Davidson County DEEDWARR
Recvd: 08/31/05 14:20 4 pgs
Fees:23.00 Taxes:5550.00

20050831-0104488

State of Tennessee
County of Davidson

The actual consideration or value, whichever is greater, for this transfer is **$1,500,000.00**

Affiant

Subscribed and sworn to before me, this the 22nd day of August, 2005.

Notary Public

My commission expires: 11-25-06

(AFFIX SEAL)

E. MANNIX
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

THIS INSTRUMENT WAS PREPARED BY
Gregory S. Perrone, PC
Attorney at Law 109 Westpark Drive Suite 330, Brentwood, TN 37027

Address of New Owner(s) as follows:	Send Tax Bills To:	Map-Parcel Numbers
Towering Oaks Development Company, LL	**Same**	Map 109 Parcel 141
2722 Lascassas Pike		Map 98 Parcel 170
Murfreesboro, TN 37130		

FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGE, WE,

MS Development, a Tennessee general Partnership, composed of James C. Spangler and Mack McClung

HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO

Towering Oaks Development Company, LL, a TN limited liability company

HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN Davidson COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

See attached exhibit "A" for legal description.

Conveyance subject to Exhibit "B"

Being the same property conveyed to MS Development, a TN general partnership by deed from Harvest International Church, f/k/a Harvest Christian Fellowship and Michael R. Harmon and wife, Cheryl L. Harmon of record in Instrument No. 200506150068192, Register's Office for Davidson County, Tennessee.

This is improved (__X__) Unimproved (____) property, known as **1465 Stewarts Ferry Pike, Hermitage, TN 37076**

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, his heirs and assigns, forever; and Grantor does covenant with said Grantee that Grantor is lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same in unencumbered, unless otherwise herein set out; and we do further convenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEE, his heirs and assigns. against the lawful claims of all persons whomsoever. 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/our hand(s) this 22nd day of August, 2005.

MS Development, a Tennessee general partnership

James C. Spangler, Partner

Mack R. McClung, Partner

CORPORATION
STATE OF TENNESSEE)
COUNTY OF Williamson)

Before me, the undersigned, a Notary Public of said County and State, personally appeared **James C. Spangler and Mack H. McClung, Partners** of **MS Development, a Tennessee general partnership, with whom** I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon their oaths acknowledged themselves to be the **Partners** of **MS Development, a Tennessee general partnership,** the within bargainors, and partnership, and that they as such **Partners** being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the partnership by the said **James C. Spangler** as **Partner and Mack H. McClung, Partner.**

Witness my hand and official seal, at office at Brentwood, Tennessee on this **22nd** day of **August, 2005.**

Robin S Edwards
Notary Public

My Commission Expires: 3/28/07

ROBIN S. WEAKLEY
NOTARY PUBLIC AT LARGE
WILLIAMSON COUNTY, TENN.
MY COMMISSION EXPIRES
MARCH 28, 2007

EXHIBIT "A"

Being a tract of land lying in Nashville, Davidson County, Tennessee, and being more particularly described as follows;

Beginning at an existing iron rod in the northerly right-of-way line of Stewarts Ferry Pike, at a corner common with the property of Cecil K. Casto, Et Ux, as of record in Deed Book 9187, Page 340, at the Register's Office for Davidson County, Tennessee;

Thence with the northerly right-of-way line of Stewarts Ferry Pike, with a curve to the right, along an arc length of 56.89

feet, the central angle of which is 08 deg 02 min 55 sec, the radius of which is 405.00 feet, the chord of which is North 61 deg 32 min 16 sec West, 56.85 feet to an existing iron rod;

Thence North 57 deg 30 min 48 sec West, 293.51 feet to an existing iron rod;

Thence with a curve to the left, along an arc length of 195.87 feet, the central angle of which is 13 deg 26 min 25 sec, the radius of which is 835.00 feet, the chord of which is North 64 deg 14 min 01 sec West, 195.42 feet to an existing iron rod;

Thence North 70 deg 57 min 13 sec West, 34.51 feet to an existing iron rod, at a corner common with the property of Joyce J. Jones, as of record in Deed Book 9517, Page 768, at the Register's Office for Davidson County, Tennessee;

