Rerecord in correct County

STATE OF TENNESSEE
COUNTY OF

BK 2883 PG 343

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $850,000.00

Affiant

Sworn to and subscribed before me, the undersigned, a Notary Public this 20 day of June, 2003.

Notary Public

My Commission Expires:

WARRANTY DEED

THIS INSTRUMENT WAS PREPARED BY

File

Sidwell, Barrett & McCann, P.C.
121 First Avenue South, Ste 200
Franklin, TN 37064

ADDRESS NEW OWNER(S) AS FOLLOWS:
J.D. Eatherly
1700 Hayes Street, Ste. 104
Nashville, TN 37203

Davidson County DEEDWARR
Recvd: 07/28/03 13:28 3pgs
Fees:17.00 Taxes:0.00
20030728-0105106

SEND TAX BILLS TO:
1700 Hayes Street, Ste. 104
Nashville, TN 37203

MAP-PARCEL NUMBERS:
part of 150-00-0-252.00

For and in consideration of the sum of Ten Dollars ($10.00), cash in hand paid by the Grantees, and other good and valuable consideration, the receipt of which is hereby acknowledged, **Harding University, Inc.,** hereinafter referred to as Grantors, hereby transfer and convey to **J.D. Eatherly,** hereinafter referred to as Grantees, their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee described as follows, TO WIT:

Being a tract of land lying in the First Civil District, Twenty-ninth Councilmanic District, Davidson County, Tennessee. Said tract being a portion of P.U.D. Tract No. 9, being portions of Tract No. 12, 13 and 15 of Hickory Highlands, as recorded in Deed Book 7976, Page 579, and being more particularly described as follows:

BEGINNING at a found iron rod on the Southerly margin of Hamilton Church Road in the North line of said P.U.D. Tract 9. Said point being S 41 deg. 58' 39" W, 1755 feet more or less from the intersection of the Westerly margin of Murfreesboro Road and the Southerly margin of Hamilton Church Road;

THENCE, leaving said margin, S 48 deg. 54' 27" E, 1109.86 feet to a found iron in the North line of the Hoover, Inc. property, as recorded in Deed Book 9448, Page 863;

THENCE, S 44 deg. 09' 40" W, 175.33 feet to a set iron rod;

THENCE, S 75 deg. 17' 57" W, 540.14 feet to an existing fence post, being the Northwest corner of the Hoover, Inc. property as recorded in Deed Book 6654, Page 902 and being in the East line of the Paul Anthony Hoover, et al, recorded by Instrument No. 1999120900301423;

THENCE, N 02 deg. 34' 09" E, 26.32 feet to an existing fence post, being the Northeast corner of said Hoover property;

THENCE, N 82 deg. 28' 47" W, 740.11 feet to set iron rod;

THENCE, N 80 deg. 57' 17" E, 11.23 feet to a set iron rod;

THENCE, N 80 deg. 15' 53" W, 258.12 feet to a set iron rod on the Southerly margin of Hamilton Church Road, being the Northwest corner of said Hoover property;

THENCE, said margin, N 45 deg. 17' 27" E, 780.06 feet to a set iron rod.

THENCE, along a curve to the left, having a central angle of 04 deg. 10' 47", a radius of 2,030.00 feet, a tangent 74.08 feet, an arc length of 148.09 feet, and a chord bearing and distance of N 43 deg. 12' 03" E, 148.06 feet to a set iron rod;

THENCE, N 41 deg. 06 40" E, 199.95 feet to a set iron rod;

THENCE, N 43 deg. 01' 13" E, 9.61 feet to the POINT OF BEGINNING, and containing 18.97 acres or 826,249 Square Feet.

Being a portion of the same property conveyed to Harding University, Inc. by deeds of record in Book 7656, Page 738, and Book 7976, Page 579, Register's Office for Davidson County, Tennessee.

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

Taxes for the year 2003, and subsequent years, a lien not yet due and payable.

This conveyance is subject to all easements, restrictive covenants and conditions, and other matters or record , including all items set out on any applicable plat of record.

County and/or City taxes for the year 2003, a lien not yet due and payable. Said taxes have been prorated between the parties as of the date of this instrument, with the GRANTORS paying their prorata share thereof to GRANTEES who will be responsible for payment of said taxes.

This is unimproved property known as 18.97 Acres of Hickory Highlands, 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 **GRANTEES**, their heirs and assigns forever, and I do covenant with the said **GRANTEES** that I am 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 I do further covenant and bind myself, my heirs and representatives, to warrant and forever defend the title to the said land to the said **GRANTEES**, their heirs and assigns, against the lawful claims of all persons whomsoever. 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 my hand this 15th day of May, 2003.

Harding University, Inc.

David B. Burks

By:

Its: President

07013-MD

STATE OF ~~TENNESSEE~~ Ar Kansas
COUNTY OF White

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named David B. Burks with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, who, upon oath, acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the President of Harding University, Inc. and that he is authorized by Harding University, Inc. to execute this instrument on its behalf by himself as such President.

Witness my hand and official seal this 15TH day of May, 2003.

Barbara Newsom
Notary Public

3-16-04
My Commission Expires

BARBARA NEWSOM
NOTARY PUBLIC-STATE OF ARKANSAS
MY COMMISSION EXPIRES 3-16-04
WHITE COUNTY

State of Tennessee, County of WILLIAMSON
Received for record the 24 day of
JUNE 2003 at 9:35 AM. (RECR 554221)
Recorded in official records
Book 2883 Pages 343- 345
State Tax $ 3145.00 Clerks Fee $ 1.00,
Recording $ 17.00, Total $ 3163.00,
Register of Deeds SADIE WADE
Deputy Register JESSICA MANGRUM