Bk 49

(1)

LTIC File No. 54084

STATE OF Tennessee
COUNTY OF Davidson

THE ACTUAL CONSIDERATION OR VALUE, WHICH EVER IS GREATER, FOR THIS TRANSACTION IS $2,717,196.00.

AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, THIS 13th DAY OF August, 2003.

NOTARY PUBLIC

MY COMMISSION EXPIRES: 11-12-2006

SPECIAL WARRANTY DEED

THIS INSTRUMENT PREPARED BY:
Stuart Jones, LAWYERS TITLE INSURANCE CORPORATION, 424 Church Street, Suite 950, Nashville, TN 37219

ADDRESS NEW OWNER(S):	SEND TAX BILLS TO:	MAP-PARCEL NUMBER:
Canyon Ridge LLC 607 South Lindbergh Blvd. Frontenac, MO. 63131	NEW OWNER	86-343

Davidson County DEEDWARR
Recvd: 08/15/03 10:14 5pgs
Fees:28.00 Taxes:10053.63
20030815-0118069

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, I/WE, Merry Land Holdings, LLC HEREINAFTER CALLED THE GRANTOR, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO, Canyon Ridge LLC, a Delaware limited liability company HEREINAFTER CALLED THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN Davidson COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS TO WIT:

See Exhibit "A" attached hereto:

This conveyance is made subject to the following:

1. Taxes for the year 2003, a lien, which are not yet due and payable. Tax Parcel No. 86/343.
2. Storm Water Detention Agreement of record in Book 10639, page 152.
3. Storm Water Detention Agreement as of record in Book 6904, page 950.
4. Easements to Metropolitan Government of Nashville and Davidson County, as set forth in instrument recorded in Book 10634, page 265.
5. All matters shown on Plat recorded in Book 6900, page 187.
6. Easement to State of Tennessee, as set forth in instrument recorded in Book 7687, page 349 and Book 7695, page 375, as corrected by Book 7866, page 310.
7. Easement to First Suburban Water Utility District of Davidson County, Tennessee, as set forth in instrument recorded in Book 8310, page 409.
8. Easement to Metropolitan Government of Nashville and Davidson County, as set forth in instrument recorded in Book 9054, page 491.
9. All matters of record or otherwise.
10. The property is conveyed As-Is with all faults.

TO HAVE AND TO HOLD the aforesaid real estate together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining to the said GRANTEE, its successors and assigns in fee simple forever. The said GRANTOR does hereby covenant and bind itself and its successors to warrant specially and forever defend the title to said real estate to GRANTEE, its successors and assigns, against the lawful claims of all persons claiming by, through, or under GRANTOR (other than claims arising out of the matters set forth herein), but not further or otherwise. Whenever used, the singular number shall include the plural, the plural singular, and the use of any gender shall be applicable to all genders.

WITNESS, this the 12 th day of August, 2003.

MERRY LAND HOLDINGS, LLC
By: Merry Land Properties, LLC, its manager

By: _____

Title: Manager

The Property Address is:
Central Pike
Nashville, TN

STATE OF Georgia }
COUNTY OF ~~Columbia~~ } Richmond

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared Dorrie E. Green with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged him self to be the Manager of Merry Land Properties, LLC, a limited liability company, the manager of Merry Land Holdings, LLC, a limited liability company and that he as such Manager executed the foregoing instrument for the purpose therein contained, by signing the name of the company by him self as Manager.

WITNESS my hand and official seal at _____, _____, **this** 12th **day of** August, **2003.**

NOTARY PUBLIC

My Commission Expires: Notary Public, Columbia County, Georgia
My Commission Expires May 7, 2007

EXHIBIT "A"

Being a parcel of land in the Second Civil District of Nashville, Davidson County, Tennessee, located in the southwest quadrant of the intersection of Central Pike and State Route 45 Fly-Over being more particularly described as follows:

Beginning at a concrete highway monument at the intersection of the westerly margin of State Route 45 and the southerly margin of Central Pike;

Thence, with the westerly margin of State Route 45, the following calls:

S 05 deg. 58' 29" W, 633.37 feet to a point,

S 05 deg. 27' 21" E, 468.99 feet to a concrete monument,

S 06 deg. 22' 46" E, 22.38 feet to a concrete monument,

S 24 deg. 08' 35" W, 395.95 feet to a concrete monument,

S 46 deg. 33' 27" W, 318.70 feet to a concrete monument,

S 54 deg. 12' 24" W, 970.23 feet to a concrete monument,

Thence, leaving Interstate 40 with the easterly line of Oakwell Farms Apartments of record in Plat Book 6250, page 981, R.O.D.C., N 04 deg. 08' 26" E, 519.19 feet to an iron pin;

Thence, with the south line of Jerry Nelson, of record in Book 6831, page 195, S 82 deg. 52' 12" E, 322.95 feet to an iron pin;

Thence, with the east line of Nelson, N 31 deg. 48' 51" W, 266.49 feet to a point;

Thence, with the easterly line of ERP Operating Limited Partnership of record in Instrument No. 200001103209, R.O.D.C., the following calls:

N 63 deg. 59' 14" E, 518.92 feet to a point,

N 27 deg. 33' 07" E, 179.45 feet to a point,

N 00 deg. 48' 36" W, 319.36 feet to a point,

N 89 deg. 11' 24" E, 329.68 feet to a point,

With a curve concave to the west having a central angle of 04 deg. 41' 15", a radius of 970.00 feet and a chord of N 03 deg. 09' 14" W, 79.34 feet for an arc length of 79.36 feet to a point,

N 05 deg. 29' 51" W, 204.18 feet to a point,

With a curve concave to the west having a central angle of 54 deg. 06' 02", a radius of 275.00 feet and a chord of N 32 deg. 32' 52" W, 250.13 feet for an arc length of 259.66 feet to a point,

N 59 deg. 35' 53" W, 102.80 feet to a point;

With a curve concave to the north having a central angle of 17 deg. 12' 34", a radius of 335.00 feet and a chord of N 50 deg. 59' 35" W, 100.24 feet for an arc length of 100.62 feet to a point,

S 47 deg. 36' 41" W, 71.82 feet to a point,

N 54 deg. 58' 07" W, 702.90 feet to a point in the southerly margin of Central Pike;

Thence, with said margin, S 84 deg. 09' 21" E, 74.65 feet to a point;

Thence, with a curve concave to the north having a central angle of 04 deg. 29' 35", a radius of 5,764.58 feet and a chord of S 86 deg. 29' 16" E, 451.93 feet for an arc length of 452.05 feet to a point;

Thence, S 87 deg. 36' 26" E, 100.00 feet to a point;

Thence, S 02 deg. 23' 34" W, 7.00 feet to a point;

Thence, S 87 deg. 36' 26" E, 330.00 feet to a point;

Thence, S 64 deg. 16' 37" E, 117.89 feet to the Point of Beginning.

Containing 922,779 square feet or 21.18 acres, more or less.

BEING a portion of the same property conveyed to Merry Land Holdings, LLC, by Deed of Record in Instrument No. 200305290072383, Register's Office for Davidson County, Tennessee.

"EXPRESSLY EXCLUDING the 2.62 + Acre Tract more particularly described by Deed of record at Instrument No. 20030529-0072382, in aforesaid Register's Office."