44
C.L.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater for this transfer is $1,900,000.00.

AFFIANT

Subscribed and sworn to before me, this 23 day of April, 2001.

Notary Public

My Commission Expires 7-28-01

CHRISTINE L. LAND NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires JULY 28, 2001

THIS INSTRUMENT PREPARED BY:
Wesley D. Turner
GULLETT, SANFORD, ROBINSON & MARTIN, PLLC
Third Floor
230 Fourth Avenue, North
P. O. Box 198888
Nashville, Tennessee 37219-8888
(615) 244-4994

Davidson County DEEDWARR
Recvd: 04/25/01 10:23 6pgs
Fees:27.00 Taxes:7030.00
20010425-0040967

Address New Owners As Follows:	**Send Tax Bills To:**	**Map-Parcel Numbers:**
Riverwalk Development Partners, Inc. c/o CPS Land, LLC 5120 Virginia Way, Suite C-12 Brentwood, TN 37027	SAME	Map 126 Parcels 47, 47.01, 48, part of 67 & part of 68

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars ($10.00), cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned, **ADELAIDE S. ROBB, JOHNIE MAI DAVIS,** and **ADELAIDE S. ROBB** and **JOHNIE MAI DAVIS, as TRUSTEES UNDER THE WILL OF HILDA RAY WILLARD, DECEASED,** hereinafter called the Grantors, have bargained and sold, and by these presents do transfer and convey unto **RIVERWALK DEVELOPMENT PARTNERS, INC.,** a Tennessee corporation, hereinafter called the Grantee, its successors and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows:

PROPERTY NORTH OF RAILROAD

Being land shown as Parcel 47, 47.01, and 48 on Davidson County Tax Map 126, in the ninth civil district, twenty-third councilmanic district, Nashville, Davidson County, Tennessee, generally located north of Interstate 40, north of CSX Transportation Railroad, west and south of the Harpeth River, and east of a TVA Transmission line, and being more particularly described as follows:

BEGINNING at an existing iron pin in the northerly margin of the CSX Transportation Railroad right-of-way near milepost 17;

THENCE leaving said right-of-way, along the easterly boundary of property conveyed to Cecil D. Branstetter of record in Book 9744, Page 47, R.O.D.C. the following calls:

N 11°50'18" W 1149.02 feet to an existing iron pin;
N 12°43'48" W 322.39 feet to a point in the center of the Harpeth River, passing a Witness Pin at 252.39 feet;

THENCE following the centerline of said River the following calls:

N 56°34'03" E 914.71 feet to a point;
N 79°37'59" E 1526.57 feet to a point;
S 73°54'22" E 574.45 feet to a point;
S 43°51'28" E 231.11 feet to a point;
S 00°52'18" E 1420.55 feet to a point;
S 00°13'32" W 632.74 feet to a point;
S 20°12'38" W 663.63 feet to a point;
S 10°44'18" E 1069.97 feet to a point;
S 20°21'56" E 1248.51 feet to a point;
S 50°23'25" E 105.25 feet to a point;

THENCE leaving said centerline of the Harpeth River S 54°04'51" W 105.30 feet to a point in the easterly right-of-way of the CSX Transportation Railroad;

THENCE along said right-of-way, along a curve to the right, 213.71 feet to a point, said curve having a central angle of 09°59'44", a radius of 1225.00 feet, a tangent of 107.13 feet, and a chord of N 25°18'34" W 213.44 feet;

THENCE continuing along said right-of-way N 20°18'42" W 492.01 feet to a point at the beginning of a curve to the left;

THENCE continuing along said right-of-way, along said curve 97.91 feet to a point, said curve having a central angle of 04°28'12", and radius of 1255.00 feet, a tangent of 48.98 feet, and a chord of N 22°32'48" W 97.89 feet;

THENCE continuing along said right-of-way N 24°46'54" W 363.14 feet to a point at the beginning of a curve to the right;

THENCE continuing along said right-of-way, along said curve 298.45 feet to a point, said curve having a central angle of 18°29'12", a radius of 925.00 feet, a tangent of 150.54 feet, a chord of N 15°32'18" W 297.16 feet;

THENCE continuing along said right-of-way, N 06°17'42" W 361.80 feet to a point at the beginning of a curve to the left;

THENCE continuing along said right-of-way, along said curve 2029.43 feet to a point, said curve having a central angle of 78°40'05", a radius of 1478.08 feet, a tangent of 1211.26 feet, and a chord of N 45°37'44" W 1873.73 feet;

THENCE continuing along said right-of-way N 84°57'47" W 1183.94 feet to the point of beginning;

CONTAINING 6,564,940 square feet or 150.71 acres more or less, according to a survey dated April 8, 2001 by James M. Naive, American Surveying Company, R.L.S. # 819.

