Return to:
First National Financial Title
15 Century Blvd., Suite 101
Nashville, TN 37214
N124464

Prepared by and After Recording Return to:

D. Lawrence Law Firm, PLLC
5430 LBJ Freeway, Suite 260
Dallas, TX 75240
GF# 312889-34/dl

AFFIDAVIT OF NAME CHANGE

Davidson County AFFIDAVIT
Recvd: 09/23/03 08:50 5pgs
Fees:32.00 Taxes:0.00
20030923-0140293

STATE OF TENNESSEE)(

STATE OF DAVIDSON)(

BEFORE ME, the undersigned authority, did personally appeared **WILLIAM E. BALDRIDGE**, who after being placed upon oath, did state as follows:

1. My name is **WILLIAM E. BALDRIDGE**, I am over the age of twenty-one (21) years, and I am fully competent to make the statements herein under oath.

2. I am the Sole Member and Manager of **1997 BHA, L.C., a Texas limited liability company**, the General Partner and Custodian of the Records of **BRENTWOOD HIGHLANDS, L.P., a Tennessee limited partnership** (the "Owner"), an entity that is the owner of the real property with a local address of 249 Plumnelly Circle, Brentwood, Tennessee, being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof (the "Property"):

3. Owner has owned the Property since April 22, 1985, pursuant to that certain Warranty Deed recorded in Book 6542, Page 456, Real Property Records of Davidson County, Tennessee, and I have been familiar with the operations of the Property since 1997, when 1997 BHA, L.C. became the Successor General Partner of Owner.

4. The Property was originally acquired by Owner in the name of BRENTWOOD HIGHLANDS, LTD., a Tennessee limited partnership. However, pursuant to AMENDMENT TO AGREEMENT OF LIMITED PARTNERSHIP OF BRENTWOOD HIGHLANDS, LTD., a true and correct copy of which is attached hereto as Exhibit "B", the Owner changed its name to BRENTWOOD HIGHLANDS, L.P., the change of the name being a change necessary in connection with the Partnership electing to be governed by the Tennessee Revised Uniform Limited Partnership Act.

5. This Affidavit executed and delivered to FIDELITY NATIONAL TITLE INSURANCE COMPANY of New York; First National Financial Title Services, Inc.; and Fidelity National Title Agency, Inc. (collectively, "Fidelity") in order to induce Fidelity to issue is policy(ies) of title insurance insuring title to the Property without exception to the Lease. Further, Affiant acknowledges that Fidelity is relying upon the truthfulness of the statements set forth herein in order to insure title to the Property without exception to the Title Encumbrance, and but for this Affidavit, Fidelity would not be prepared to so insure title to the Property.

EXECUTED effective as of the 2 day of Sept 2003.

AFFIANT:

WILLIAM E. BALDRIDGE

State of Texas)(
County of Dallas)(

SWORN TO and SUBSCRIBED and ACKNOWLEDGED by **WILLIAM E. BALDRIDGE**, this 2nd day of ~~August~~ Sept, 2003.

My Commission Expires: 12-11-05

Karen R. Glenn
Notary Public
State of Texas

KAREN R. GLENN
Notary Public
State of Texas
My Comm. Exp. 12-11-2005

EXHIBIT "A"

