Davidson County DEEDWARR
Recvd: 03/10/04 10:52 2pgs
Fees:13.00 Taxes:3700.00
20040310-0027449

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

WARRANTY DEED

Address New Owner:
MS Development
c/o Mack H. McClung
1700 Hayes Stree, Suite 104
Nashville, TN 37203

Send Tax Bills To:
New Owner

Map-Parcel Nos.
07600000200

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 $ 1,000,000.00 .

Affiant

My Commission Expires:

August 3, 2005

Subscribed and sworn to before me this 5th day of March, 2004.

Notary Public

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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, **RICHARD A. NELSON** ("Grantor") by these presents does hereby transfer, sell and convey to MS DEVELOPMENT, a Tennessee general partnership composed of Mack H. McClung and James Spangler, ("Grantees") their heirs, successors and assigns, a certain tract or parcel of real property more particularly described as follows, to wit:

Land in Davidson County, Tennessee, being parts of Lots No. 1 and 6 in the Division of the W. C. Wilson Tract of land described as follows:

BEGINNING in the center of the County Road 2 3/4 poles easterly from the northwest corner of said Lot No. 6; thence with the north line of said Lot South 88 degrees East 42 poles to a cedar post, the northeast corner of said Lot; thence south 2 ½ degrees west 35.9 poles to a stake; thence south 86 degrees east 34.2 poles to the center of Stoners Creek; thence with the center of said creek south 21 ½ degrees east 24 poles, continuing with the center of said creek in a southerly and westerly direction to the bridge over said creek at the County Road; thence with the center of said Road north 2 ½ degrees west 41 poles to the beginning, containing 19 acres, more or less.

INCLUDED IN THE ABOVE DESCRIPTION, BUT EXCLUDED FROM THIS CONVEYANCE is the following described land conveyed to Larry Powell Builders, Inc., by deed of record in Instrument 20000329-0031573, Register's Office for Davidson County, Tennessee:

BEGINNING at the most southerly corner of the Larry Powell Builders, Inc., property as recorded in Book 10917, page 167, Register's Office for Davidson County, Tennessee; thence along the lines of said Larry Powell Builders, Inc. and generally along the center of Stoners Creek, north 64 degrees 40 minutes 30 seconds west 29.88 feet; thence north 39 degrees 14 minutes 07 seconds west 243.45 feet; thence north 66 degrees 19 minutes 43 seconds west 116.86 feet; thence north 82 degrees 51 minutes 43 seconds west 400.40 feet; thence north 43 degrees 09 minutes 43 seconds west 370.40 feet; thence north 82 degrees 24 minutes 43 seconds west 163.60 feet; thence

north 48 degrees 22 minutes 42 seconds west 158.50 feet; thence south 87 degrees 33 minutes 17 seconds west 46.10 feet; thence south 39 degrees 50 minutes 17 seconds west 74.00 feet; thence along the center of an old road, north 50 degrees 11 minutes 39 seconds west 20.96 feet; thence along a new line across the John L. Fox property as recorded in Book 9792, page 338, north 39 degrees 48 minutes 21 seconds east 83.29 feet; thence north 87 degrees 33 minutes 17 seconds east 63.89 feet, thence south 48 degrees 22 minutes 42 seconds east 160.57 feet; thence south 82 degrees 24 minutes 43 seconds east 164.66 feet thence south 43 degrees 09 minutes 43 seconds east 370.31 feet; thence south 82 degrees 51 minutes 43 seconds east 395.87 feet thence south 66 degrees 19 minutes 43 seconds east 132.45 feet; thence north 48 degrees 46 minutes 17 seconds east passing a witness point at 157.69 feet to a total distance of 182.69 feet to a point in Stoners Creek; thence generally along the center of said creek south 09 degrees 15 minutes 00 seconds east 76.38 feet; thence south 29 degrees 00 minutes 00 seconds east 52.00 feet; thence south 23 degrees 00 minutes 00 seconds east 86.00 feet; thence south 04 degrees 00 minutes 00 seconds east 95.00 feet; thence south 19 degrees 15 minutes 00 seconds west 40.00 feet; thence along a curve to the right an arc distance of 41.00 feet, said curve having a radius of 2,832.54 feet and a chord of south 85 degrees 15 minutes 57 seconds west 41.00 feet to the point of beginning, and containing 1.60 acres.

Being the same property conveyed to John L. Fox, an unmarried person, by deed from Dennis Osborne, an unmarried person, of record in Book 11492, page 800, Register's Office for Davidson County, Tennessee, and further being the same property conveyed to Richard A. Nelson by deed from the said John L. Fox, of record as Instrument No. _____ * _____, being recorded simultaneously herewith.

* 20040310002744 6

(This is an unimproved 17.41 acre tract identified at Tax Map/Parcel #07600000200-Tulip Grove Road, Hermitage, TN)

TO HAVE AND TO HOLD the said property, with the appurtenances, estate, title and interest thereto belonging to MS DEVELOPMENT its successors and assigns forever.

AND the Grantor does hereby covenant with MS DEVELOPMENT its successors and assigns 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 MS DEVELOPMENT its successors and assigns against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, I have hereunto set my hand as of this the 5th day of March, 2004.

GRANTOR:

Richard A. Nelson

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 Richard A. Nelson, with whom I am personally acquainted and who, upon oath, acknowledged himself to be 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 5th day of March, 2004.

My Commission Expires:

August 3, 2005

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

Barbara S Lamb
Notary Public