PROPERTY SOUTH OF RAILROAD (PHASE 1A & 1B)

Being land shown as a portion of Parcel 67 and 68 on Davidson County Tax Map 126, in the ninth civil district, twenty-third councilmanic district, Nashville, Davidson County, Tennessee, generally located north of Interstate 40, south of the CSX Transportation Railroad, west of the Harpeth River, and east of a TVA Transmission line, and being more particularly described as follows:

BEGINNING at a point in the northerly right-of-way of Newsom Station Road, approximately 2058 feet south of the CSX Transportation Railroad, said point being the common corner with property conveyed to Beazer Homes Corporation, of record in Book 11669, Page 837, R.O.D.C.;

THENCE leaving said right-of-way, along the easterly boundary of said Beazer Homes property N 11°50'25" W 2058.03 feet to a point in the southerly right-of-way of the CSX Transportation Railroad;

THENCE along said CSX right-of-way S 84°57'47" E 1089.60 feet to a point at the beginning of a curve to the right;

THENCE continuing along said right-of-way, along said curve 1892.13 feet to a point, said curve having a central angle of 78°40'05", a radius of 1378.08 feet, a tangent of 1129.31 feet, and a chord of S 45°37'44" E 1746.97 feet;

THENCE continuing along said right-of-way S 06°17'42" E 361.80 feet to a point at the beginning of a curve to the left;

THENCE continuing along said right-of-way, along said curve 330.72 feet to a point, said curve having a central angle of 18°29'12", a radius of 1025.00 feet, a tangent of 166.81 feet, and a chord of S 15°32'18" E 329.29 feet;

THENCE continuing along said right-of-way S 24°46'54" E 41.12 feet to a point;

THENCE leaving said CSX right-of-way, along a severance line the following calls:

S 65°13'06" W 443.11 feet to a point;
N 62°34'08" W 441.55 feet to a point;
N 02°16'19" E 393.12 feet to a point;
N 53°20'36" W 133.42 feet to a point;
S 80°40'11" W 131.39 feet to a point;
S 30°29'19" W 148.64 feet to a point;
S 47°25'56" W 210.72 feet to a point;
S 13°44'49" W 58.82 feet to a point;
S 58°44'46" W 42.43 feet to a point at the beginning of a curve to the right;

THENCE continuing along said severance line, along said curve 240.80 feet to a point at the beginning of a curve to the left, said curve having a central angle of 28°44'34", a radius of 480.00 feet, a tangent of 122.99 feet, and a chord of S 28°07'06" W 238.28 feet;

THENCE continuing along said severance line, along said curve 36.61 feet to a point, said curve having a central angle of 83°54'32", a radius of 25.00 feet, a tangent of 22.47 feet, and a chord of S 00°32'07" W 33.43 feet;

THENCE continuing along said severance line S 48°34'51" W 10.00 feet to a point in the northerly right-of-way of Newsom Station Road;

THENCE along said right-of-way, along a curve to the left 89.40 feet to a point, said curve having a central angle of 06°33'46", a radius of 780.50 feet, a tangent of 44.75, and a chord of N 44°42'01" W 89.35 feet;

THENCE continuing along said right-of way N 47°58'55" W 50.93 feet to a point;

THENCE continuing along said right-of-way N 49°59'02" W 33.85 feet to a point at the beginning of a curve to the left;

THENCE continuing along said right-of-way, along said curve 552.09 feet to the point of beginning, said curve having a central angle of 73°33'50", a radius of

430.00 feet, a tangent of 321.47 feet, and a chord of N 86°45'57" W 514.94 feet;

CONTAINING 3,646,482 square feet or 83.71 acres more or less, according to a survey dated April 8, 2001 by James M. Naive, American Surveying Company, R.L.S. # 819.

Being the same property conveyed to Riverwalk Development Partners, Inc. by Special Warranty Deed from Adelaide S. Robb, Johnie Mai Davis, and Adelaide S. Robb and Johnie Mai Davis, as Trustees under the Will of Hilda Ray Willard, Deceased, being recorded simultaneously herewith in the Register's Office for Davidson County, Tennessee.