A TRACT OF LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 1 OF THE RESUBDIVISION OF SECTION 2 OF THE HIGHLANDS OF BRENTWOOD, AS OF RECORD IN PLAT BOOK 7900, PAGE 674, REGISTER'S OFFICE, DAVIDSON COUNTY, TENNESSEE, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD, THE SOUTHEAST CORNER OF THIS TRACT AND A CORNER TO THE ORIGINAL TRACT; THENCE WESTERLY GENERALLY FOLLOWING AN OLD FENCE AND STONE WALL AS FOLLOWS: NORTH 87° 07' 51" WEST 414.93 FEET TO AN IRON ROD; THENCE NORTH 86° 32' 41" WEST 62.95 FEET TO AN IRON ROD; THENCE NORTH 87° 27' WEST 220.91 FEET TO AN IRON ROD; THENCE NORTH 27° 32' 27" WEST 260.04 FEET TO AN IRON ROD; THENCE NORTH 45° 12' 53" WEST 188.80 FEET TO A POINT; THENCE NORTH 55° 21' 59" WEST 117.89 FEET TO A POINT; THENCE SOUTH 87° 20' 58" WEST 108.12 FEET TO A POINT; THENCE SOUTH 74° 45' 49" WEST 266.36 FEET TO AN IRON ROD; THENCE SOUTH 48° 31' 07" WEST 218.92 FEET TO AN IRON ROD; THENCE NORTH 43° 20' WEST 9.50 FEET TO AN IRON ROD; THENCE NORTH 70° 01' WEST 96.86 FEET TO AN IRON ROD; THENCE NORTH 42° 20' WEST 110.00 FEET TO AN IRON ROD IN THE EASTERLY RIGHT OF WAY MARGIN OF STONE BROOK DRIVE; THENCE WITH THE EASTERLY RIGHT OF WAY MARGIN OF STONE BROOK DRIVE NORTH 18° 48' EAST 175.00 FEET TO AN IRON ROD; THENCE NORTHEASTERLY 39.27 FEET WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET A CENTRAL ANGLE OF 90° 00' 00" AND A CHORD OF NORTH 63° 48' 00" EAST 35.36 FEET TO AN IRON ROD IN THE SOUTHERLY RIGHT OF WAY MARGIN OF FOX RIDGE DRIVE; THENCE EASTERLY WITH THE SOUTH MARGIN OF FOX RIDGE DRIVE AS FOLLOWS; EASTERLY 228.32 FEET WITH A CURVE TO THE LEFT HAVING A RADIUS OF 301.89 FEET AND A CENTRAL ANGLE OF 43° 20' 00" AND A CHORD OF NORTH 87°08'00" EAST 222.92' TO A POINT; THENCE NORTH 65° 28'00" EAST 429.15 FEET TO A POINT; THENCE EASTERLY 576.18 FEET WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 463.34 FEET AND A CENTRAL ANGLE OF 71° 15'00" AND A CHORD OF SOUTH 78°54"30" EAST 539.77 FEET TO A POINT; THENCE SOUTH 43° 17'00" EAST 107.76 FEET TO A POINT; THENCE EASTERLY 157.85 FEET WITH A CURVE TO THE LEFT HAVING A RADIUS OF 309.20 FEET AND A CENTRAL ANGLE OF 29° 15'00" AND A CHORD OF SOUTH 57°54'30" EAST 156.14 FEET TO AN IRON ROD; THENCE SOUTHEASTERLY 40.33 FEET WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 92° 25' 46" AND A CHORD OF SOUTH 26°19'07" EAST 36.10 FEET TO A CONCRETE MONUMENT IN THE WESTERLY RIGHT OF WAY MARGIN OF OAKES DRIVE; THENCE WITH SAID RIGHT OF WAY MARGIN SOUTHERLY 30.08 FEET WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 1204.49 FEET AND A CENTRAL ANGLE OF 1° 25' 51" AND A CHORD OF SOUTH 20°36'42" WEST 30.08 FEET TO AN IRON ROD; THENCE SOUTHWESTERLY 27.26 FEET WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 62° 28' 29" AND A CHORD OF SOUTH 52°33'51" WEST 25.93 FEET TO AN IRON ROD; THENCE SOUTHEASTERLY 189.20 FEET WITH A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 216° 48' 20" AND A CHORD OF SOUTH 24°36'04" EAST TO AN IRON ROD; THENCE LEAVING SAID RIGHT OF WAY S 43° 00' 14" E 422.83 FEET TO THE POINT OF BEGINNING,
CONTAINING 13.56 ACRES OR 590,654 SQUARE FEET, MORE OR LESS.