Thence leaving the northerly right-of-way line of Stewarts Ferry Pike, with the easterly property line of Joyce J. Jones, North 09 deg 28 min 54 sec East, 644.19 feet to an existing iron rod, at a corner common with Lot 2 of Stewart Hills, as of record in Plat Book 5800, Page 121, at the Register's Office for Davidson County, Tennessee, also being the property of Joyce J. Jones, as of record in Deed Book 9517, Page 768, at the Register's Office for Davidson County, Tennessee;

Thence with the easterly property line of said Lot 2, North 09 deg 29 min 54 sec East, 255.97 feet to an existing concrete monument, at a corner common with J. Percy Priest Lake, United States of America;

Thence with the westerly property line of J. Percy Priest Lake, United States of America, North 09 deg 29 min 57 sec East, 706.69 feet to an existing concrete monument, at a corner common with the open space of The Peninsula, Phase Two, as of record in Plat Book 9700, Page 352, at the Register's Office for Davidson County, Tennessee;

Thence with the easterly property line of said open space, North 09 deg 02 min 15 sec East, 229.55 feet to an existing iron rod, at a corner common with the property of Donald H. Ammons, as of record in Instrument Number 20010614-0062786,

at the Register's Office for Davidson County, Tennessee;

Thence with the southerly property line of Donald H. Ammons, South 76 deg 39 min 20 sec East, 728.70 feet to an existing iron rod in the southerly property line of the open space of Phase One, Section Two, New Hope Point, as of record in Plat Book 9700, Page 431, at the Register's Office for Davidson County, Tennessee, at a corner common with the property of Ole and Margarita V. Andersen, as of record in Instrument Number 20030410-0048003, at the Register's Office for Davidson County, Tennessee;

Thence with the westerly property line of Ole and Margarita V. Andersen, South 13 deg 25 min 49 sec West, 380.00 feet to an existing iron rod;

Thence with the southerly property line of Ole and Margarita V. Andersen, South 76 deg 41 min 45 sec East, 30.00 feet to an existing iron rod, at a corner common with the property of George Bouldin, Et Ux, as of record in Deed Book 10669, Page 203, at the Register's Office for Davidson County, Tennessee;

Thence with the westerly property line of George Bouldin, Et Ux, South 13 deg 47 min 52 sec West, 146.46 feet to an existing iron rod;

Thence with the southerly property line of George Bouldin, Et Ux, South 66 deg 26 min 33 sec East, 22.47 feet to an existing iron rod, at a corner common with the property of Earl W. Flynn, Et Ux, as of record in Deed Book 8937, Page 982, at the Register's Office for Davidson County, Tennessee;

Thence with the westerly property line of Earl W. Flynn, Et Ux, South 10 deg 03 min 40 sec West, 895.99 feet to an existing iron rod, at a corner common with the property of Cecil K. Casto, Et Ux;

Thence with the northerly property line of Cecil K. Casto, Et Ux, South 83 deg 03 min 46 sec West, 179.98 feet to an existing iron rod;

Thence with the westerly property line of Cecil K. Casto, Et Ux, South 10 deg 57 min 01 sec West, 501.78 feet to the POINT OF BEGINNING. Containing 1,309,377 square feet or 30.059 acres more or less.

Grantor further herein conveys to Grantees all of his right, title and interest in an easement represented by a gravel road approximately 20 feet in width beginning at New Hope Road and continuing in a westerly direction between property belonging to New Hope Point, Book 2911, page 875, and property belonging to Shirley T. Miller Jackson, Book 9483, page 32 ("Easement A").

Grantor and Grantees acknowledge that Grantor and those through whom he claims have been in actual, open exclusive, notorious and continuous possession of such easement for a period of more than 35 years.

In addition, the Grantor further conveys herein to the Grantees an alternative easement 12 feet in width across the easternmost boundary of Grantor's property described in Book 7869, Pages 879-880 and Book 10190, Pages 396-397, leading from the property purchased herein to Cape Hope Pass ("Easement B").

Provided however that Grantees covenant that they will not commence use of Easement B unless and until their use and enjoyment of Easement A is disturbed or involuntarily discontinued.