B x36

THIS INSTRUMENT PREPARED BY: ***Douglas A. Brace, Reg. #3485*** ***ORTALE, KELLEY, HERBERT & CRAWFORD*** *200 Fourth Avenue North, Third Floor* *P.O. Box 198985* *Nashville, TN 37219-8985* *(615) 256-9999*	*STATE OF TENNESSEE]* *COUNTY OF WILLIAMSON]* *The actual consideration or value, whichever is greater, for this transfer is $196,000.00.* *Affiant* *Notary Public* NOTARY PUBLIC AT LARGE Douglas A. Brace My Commission Expires September 24, 2005 STATE OF TENNESSEE *My commission expires:*

Name and Address of New Owner:

Classic Homes BOS, L.P.
256 Seaboard Lane, Suite H-103
Franklin, TN 37067

Davidson County DEEDWARR
Recvd: 06/02/04 15:09 3pgs
Fees:18.00 Taxes:725.20
20040602-0064738

Send Tax Bills To:

New Owner

Street Address of Subject Property:	**Map and Parcel:**
5300 Southfork Boulevard (Lot No. 87) 5302 Southfork Boulevard (Lot No. 86) 5304 Southfork Boulevard (Lot No. 85) 5306 Southfork Boulevard (Lot No. 84) 5308 Southfork Boulevard (Lot No. 83) 5310 Southfork Boulevard (Lot No. 82) 5312 Southfork Boulevard (Lot No. 81) Old Hickory, TN 37138	P/O 63-242

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars ($10.00), cash in hand paid by the hereinafter named Grantee, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, **JO-MAC PROPERTIES, LLC,** a Tennessee Limited Liability Company, hereinafter called "**GRANTOR,**" has bargained and sold, and by these presents does transfer and convey unto **CLASSIC HOMES BOS, L.P.,** a Tennessee Limited Partnership, hereinafter called "**GRANTEE,**" its successors and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows:

> Land in Davidson County, Tennessee, being Lot Nos. 81, 82, 83, 84, 85, 86 and 87, on the Plat of Phase One, Section Two, Hermitage Springs Estates, a Planned Unit Development, of record as Exhibit "A" to the Instrument of record as Instrument No. 20031031-0160338 in the Register's Office for Davidson County, Tennessee, to which plat reference is made for a more complete and accurate legal description.
>
> Being a part of the same property conveyed to Jo-Mac Properties, LLC, a Tennessee limited liability company, by Warranty Deed from Danner-Eller Golf

Properties, Inc., a Tennessee corporation, of record as Instrument No. 19991230-0308890 and by Quitclaim Deed from William E. Jones and wife, Phyllis Jones, of record as Instrument No. 20000310-0025238, Register's Office for Davidson County, Tennessee.

The conveyance of the above described parcel of land is subject to the following:

1. Taxes and assessments for 2004 and subsequent years, a lien, but not yet due and payable which have been prorated between the parties and assumed by Grantee;

2. All matters shown on plans of record as Instrument No. 20010703-0070299 and as Exhibit "A" to Instrument of record as Instrument No. 20031031-0160338 in the Register's Office for Davidson County, Tennessee; and

3. Declaration of Covenants, Conditions and Restrictions of record as Instrument No. 20001206-0120233 in the Register's Office for Davidson County, Tennessee, as amended by First Amendment of record as Instrument No. 20020130-0013464, and further amended by Second Amendment of record as Instrument No. 20031006-0147712, and made applicable by Instrument No. 20031031-0160338, in said Register's Office.

4. Charter of Hermitage Springs Townhomes Association, Inc. of record as Instrument No. 20010716-0075385, as amended in Instrument No. 20020128-0011789, in said Register's Office.

5. By-Laws of record as Instrument No. 20010712-0074536 and amended by Instrument No. 20030808-0115486, in said Register's Office.

6. Easement for Sanitary Sewers and/or Storm Drainage of record in Book 10644, page 194, in said Register's Office.

7. Right to use water from spring referred to in Deeds of record in Book 5792, page 639, Book 5792, page 644, Book 5792, page 649, Book 5916, page 717, Book 6036, page 281, Book 5826, page 95, Book 5826, page 100, Book 5826, page 105, Book 5916, page 722, and Book 6036, page 274, in said Register's Office.

8. Easement Deeds for a non-exclusive easement for road purposes and ingress and egress to Old Hickory Boulevard of record in Book 6267, pages 296 and 298, in said Register's Office.

9. Right-of-way easements for water mains and water lines of record in Book 8007, pages 232, 237 and 240, in said Register's Office.

10. Subject to easement for the flow of Betsy Branch.

11. Subject to the rights of others in and to the common areas.

12. Subject to the lien for special assessments contained in the Declaration of Covenants, Conditions and Restrictions.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, its successors and assigns, forever; and Grantor does covenant with the said Grantee that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out; and Grantor does further covenant and bind itself, its successors and assigns, to warrant and forever defend the title to the said land to the Grantee, its successors and assigns, against the lawful claims of all persons claiming by or through Grantor. 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 1st day of June, 2004.

JO-MAC PROPERTIES, LLC

BY: _____
John N. Weckesser, Chief Manager

STATE OF TENNESSEE]
COUNTY OF WILLIAMSON]

Personally appeared before me, John N. Weckesser, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the Chief Manager of JO-MAC PROPERTIES, LLC, a Tennessee limited liability company, the within named maker or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

WITNESS my hand and seal at Franklin, Tennessee, the day and year first above written.

DOUGLAS A. BRACE NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

NOTARY PUBLIC
AT LARGE
Douglas A. Brace
My Commission Expires
September 24, 2005
STATE OF TENNESSEE

_____
NOTARY PUBLIC

My commission expires:_____

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