Davidson County DEEDWARR
Recvd: 01/13/03 15:58 2pgs
Fees:13.00 Taxes:6075.40
20030113-0005465

This Instrument Prepared By:
THOMAS I. BOTTORFF, Attorney
155 Franklin Road, Suite 120
Brentwood, Tennessee 37027

WARRANTY DEED

Address New Owner:
Land South Properties, LLC and
WCDM Development, L.P.
1760 Bass Road, Suite 202
Macon, GA 31210

Send Tax Bills To:

Map-Parcel Nos.
Map 26
Parcel 79 and part of Parcels 4, 119 & 147

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 $ 1,642,000.00 .

J. D. Eatherly
Affiant

Subscribed and sworn to before me this 13 day of January, 2003.

Barbara S. Lamb
Notary Public

My Commission Expires:

August 3, 2005

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FOR AND IN CONSIDERATION OF Ten Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **J. D. EATHERLY, doing business as EATHERLY PROPERTIES,** ("Grantor") by these presents does hereby transfer, sell and convey to LAND SOUTH PROPERTIES, LLC and WCDM DEVELOPMENT, L.P. ("Grantees") their successors and assigns, a certain tract or parcel of real property more particularly described as follows, to wit:

Land in Davidson County, being Lots 1 and 4 as shown on the Final Plat, Northcreek Commons, Section Nine, of record as Instrument No. 20030110-0004472, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate description of said lots.

Being part of the same property conveyed to North Creek Associates, LTD., a Tennessee limited partnership, by deeds of record in Book 6654, page 95, Book 6782, page 335 and Book 6804, page 160, Register's Office for Davidson County, Tennessee, *North Creek Associates, LTD now being known as North Creek Associates, LTD, LCC, L.P,* and further being the same property conveyed by the said North Creek Associates, LTD, LCC, LP, to J D. Eatherly individually and doing business as Eatherly Properties, of record in Instrument No. 20030113-0005464, being recorded simultaneously herewith.

TO HAVE AND TO HOLD the said property, with the appurtenances, estate, title and interest thereto belonging to LAND SOUTH PROPERTIES, LLC and WCDM DEVELOPMENT, L.P. their successors and assigns forever.

AND the Grantor does hereby covenant with LAND SOUTH PROPERTIES, LLC and WCDM DEVELOPMENT, L.P. that he 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.

AND the Grantor does further covenant and bind himself, his heirs and assigns to warrant and forever defend the title to the said real property to the said LAND SOUTH PROPERTIES, LLC and WCDM DEVELOPMENT, L.P. and their successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, I have hereunto set my hand as of this the 13 day of January, 2003.

GRANTOR:

J. D. Eatherly

J. D. Eatherly, doing business as
Eatherly Properties, a sole proprietorship

STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)

Personally appeared before me, the undersigned, Barbara S. Lamb, a Notary Public in and for said county and state, the within named J. D. Eatherly, with whom I am personally acquainted and who, upon oath, acknowledged himself to be the owner of Eatherly Properties, a sole proprietorship, the within named bargainor, and that he executed the foregoing instrument for the purpose therein contained.

WITNESS my hand and seal, at office in Brentwood, Tennessee, this 13 day of January, 2003.

My Commission Expires:

August 3, 2005

Barbara S Lamb
Notary Public

BARBARA S. LAMB NOTARY PUBLIC AT LARGE WILLIAMSON CO. TENN.