This conveyance is made subject to:

1. Metro Taxes for the year 2001 and subsequent years, a lien, but not yet due or payable, which have been prorated and assumed by Grantee. Grantee shall indemnify and hold harmless Grantor from any liability thereon.

2. Plan of Newsom Land of record at Plat Book 1, page 25, and in Plat Book 1, page 121, Chancery Court of Davidson County, Tennessee.

3. Easements and rights granted to Nashville, Chattanooga and St. Louis Railway as set forth in instrument of record in Book 513, page 396, Register's Office for said County.

4. Easements and rights granted to Tennessee Electric Power Company as set forth in instruments of record in Book 751, page 375 and in Book 787, page 7, Register's Office for said County.

5. Easements and rights-of-way taken by Tennessee Valley Authority as set forth in Declaration of Taking of record in Book 4205, page 194, Register's Office for said County, and Judgment of record in Book 4226, page 715, Register's Office for said County.

6. Easements and rights-of-way granted to Tennessee Valley Authority as set forth in Grant of Transmission Line Easement of record in Book 4257, page 647, Register's Office for said County.

7. Easement granted in Agreements for Dedication of Public Utilities Easement to Harpeth Valley Utilities District of record in Book 7526, page 315, Book 7526, page 318 and in Book 7526, page 324, Register's Office for said County.

8. Title to that portion of the land lying below the ordinary low mark of the Harpeth River.

9. Easement for the flow of the waters of the Harpeth River and the rights of the public therein.

10. Rights of upper and lower riparian owners to the flow of the waters of the Harpeth River, free from diminution or pollution.

11. Changes in the boundary of the subject property resulting from erosion or accretion caused by the flow of the Harpeth River.

12. Title to that portion of the premises embraced within the bounds of the railroad charter right-of-way.

13. Title to that portion of the premises embraced within the bounds of roads or highways.

14. Lack of direct access to Interstate-40, a limited access highway.

This is unimproved property located on Newsom Station Road, Nashville, Tennessee.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, its successors and assigns, forever; and the undersigned covenant and bind themselves, their successors and assigns, to warrant and forever defend the title to the

said land to the said Grantee, their successors and assigns, against the lawful claims of all persons claiming by, through or under Grantors, but not otherwise. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS our hands this 23 day of April, 2001.

GRANTORS:

Adelaide S. Robb

Johnie Mai Davis

Adelaide S. Robb, Trustee under the will of
Hilda Ray Willard, deceased.

Johnie Mai Davis, Trustee under the will of
Hilda Ray Willard, deceased.

STATE OF FLORIDA)
COUNTY OF NASSAU)

Personally appeared before me , the undersigned, a Notary Public in and for said County and State, **ADELAIDE S. ROBB**, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, this 23 day of April, 2001.

Rosemarie T. Evatt
Notary Public

My Commission Expires: 04-28-2005

"OFFICIAL SEAL"
Rosemarie T. Evatt
My Commission Expires 4/28/2005
Commission #CC 998522

STATE OF FLORIDA)
COUNTY OF NASSAU)

Personally appeared before me , the undersigned, a Notary Public in and for said County and State, **JOHNIE MAI DAVIS**, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, this 23 day of April, 2001.

Rosemarie T. Evatt
Notary Public

My Commission Expires: 04-28-2005

"OFFICIAL SEAL"
Rosemarie T. Evatt
My Commission Expires 4/28/2005
Commission #CC 998522

STATE OF FLORIDA)
COUNTY OF NASSAU)

Personally appeared before me , the undersigned, a Notary Public in and for said County and State, **ADELAIDE S. ROBB, TRUSTEE**, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, this 23 day of April, 2001.

Rosemarie T. Evatt
Notary Public

My Commission Expires: 04-28-2005

"OFFICIAL SEAL"
Rosemarie T. Evatt
My Commission Expires 4/28/2005
Commission #CC 998522

04/23/2001 12:27 FAX 615 256 6339 GULLETT, SANFORD 006/011

STATE OF FLORIDA)
COUNTY OF NASSAU)

Personally appeared before me , the undersigned, a Notary Public in and for said County and State, **JOHNIE MAI DAVIS, TRUSTEE**, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, this 23 day of April, 2001.

Rosemarie T. Evatt
Notary Public

My Commission Expires: 04-28-2005



"OFFICIAL SEAL"
Rosemarie T. Evatt
My Commission Expires 4/28/2005
Commission #CC 998522

04/23/2001 12:27 FAX 615 256 6339 GULLETT, SANFORD 007/011