THERE IS A 50 FOOT INGRESS AND EGRESS EASEMENT LOCATED ON THE TRACT OF LAND ADJACENT TO AND SOUTH OF THE ABOVE TRACT, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD IN THE EASTERN RIGHT OF WAY OF STONE BROOK DRIVE, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED TRACT; THENCE LEAVING SAID RIGHT OF WAY ALONG THE SOUTH PROPERTY LINE OF THE PROPERTY SOUTH 42° 20' EAST 110.00 FEET TO AN IRON ROD; THENCE SOUTH 70° 01' EAST 96.86 FEET TO AN IRON ROD; THENCE SOUTH 43° 20' EAST 9.50 FEET TO AN IRON ROD; THENCE LEAVING SAID PROPERTY LINE SOUTH 48° 31' 07" WEST 52.06 FEET TO A POINT; THENCE NORTH 70° 01' WEST 92.80 FEET TO A POINT; THENCE NORTH 42° 20' WEST 94.76 FEET TO A POINT; THENCE NORTH 18° 48' 16" EAST 57.09 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"

AMENDMENT TO AGREEMENT OF LIMITED PARTNERSHIP OF BRENTWOOD HIGHLANDS, LTD.

THIS AMENDMENT TO AGREEMENT OF LIMITED PARTNERSHIP OF BRENTWOOD HIGHLANDS, LTD. (this "Amendment") is made and entered into by and between EQUITY CAPITAL CORPORATION ("ECC") and CHARLES A. RITZEN ("Ritzen", and ECC and Ritzen sometimes hereinafter together called the "Former General Partners"), 1997 BHA, L.C., a Texas limited liability company (hereinafter called the "New General Partner"), and RITZEN AND ECC, acting for and of behalf of the limited partners listed on Exhibit "A" attached hereto and incorporated herein by reference (the "Limited Partners").

RECITALS:

A. The Former Partners have heretofore entered into an Agreement of Limited Partnership of Brentwood Highlands, Ltd. (said agreement, as amended, being hereinafter referred to as the "Agreement", and said partnership being hereinafter referred to as the "Partnership").

B. The Former Partners desire to sell their interests in the Partnership to the New Partner, and to cause the Agreement to be amended to reflect the admission of the New Partner as the General Partner of the Partnership, in substitution and replacement of the Former Partners;

C. The Former Partners have obtained the consent of the Limited Partners of the Partnership to the admission of the New Partner as the General Partner of the Partnership, in substitution and replacement of the Former Partners, and such Limited Partners constitute the necessary percentage to amend the Agreement as hereinabove described.

D. The Limited Partners have authorized the Former Partners to cause the Agreement to be amended to so reflect the admission of the New Partner as the General Partner of the Partnership, in substitution and replacement of the Former Partners.

NOW, THEREFORE, for and in consideration of the premises, the Former Partners, the New Partner, and ECC and Ritzen, acting for and on behalf of the Limited Partners, do hereby agree as follows:

1. Any reference in the Agreement to the "General Partner" or the "General Partners" shall mean and refer to the New Partner, and the Certificate of Limited Partnership of the Partnership shall be amended to so reflect. From and after the date hereof, the New Partner assumes the obligations and responsibilities of the Former Partner under the Agreement.

2. Any reference in the Agreement to the "Registered Agent" shall mean and refer to Cliff Management Southeast, L.C., and the address of such Registered Agent shall mean and refer to 707 Second Avenue South, Nashville, TN 37210, and the Certificate of Limited Partnership of the Partnership shall be amended to so reflect.

3. The Partnership shall change its name to Brentwood Highlands, L.P., the change of the name being a change necessary in connection with the Partnership electing to be governed by the Tennessee Revised Uniform Limited Partnership Act.

4. Except as amended hereby, the terms and provisions of the Agreement shall remain unchanged and continue in full force and effect.

EXECUTED to be effective as of May 5, 1997.

FORMER GENERAL PARTNERS:

EQUITY CAPITAL CORPORATION
a Tennessee corporation

By: _____
Name: _____
Title: _____

_____
CHARLES A. RITZEN

NEW GENERAL PARTNER:

1997 BHA, L.C.
a Texas limited liability company

By: _____
Phillip D. Worthen
Member

LIMITED PARTNERS: ACTING BY AND THROUGH ECC AND RITZEN:

EQUITY CAPITAL CORPORATION
a Tennessee corporation
On behalf of the Limited Partners listed on Exhibit "A" hereto

By: _____
Name: _____
Title: _____

_____
CHARLES A. RITZEN, on behalf of the Limited Partners listed on Exhibit "A" hereto