from Lane Family Partners, L.P., a Tennessee limited partnership, of record in Book 11064, page 458, Register's Office for Davidson County, Tennessee.**
**This is improved property known as 4840 Myra Drive, Hermitage, TN 37076.**

**Parcel 3: Tax Map/Parcel #87-9-89**
**Land in the 13th Councilmanic District of Davidson County, Tennessee, being Lot No. 34, on the Plan of Phase One, New Hope Estates, of record in Plat Book 9700, page 319, Register's Office for Davidson County, Tennessee, reference to which is hereby made for a more complete description thereof.**

**Being the same property conveyed to Holigan Homes Tennessee, Ltd, *a Texas limited partnership*, by deed from Lane Family Partners, L.P., a Tennessee limited partnership, of record in Book 11627, page 740, Register's Office for Davidson County, Tennessee.**
**This is improved property**



**Parcel 4: Tax Map/Parcel #87-9-95**
**Land in the 13th Councilmanic District of Davidson County, Tennessee, being Lot No. 40 on the Plan of Phase Two, New Hope Estates, of record in Plat Book 9700, page 101, Register's Office for Davidson County, Tennessee, reference to which is hereby made for a more complete description thereof.**

**Being the same property conveyed to Holigan Homes Tennessee, Ltd, *a Texas limited partnership*, by deed from Lane Family Partners, L.P., a Tennessee limited partnership, of record in Book 11627, page 740, Register's Office for Davidson County, Tennessee.**
**This is improved property known as 6186 New Hope Road, Hermitage, TN 37076.**

**Parcel 5: Tax Map/Parcel #87-9-79, #87-9-80 and #87-9-90**
**Land in the 13th Councilmanic District of Davidson County, Tennessee, being Lot No. 24, Lot No. 25, and Lot No. 35 , on the Plan of Phase One, New Hope Estates, of record in Plat Book 9700, page 319, 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 Holigan Homes Tennessee, Ltd, *a Texas limited partnership*, by deed from Lane Family Partners, L.P., a Tennessee limited partnership, of record in Book 11064, page 458, Register's Office for Davidson County, Tennessee.**
**This is unimproved property**

**Parcel 6: Tax Map/Parcel #87-9-93, #87-9-94, and #87-9-96**
**Land in the 13th Councilmanic District of Davidson County, Tennessee, being Lot No. 38, Lot No. 39, and Lot No. 41 , on the Plan of Phase Two, New Hope Estates, of record in Plat Book 9700, page 101, 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 Holigan Homes Tennessee, Ltd, *a Texas limited partnership*, by deed from Lane Family Partners, L.P., a Tennessee limited partnership, of record in Book 11064, page 462, Register's Office for Davidson County, Tennessee.**
**This is unimproved property.**