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Davidson County DEEDWARR
Recvd: 06/27/02 10:59 4pgs
Fees:23.00 Taxes:2366.14

20020627-0077499

Box 44

THIS INSTRUMENT PREPARED BY:
George V. Crawford, Jr.
GULLETT, SANFORD, ROBINSON & MARTIN, PLLC
230 Fourth Avenue, North
P. O. Box 198888
Nashville, Tennessee 37219-8888
(615) 244-4994

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $639,498.00.

Affiant

Subscribed and sworn to before me, this 25th day of June, 2002.

Notary Public

My Commission Expires: 1/28/06

Address New Owner As Follows:	Send Tax Bills To:	Map-Parcel Number:
Psalms 65 Unit 1, LLC. 690 Laurel Lane New Braunfels, TX 78130	SAME	141-00-0-086.00 141-00-0-087.00

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, **COLEY DAVIS ONE, a Tennessee general partnership** composed of Jacky Allen, Joe Gower and J. Thomas Holland, II, hereinafter called the Grantor, has bargained and sold, and by these presents does transfer and convey unto **PSALMS 65 UNIT 1, LLC, a Tennessee limited liability company,** hereinafter called the Grantee, its successors and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described on the attached Exhibit A incorporated herein by reference.

This conveyance is made subject to:

1. 2002 Metro taxes, a lien but not yet due and payable, which have been prorated and assumed by Grantee. By acceptance of delivery of this instrument, Grantee assumes and agrees to pay such taxes as and when such become payable and to indemnify and hold harmless Grantor from liability and loss therefrom.

2. Matters shown on the Plan of record in Book 6900, page 421, and Book 7900, page 357, Register's Office for said County.

3. Family cemetery with burial rights and right of ingress and egress thereto, as set out in Book 735, page 252, Register's Office for said County.

4. Drainage easement of record in Book 3314, page 23, Register's Office for said County.

5. Agreement for Dedication of Easement for sewer line granted to Harpeth Valley Utilities District of record in Book 7601, page 409, Register's Office for said County.

6. Lack of direct access to and from controlled access highway, Interstate 40.

7. Matters shown on the Boundary Survey Harpeth Springs, dated June 12, 2002, of Crawford Surveyors, P.C., Theodore Joseph Stevens, RLS, Tennessee License No. 2136.

This is unimproved property known as 7986 and 7978 Coley Davis Road, Nashville, TN 37221.

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 it covenants with the said Grantee that it is lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered, unless otherwise herein set out; and further covenants and binds itself, its successors and assigns, to warrant and forever defend the title to the said land to the said Grantee, its successors and assigns, against the lawful claims of all person whomsoever.

WITNESS my hand this 20th day of June, 2002.

COLEY DAVIS ONE,
a Tennessee general partnership

By: _____
Joe Gower, Managing Partner

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **JOE GOWER,** with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the managing partner of the maker or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

WITNESS my hand, at office, this 20 day of June, 2002.

_____
Notary Public

My Commission Expires: 10/25/03

EXHIBIT A

Legal Description

TRACT I: (7986 Coley Davis Road, Map 141-00-0-086.00)
A certain tract or parcel of land containing 1.37 acres, lying and being in Second Civil District of Nashville, Davidson County, Tennessee, and being shown as Tract 1 on the PUD Boundary Plat of Harpeth Springs, of record in Book 6900, page 421, Register's Office for Davidson County, Tennessee, located on Coley Davis Road at Somerset Farms Drive. Bounded on the north by Coley Davis Road, the east by Somerset Farms Drive, the south by Somerset Farms and on the west by Buffalo Road and being more particularly described as follows:

