Davidson County DEEDWARR
Recvd: 04/22/05 11:09 2 pgs
Fees:13.00 Taxes:3069.15
20050422-0045022

WARRANTY DEED

THIS INDENTURE, made and entered into as of the 18th day of April, 2005, by and between, **LATTING ROAD ~~PARTNERS~~ ***, LLC, A TENNESSEE LIMITED LIABILITY COMPANY**, party of the first part, and **SOUTHERN HOME BUILDERS, LLC, A TENNESSEE LIMITED LIABILITY COMPANY,** party of the second part.

***PARTNERS

WITNESSETH: That for and in consideration of Ten Dollars ($10.00), cash in hand paid and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said party of the first part has bargained and sold and does hereby bargain, sell, convey and confirm unto the said party of the second part the following described real estate, situated and being in the Civil District of Davidson County, Tennessee:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 86, BERKELEY HALL-PHASE FIVE-SECTION ONE OF HICKORY HIGHLANDS PUD, according to survey and plat of same appearing of record in Instrument Number 200501250008851* of the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

*as corrected by Surveyor's certificate of correction in instrument No. 20050223-0019584

Being the same property as conveyed to LATTING ROAD PARTNERS, LLC, by Deed recorded at Instrument Number 20050329-0033137, in the Register's Office of Shelby County, Tennessee.

20050329-0033136 and

TO HAVE AND TO HOLD the aforesaid real estate, together with all appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second part, his heirs, successors and assigns in fee simple forever.

And the said party of the first part does hereby covenant with the said party of the second part that he is lawfully seized in fee of the aforedescribed real estate; that he has a good right to sell and convey the same; that the same is unemcumbered, except for subdivision restrictions, building lines and easements of record in Book 8301, Page 745 and Book 10421, page 239; to the easements as listed of record in Book 1784, Page 300, Book 1207, Page 530, Book 8883, Page 678, Book 7031, Page 51, Book 7453, Page 445, Book 7453, Page 460, Book 7775, Page 361, Book 7465, Page 739, Book 7466, Page 746, Book 7666, Page 151, Book 7666, Page 158, Book 7465, Page 756, Book 6254, Page 487, Book 7632, Page 962, Book 7661, Page 222, Book 10319, Page 987, Book 2203, Page 575, Book 2875, Page 299 and assigned by Book 4457, Page 377, Book 2105, Page 428, Book 2740, Page 188, Book 6196, Page 135, Book 1784, Page 300; to the deed of conveyance to Metro Book 7597, Page 679, to the master plan in Book 6900, Page 562, plat in Book 6250, Page 13 and amended in Book 6254, Page 487; to the stormwater dentention agreement of record in Instrument Number 200403030023979, and, to any and all other matters as shown on plat of record in Instrument Number 200501250008851, and 2005 property taxes; and that the title and quiet possession thereto he will warrant and forever defend against the lawful claims of all persons.

The word "party" as used herein shall mean "parties" if more than one person or entity be referred to, and pronouns shall be construed according to their proper gender and number according to the context hereof.

WITNESS the signature of the said party of the first part the day and year first above written.

LATTING ROAD PARTNERS, LLC

D. L. Miller

BY: DAVID MILLER, CHIEF MANAGER

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, Wendy A. Leggett, a Notary Public of said County and State, personally appeared David Miller, with whom I am personally acquainted & who, upon oath, acknowledged himself to be the Chief Manager, of LATTING ROAD PARTNERS, LLC the within named bargainer, a company and that he as such Chief Manager executed the foregoing instrument for the purpose therein contained.

WITNESS my hand, at office, this 18th day of April, 2005.

WENDY A. LEGGETT NOTARY PUBLIC AT LARGE SHELBY CO. TN MY COMM. EXP. 12-1-07

My Commission Expires:

NOTARY PUBLIC

THIS INSTRUMENT PREPARED BY:

DOUGLAS R. BEATY, P.C.
8130 COUNTRY VILLAGE DR. #101
CORDOVA, TN 38016

MAIL TAX BILLS TO:

Southern Home Builders, LLC
377 Waldron Road
LaVergne, TN 37086

PROPERTY OWNER & ADDRESS:

Southern Home Builders, LLC
377 Waldron Road
LaVergne, TN 37086

PART OF PARCEL # 149 00 0 228.00

PROPERTY ADDRESS: VACANT LAND
~~XXMEMPHIS, TNXX~~
Lots 1-20 and 85, Berkeley Hall, Phase Five, Section One
Antioch, Davidson County, TN

I, OR WE, HEREBY SWEAR OR AFFIRM THAT TO THE BEST OF AFFIANT'S KNOWLEDGE, INFORMATION AND BELIEF, THE ACTUAL CONSIDERATION FOR THIS TRANSFER OR VALUE OF THE PROPERTY TRANSFERRED, WHICHEVER IS GREATER IS $ 829,500.00 WHICH AMOUNT IS EQUAL TO OR GREATER THAN THE AMOUNT WHICH THE PROPERTY TRANSFERRED WOULD COMMAND AT A FAIR AND VOLUNTARY SALE.

Bethany Potter
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20th DAY OF April, 2005.

Lynn F. Vaught
NOTARY PUBLIC
MY COMMISSION EXPIRES: 2-20-07

LYNN F. VAUGHT NOTARY PUBLIC AT LARGE RUTHERFORD COUNTY, TN COMMISSION EXP. 02-20-2007

F:\WPDOCS\WAL\RUSCO\HICKORYHIGH\SOUTHERNWD

RECORDING INFORMATION: