Davidson County DEEDWARR
Recvd: 08/16/05 11:33 9 pgs
Fees:48.00 Taxes:7729.26
20050816-0096916

THIS INSTRUMENT PREPARED BY:
Sherrard & Roe, PLC (JHR)
424 Church St., Suite 2000
Nashville, TN 37219

WARRANTY DEED

Address New Owner:	Send Tax Bills To:	Map & Parcel No.:
Burkitt Place Development, LLC 213 Overlook Circle Brentwood, TN 37027	Same	Map 186 P/O Parcels 21 & 26 Map 33 P/O Parcels 82/82.02

For and in consideration of TEN AND NO/100 DOLLARS ($10.00) cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, James N. McFarlin, William T. McFarlin, Ruth Marie McFarlin, Ellen M. Jennings, and Mary Lou Holmes ("Grantors"), have bargained, sold and conveyed and do hereby bargain, sell and convey unto the Burkitt Place Development, LLC, a Tennessee limited liability company ("Grantee"), the following described real estate, situated and being in the Counties of Davidson and Williamson, State of Tennessee, to-wit:

See Exhibit "A" attached.

This is unimproved property known as Nolensville Pike and Burkitt Road, Nashville, Tennessee.

TO HAVE AND TO HOLD the aforesaid real estate, together with all the appurtenances and hereditaments thereunto belonging or in anywise appertaining unto Grantee, its successors and assigns, in fee simple forever.

And Grantors do hereby covenant with Grantee that Grantors are lawfully seized and possessed of the Property; that Grantors have a good right to sell and convey the Property subject to those matters set forth on Exhibit B attached hereto and incorporated herein by reference (the "Permitted Exceptions"), to all of which this conveyance is expressly made subject; and that the Grantors will warrant and forever defend the title to the Property against the lawful claims of all persons (other than claims arising out of the Permitted Exceptions).

IN WITNESS WHEREOF, the undersigned Grantors have executed and delivered the foregoing instrument on this the 15th day of August, 2005.

James N. McFarlin
JAMES N. McFARLIN

William T. McFarlin
WILLIAM T. McFARLIN

Ruth Marie McFarlin
RUTH MARIE McFARLIN

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared JAMES N. MCFARLIN, WILLIAM T. MCFARLIN and RUTH MARIE MCFARLIN, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), the within names bargainors, and who acknowledged to me that they executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and seal, at office in Nashville, Tennessee, this 15 day of August, 2005.

Rita McQuerry
NOTARY PUBLIC

My Commission expires: 3-22-2008

RITA McQUERRY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

NOTARY PUBLIC
AT LARGE
Rita McQuerry
My Commission Expires
March 22, 2008
STATE OF TENNESSEE

Mary Lou Holmes by Deborah A. Holmes Wallach, Attorney-in-Fact

MARY LOU HOLMES by Deborah A. Holmes Wallach Attorney-in-Fact for Mary Lou Holmes pursuant to Power of Attorney of record in Book 1352, Page 254, Register's Office for Williamson County Tennessee

Mary Lou Holmes

STATE OF MISSOURI)
COUNTY OF Jeff)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Deborah A. Holmes Wallach, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be the attorney-in-fact for Mary Lou Holmes, the within named bargainor, and that she as such Attorney- in-fact, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of Mary Lou Holmes by herself as Attorney-in-fact.

WITNESS my hand and seal, at office in St. Louis, Missouri, this 12th day of August, 2005.

R D Arechederra
NOTARY PUBLIC

My Commission expires: June 2, 2009

R. D. ARECHEDERRA
Notary Public - Notary Seal
State of Missouri - County of Jefferson
My Commission Expires Jun. 2, 2009
Commission #05722244

Ellen M Jennings by POA

ELLEN M. JENNINGS by Neal Lee Jennings, Jr.
Attorney-in-Fact for Ellen M. Jennings pursuant
to Power of Attorney of record in Book 10116,
Page 54, Register's Office for Davidson County
Tennessee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Neal Lee Jennings, Jr., with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the attorney-in-fact for Ellen M. Jennings, the within named bargainor, and that he as such Attorney-in-fact, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of Ellen M. Jennings by himself as Attorney-in-fact.

WITNESS my hand and seal, at office in Nashville, Tennessee, this 15 day of August, 2005.

Rita McQuerry
NOTARY PUBLIC

My Commission expires: 3-22-2008

RITA McQUERRY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

NOTARY PUBLIC
AT LARGE
Rita McQuerry
My Commission Expires
March 22, 2008
STATE OF TENNESSEE

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The consideration for this transfer or value whichever is greater is $2,088,990.00.

BURKITT PLACE DEVELOPMENT, LLC,
a Tennessee limited liability company

By: _____
Its: Chief Manager

Subscribed and sworn to before me, this the 15th day of August, 2005.

_____
Notary Public

My Commission Expires: 10/2/05

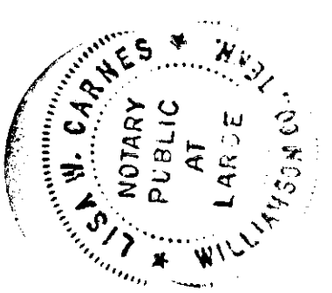


EXHIBIT A

Property Description

LAND LYING IN THE THIRTY-FIRST COUNCILMATIC DISTRICT OF ANTIOCH, DAVIDSON COUNTY, TENNESSEE AND THE SEVENTEENTH CIVIL DISTRICT OF NOLENSVILLE, WILLIAMSON COUNTY, TENNESSEE AND BEING THE SAME PROPERTY CONVEYED TO JAMES N. & WILLIAM T. MCFARLIN OF RECORD IN DEED BOOK 10386, PAGE 103, R.O.D.C. AND JAMES N. MCFARLIN, ET AL OF RECORD IN DEED BOOK 1460, PAGE 558, R.O.D.C. AND BEING MORE PARTICULARLY DESCRIBED BASED UPON A SURVEY PREPARED BY CRAWFORD LAND SURVEYORS, P.C. TN RLS NO. 2351, DATED JANUARY 31, 2005, LAST REVISED AUGUST 1, 2005, JOB NO. 04174-5(I) AS FOLLOWS:

BEGINNING AT AN EXISTING IRON PIN IN THE EASTERLY RIGHT-OF-WAY OF NOLENSVILLE ROAD (70' R.O.W.) AND THE NORTHWESTERLY CORNER OF PAMELA H. SOLOMON OF RECORD IN DEED BOOK 1329, PAGE 285, R.O.W.C., AND ALSO BEING THE SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG OR NEAR THE EASTERLY RIGHT-OF-WAY OF NOLENSVILLE PIKE (70' R.O.W.), NORTH 21°50'13" WEST, A DISTANCE OF 138.27 FEET TO AN IRON PIN (SET);

THENCE WITH THE NEW SEVERANCE LINES OF JAMES N. MCFARLIN, ET AL OF RECORD IN DEED BOOK 1460, PAGE 558, R.O.D.C., FOR THE NEXT NINE (9) COURSES AND DISTANCES;

THENCE, NORTH 68°09'47" EAST, A DISTANCE OF 30.00 FEET TO AN IRON PIN (SET);

THENCE, SOUTH 36°46'06" EAST, A DISTANCE OF 77.62 FEET TO AN IRON PIN (SET);

THENCE, NORTH 83°03'43" EAST, A DISTANCE OF 49.23 FEET TO AN IRON PIN (SET);

THENCE, ALONG A CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 13°06'08" A RADIUS OF 365.00 FEET, AN ARC LENGTH OF 83.47 FEET, AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 89°36'47" WEST, A DISTANCE OF 83.28 FEET TO AN IRON PIN (SET);

THENCE, SOUTH 83°50'09" EAST, A DISTANCE OF 223.65 FEET TO AN IRON PIN (SET);

THENCE SOUTH 06°09'08" WEST, A DISTANCE OF 5.00 FEET TO AN IRON PIN (SET);

THENCE, SOUTH 83°50'09" EAST, A DISTANCE OF 316.70 FEET TO AN IRON PIN (SET);

THENCE, ALONG A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 30°46'15", A RADIUS OF 290.00, AN ARC LENGTH OF 155.75 FEET, AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 80°46'43" WEST, A DISTANCE OF 153.88 FEET TO AN IRON PIN (SET);

THENCE, WITH MCFARLIN'S NEW EASTERLY LINE, NORTH 21°50'13" WEST, A DISTANCE OF 2163.24 FEET TO THE CENTER OF BURKITT ROAD;

THENCE, ALONG THE APPROXIMATE CENTER LINE OF BURKITT ROAD FOR THE NEXT SIX (6) COURSES AND DISTANCES;

THENCE, SOUTH 88°26' 22" EAST, A DISTANCE OF 16.03 FEET TO AN IRON PIN (SET);