COMMENCING on an iron pin set in the southern margin of Coley Davis Road at the eastern intersection of Somerset Farms Drive, the northwest corner of Tract II of Harpeth Springs (Plat Book 6900, page 421, R.O.D.C.,) and running thence along said margin and across Somerset Farms Drive South 56 deg. 45 min. 55 sec. West 100.00 feet to an iron pin set in said margin at its western intersection with Somerset Farms Drive, the POINT OF BEGINNING, thence along and with the western right-of-way margin of Somerset Farms Drive the following three (3) courses and distances: (1) 39.27 feet along a curve to the right of radius 25.00 feet a chord and distance South 78 deg. 14 min. 05 sec. East 35.36 feet to an iron pin set; (2) 149.73 feet along a curve to the right of radius 431.82 feet a chord and distance South 23 deg. 18 min. 05 sec. East 148.98 feet to an iron pin set; and (3) 91.68 feet along a curve to the right of radius 637.49 feet a chord and distance South 17 deg. 29 min. 19 sec. East 91.61 feet to a concrete monument found at the northeast corner of Lot 25 of Somerset Farms, Section One, (Plat Book 7900, page 357, R.O.D.C.); thence along the northern lines of Lots 25, 18 and 17 of Somerset Farms, Section One South 70 deg. 55 min. 11 sec. West 306.07 feet to a concrete monument found in Buffalo Road; thence along Buffalo Road North 07 deg. 08 min. 09 sec. East 242.91 feet to an iron pin set in the southern right-of-way margin of Coley Davis Road; thence along said margin North 56 deg. 45 min. 55 sec. East 165.00 feet to an iron pin, the POINT OF BEGINNING, containing 1.37 acres more or less, and being all of Tract I of Harpeth Springs, Plat Book 6900, page 421.

Tract I is subject to those certain easements noted on plat of survey recorded in Plat Book 6900, page 421, R.O.D.C.

TRACT II: (7978 Coley Davis Road, Map 141-00-0-087.00)
A certain tract or parcel of land containing 1.90 acres, lying and being in Second Civil District of Nashville, Davidson County, Tennessee, and being shown as Tract 2 on the PUD Boundary Plat of Harpeth Springs, of record in Book 6900, page 421, Register's Office for Davidson County, Tennessee, located on Coley Davis Road at Somerset Farms Drive, bounded on the north by Coley Davis Road, the east by Tract III of Harpeth Springs, the south by Somerset Farms (Section Two); and on the west by Somerset Farms Drive, and being more particularly described as follows:

COMMENCING on an iron pin set in the southern margin of Coley Davis Road at the western intersection of Somerset Farms Drive, the northeast corner of Tract I of Harpeth Springs (Plat Book 6900, page 421, R.O.D.C.) and running thence along said margin and across Somerset Farms Drive North 56 deg. 45 min. 55 sec. East 100.00 feet to an iron pin set in said margin at its eastern intersection with Somerset Farms Drive, the POINT OF BEGINNING: thence along and with the southerly right-of-way margin of Coley Davis Road North 56 deg. 45 min. 55 sec. East 219.47 feet to an iron pin set; thence South 33 deg. 25 min. 32 sec. East 347.22 feet to an iron pin found in the northern line of Somerset Farms, Section Two (Plat Book 7900, page 671, R.O.D.C.); thence with said line South 70 deg. 55 min. 11 sec. West 306.97 feet to a concrete monument found in the eastern right-of-way margin of Somerset Farms Drive; thence along said margin the following three (3) courses and distances: (1) 86.70 feet along a curve to the left of radius 587.49 feet a chord and distance North 17 deg. 35 min. 47 sec. West 86.63 feet to an iron pin; (2) 167.06 feet along a curve to the left of radius 481.82 feet a chord and distance North 23 deg. 18 min. 05 sec. West 166.23 feet to an iron pin; and (3) 39.27 feet along a curve to the right of radius 25.00 feet a chord and distance North 11 deg. 45 min. 55 sec. East 35.36 feet to an iron pin in the southern right-of-way margin of Coley Davis Road, the POINT OF BEGINNING, containing 82,690 square feet or 1.90 acres, more or less, and being all of Tract II of Harpeth Springs, Plat Book 6900, page 421.

Tract II is subject to certain easements shown on plat of survey of Harpeth Springs recorded in Plat Book 6900, page 421, R.O.D.C.

The foregoing descriptions were prepared by Crawford Surveyors, P.C., Theodore Joseph Stevens, RLS, Tennessee License No. 2136, dated June 12, 2002.

Being part of the same property conveyed to Coley Davis One, a Tennessee general partnership composed of Jacky Allen, Joe Gower and J. Thomas Holland, II, by deed from Reese L. Smith, III and Stephen B. Smith and Reese L. Smith, III, Executor of the Estates of Reese L. Smith, Jr. and Marcella V. Smith, of record as Instrument No. 20010503-0045873, Register's Office for Davidson County, Tennessee.