Davidson County DEEDWARR
Recvd: 07/25/05 10:57 3 pgs
Fees:18.00 Taxes:1091.50
20050725-0086049

WARRANTY DEED

THIS INDENTURE, made and entered into as of the 18th day of July, 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.

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:

SEE EXHIBIT "A" ATTACHED HERETO.

Being part the same property as conveyed to LATTING ROAD PARTNERS, LLC, by Deed recorded at Instrument Number 20050329-0033136, in the Register's Office of ~~Shelby~~ ** County, Tennessee.

** Davidson

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 20050125000851, amended at Instrument Numbers 20050706-0077601,20050125-0008851,20050223-0019584, 20050725-0086047 20050725-0086048 ;and, the 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

BY: D. L. Miller

ITS: DAVID MILLER, CHIEF MANAGER

ACKNOWLEDGMENT

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned, a Notary Public within and for said County and State, duly commissioned and qualified, personally appeared LATTING ROAD PARTNERS, LLC, a Tennessee limited liability company, by and through DAVID MILLER, as Chief Manager of LATTING ROAD PARTNERS, LLC, with whom I am personally acquainted and who, upon oath, further acknowledged that, being duly authorized so to do, DAVID MILLER, as Chief Manager executed the foregoing instrument for the purposes therein contained, by subscribing thereto the name of said limited liability company as the free act and deed of LATTING ROAD PARTNERS, LLC, a Tennessee limited liability company.

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

DOUGLAS R. BEATY NOTARY PUBLIC AT LARGE SHELBY CO. TN MY COMM. EXP. 4-29-08

NOTARY PUBLIC

My Commission Expires:
4/29/08

THIS INSTRUMENT PREPARED BY:

TAM ESCROW & TITLE, LLC
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
and 149-00-0-379 and 163-00-0-399

PROPERTY ADDRESS: VACANT LAND
~~[illegible]~~ TN
Nashville

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 $295,000.00 WHICH AMOUNT IS EQUAL TO OR GREATER THAN THE AMOUNT WHICH THE PROPERTY TRANSFERRED WOULD COMMAND AT A FAIR AND VOLUNTARY SALE.

AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 18th DAY OF July, 2005.

NOTARY PUBLIC
MY COMMISSION EXPIRES: 7/30/05

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

RECORDING INFORMATION:

NOTARY PUBLIC AT LARGE WARREN CO. TENN.

EXHIBIT A

Land in Davidson County, Tennessee, being all of Unit Nos. 99, 100, 101, 102, 103, 104, 105, 106, 107 and 108, on the Plan of First Amendment, Berkeley Hall, Phase Five – Section One of Hickory Highlands P.U.D. as shown by plat appearing of record in Instrument No. 20050706-0077601, as amended by Surveyor's Certificates of Correction of record in Instrument Nos. 20050725-0086047 and 20050725-0086048 of the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for more complete details of said units.

Being part of the same property conveyed to Burns, Deselms and Howell, Inc., a Tennessee Corporation by Warranty Deed dated February 26, 2004 of record in Instrument No. 20040303-0024318, and being part of the same property further conveyed to BDH, LLC by Quitclaim Deed dated August 9, 2004 of record in Instrument No. 20040902-0106176, and being part of the same property further conveyed to Latting Road Partners, LLC, a Tennessee Limited Liability Company by Warranty Deed dated March 22, 2005 of record in Instrument No. 20050329-0033136, Register's Office for Davidson County, Tennessee.