THENCE, ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 3°49'30", A RADIUS OF 4512.09 FEET, AN ARC LENGTH OF 301.22 FEET, AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 86°31'37" EAST, A DISTANCE OF 301.16 FEET TO AN IRON PIN (SET);

THENCE, SOUTH 84°36'52" EAST, A DISTANCE OF 555.41 FEET TO AN IRON PIN (SET);

THENCE, SOUTH 84°53.27" EAST, A DISTANCE OF 464.91 FEET TO AN IRON PIN (SET);

THENCE, SOUTH 84°38'21" EAST, A DISTANCE OF 168.12 FEET TO AN IRON PIN (SET);

THENCE, ALONG A CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 1°00'31", A RADIUS OF 5729.44, AN ARC LENGTH OF 100.87 FEET, AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 84°08'05" EAST, A DISTANCE OF 100.87 FEET AN IRON PIN (SET);

THENCE, ALONG THE WESTERLY LINES OF RAMSEY MCMURRAY, ET UX OF RECORD IN DEED BOOK 3529, PAGE 423, R.O.D.C. FOR THE NEXT SIX (6) COURSES AND DISTANCES;

THENCE, SOUTH 03°39'51" WEST, A DISTANCE OF 318.03 FEET TO AN IRON PIN (SET);

THENCE, SOUTH 33°20'09" EAST, A DISTANCE OF 346.50 FEET TO AN IRON PIN (SET);

THENCE, SOUTH 25°20'09" EAST, A DISTANCE OF 257.40 FEET TO AN IRON PIN (SET);

THENCE, SOUTH 06°39'51" WEST, A DISTANCE OF 874.50 FEET TO AN IRON PIN (SET);

THENCE, SOUTH 52°20'09" EAST, A DISTANCE OF 452.10 FEET TO AN IRON PIN (SET);

THENCE, SOUTH 03°39'51" WEST, A DISTANCE OF 165.00 FEET TO AN IRON PIN (SET);

THENCE, ALONG THE NORTHERLY LINES OF HERBERT HOLT NICHOLS OF RECORD IN DEED BOOK 137, PAGE 216, R.O.W.C., P.H. WILLIAMS OF RECORD IN DEED BOOK 288, PAGE 15, R.O.W.C., AND PAMELA H. SOLOMON OF RECORD IN DEED BOOK 1329, PAGE 285, R.O.W.C., NORTH 83°50'09" WEST, A DISTANCE OF 2178.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,973,910 SQUARE FEET OR 68.27 ACRES, MORE OR LESS.

Being part of the same property conveyed to B. H. McFarlin and wife, Evie E. McFarlin by deed from Bert Elmer Cochran and wife, Leslie Carroll Cochran of record in Book 112, page 184, Register's Office for Williamson County, Tennessee. The said B. H. McFarlin having died intestate on March 27, 1979 and the said Evie E. McFarlin having died testate on April 22, 1993, devising the property to her five children, Ben H. McFarlin, Jr., James N. McFarlin, William T. McFarlin, Ellen Jennings an Mary Lou Holmes. The said Ben H. McFarlin, Jr. died intestate on September 24, 1994, leaving his widow, Ruth Marie McFarlin, as his sole heir at law.

And, being part of the same property conveyed to James N. McFarlin, William T. McFarlin, Ruth Marie McFarlin, Ellen M. Jennings, and Mary Lou Holmes pursuant to Quitclaim Deed from the Estate of Evie E. McFarlin with James N. McFarlin and William T. McFarlin as co-executors of record at Book 10253, page 883, Register's Office for Davidson County, Tennessee; and also of record at Book 1460, page 558, Register's Office for Williamson County, Tennessee.

EXHIBIT B

Permitted Title Encumbrances

1. Taxes for 2005 and subsequent years.

2. Cemetery located on the property as described in deed from Bert Elmer Cochran and wife, Leslie Carroll Cochran to B. H. McFarlin and wife, Evie E. McFarlin, of record in Book 112, page 184, ROWC, and access thereto and rights of the general public with respect to said cemetery.

3. Warranty Deed to State of Tennessee with respect to a project by the Tennessee Department of Transportation of record in Book 1481, page 273, ROWC.

4. All matters shown on a survey prepared by Crawford Land Surveyors, P.C., TN RLS No. 2351, dated January 31, 2005, last revised August 1, 2005, Job No. 04174-5(I).