#25

Davidson County DEEDWARR
Recvd: 06/17/04 15:22 5 pgs
Fees:28.00 Taxes:1173.20
20040617-0072051

WARRANTY DEED

Address of New Owners:
Turfgrass America, LP
3003 Tamiami Trail North
Suite 400
Naples, Florida 34103

Send Tax Bills To:
New Owners

Map No. 102 -0
Parcel No. 5

FOR AND IN CONSIDERATION of the sum of Ten dollars and no/100 ($10.00), cash in hand paid by the Grantee and other good and valuable considerations accepted as cash, the receipt and sufficiency of which is hereby acknowledged, we, Thomas Bros. Grass, Ltd., a Texas limited partnership, Grantor, has on this day bargained and sold, and does hereby transfer and convey unto Turfgrass America, LP, a Delaware limited partnership, Grantee, its successors, heirs, and assigns, certain real estate in Davidson County, Tennessee, as follows:

See Exhibit "A" which is attached and incorporated by reference herein.

STATE OF TEXAS)
)
COUNTY OF TARRANT)

The actual consideration or value, whichever is greater, for this transfer is $317,081.19.

Subscribed and sworn to before me this the 15th day of March, 2004.

My commission expires: 1/21/07

ADRIENNE WILLETT
NOTARY PUBLIC
STATE OF TEXAS
My Comm. Expires 6-21-2007

James E Bobbitt

Affiant, James Bobbitt, as President of Turfgrass Partners, Inc., as general partner of Thomas Bros. Grass, Ltd.

Adrienne Willett

Notary Public, State of Texas

This is unimproved property known as Exhibit "A".

TO HAVE AND TO HOLD said real estate, with the appurtenance, estate, title and interest thereto belonging to the Grantees their successors, heirs, and assigns forever we covenant that we are lawfully seized and possessed of said real estate in fee simple, have a good right to convey it, and that the same is unencumbered, except for those encumbrances attached hereto as Exhibit "B" and incorporated by reference herein.

We further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to said real estate to said Grantees, their successors, heirs, and assigns, against the lawful claims of all persons, whomsoever.

Whenever used, the singular number shall include the plural, the plural the singular and the use of any gender shall be applicable to all genders.

GRANTOR:

THOMAS BROS. GRASS, LTD.

By: Turfgrass Partners, Inc., its general partner

By: _____
James Bobbitt, President

STATE OF TEXAS)
)
COUNTY OF TARRANT)

Before me, Adrienne Willett, a Notary Public in and for said County and State, personally appeared James Bobbit, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be President of Turfgrass Partners, Inc., acting as general partner of Thomas Bros. Grass, Ltd., the within named bargainor, a Texas limited partnership, and that he as such President, being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the limited partnership as President of its general partner.

Witness my hand and official seal at the offices of Bourland, Wall & Wenzel, P.C., 301 Commerce Street, Suite 1500, Fort Worth, Texas 76102, this 15th day of March, 2004.

_____
Notary Public, State of Texas

My commission expires: 6/21/07

ADRIENNE WILLETT
NOTARY PUBLIC
STATE OF TEXAS
My Comm. Expires 6-21-2007

UPON RECORDATION RETURN TO:
Martin J. Genauer
KARP & GENAUER, P.A.
2 Alhambra Plaza, Suite 1202
Coral Gables, Florida 33134

129352

Exhibit "A"

(see attached)

EXHIBIT "A"

Land in Davidson County, Tennessee, described as follows:

Beginning at a point in the center of Old Hickory Boulevard, formerly Bell Bend Road, at the intersection of the center line of said boulevard and the low water mark of the Cumberland River, said point called Clees' Ferry; thence with the low water mark of said Cumberland River south 20 degrees west 556 feet to a point, south 26 degrees 15 minutes west 610 feet to a point, south 39 degrees 45 minutes west 428 feet to a point and south 42 degrees 30 minutes west 1130 feet to a fence; thence with said fence north 40 degrees 15 minutes west 1472 feet to a point, north 39 degrees 15 minutes east 237 feet to a point, north 39 degrees 15 minutes east 237 feet to a point, north 33 degrees 50 minutes east 400 feet to a gate post, north 53 degrees 20 minutes west, 541 feet to a point north 63 degrees 30 minutes west 404 feet to a point and north 12 degrees 45 minutes east 784.5 feet to a point in the center of Old Hickory Boulevard; thence with the center of Old Hickory Boulevard south 85 degrees 15 minutes east 530 feet to a point, north 81 degrees 45 minutes east, 179 feet to a point and south 71 degrees 30 minutes east 2061 feet to the point of beginning, containing 106.8 acres, more or less.

Being the same property conveyed to Thomas Bros. Grass, Ltd. by deed from 5-T Enterprises, Inc. of record in Book 10350, Page 314, Register's Office for Davidson County, Tennessee.

Exhibit "B"

Validly existing easements, rights of way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and standby fees, taxes and assessments for 2004, which Grantee assumes and agrees to pay.