05-7081

WARRANTY DEED

FRANCINE K. JOHNSON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Davidson County DEEDWARR
Recvd: 12/05/05 11:00 3 pgs
Fees:18.00 Taxes:7400.00

20051205-0145703

Commission Expires MAY 30, 2007

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER
IS GREATER, FOR THIS TRANSFER IS $ 2,000,000.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE
27th DAY OF October 2005

Notary Public

MY COMMISSION EXPIRES:
(AFFIX SEAL)

THIS INSTRUMENT WAS PREPARED BY & Return to
American Title Company, Inc., 925 Industrial Drive, Old Hickory, TN 37138

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
Lakewood/R3, LLC (NAME)	~~TO BE DETERMINED~~ SAME AS NEW OWNER (NAME)	MAP 43
Swinging Bridge Rd. (ADDRESS)	(ADDRESS)	PARCEL 7 & 8
Old Hickory, Tennessee 37138 (CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	

FOR AND 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 ACKNOWLEDGED, WE, Charles Rhoten d/b/a Rhoten Dev, ~~d/b/a Rhoten Development~~

HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO Lakewood/R3, LLC

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:

Property located at: Swinging Bridge Rd, Davidson County, Old Hickory, TN 37138 AND:

1. Beginning at old piece of railroad iron, the southeast corner of the Myers E. Brown property of record in Book 5658, Page 778, R.O.D.C.T. , in the western margin of Swinging Bridge Road (being 25 feet from the centerline), the northeast corner of this tract, thence along the western margin of Swinging Bridge Road (parallel and 25 feet from the centerline), South 46 deg. 58 min. 03 sec. East, 215.14 feet to an old iron pin, the northeast corner of the James K. Sharp Jr. property of record in Book 20020130, Page 13413, R.O.D.C.T.,

2. thence along the line with James K. Sharp Jr., South 49 deg. 07 min. 53 sec. West, 217.13 feet to an old iron pin,

3. thence continuing along the line with James K. Sharp Jr., South 48 deg. 51 min 41 sec. West 24.92 feet to an old iron pin, in the eastern line of the Jeffy C. Harlan property of record in Book 20020130, Page 13415, R.O.C.T.,

4. thence along the line with Jeffy C. Harlan, North 45 deg. 01 min. 15 sec. West 216.20 feet to an old iron pin,

5. thence continuing along the line with Jeffy C. Harlan, South 53 deg. 48 min. 45 sec West, 307.51 feet to an old iron pin,

6. thence continuing along the line with Jeffy C. Harlan, south 46 deg. 43 min. 01 sec. East, 472.32 feet to a new iron pin, in the northern margin of Warren

CONTINUED

unimproved ( )
This is improved (X) property, known as Swinging Bridge Rd., Old Hickory, Tennessee 37138
(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their 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 hand this 27th day of October 2005

Charles E. Rhoten
Charles Rhoten d/b/a Rhoten Dev
D B A Rhoten Dev

Lakewood/R3, LLC by:
Registered Agent
Chief Mgr

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Charles Rhoten d/b/a Rhoten Dev. d/b/a Rhoten Development

the bargainor _____, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained. Witness my hand and official seal at Old Hickory, Tennessee, this 27th day of October, 2005.

Commission expires _____

Notary Public

DANIEL PATRICK NIZNIK STATE OF TENNESSEE NOTARY PUBLIC SUMNER COUNTY, TENN. My Commission Expires 10-02-07

STATE OF TENNESSEE
COUNTY OF

Before me, the undersigned, a Notary Public within and for the State and County aforesaid, personally appeared Bob L. Rymer and _____ with whom I am personally acquainted and who upon his oath(s) acknowledged himself to be the Chief Manager and _____ respectively of the Lakewood/R3, LLC the within named bargainor, and ~~corporation~~, and that he as such Chief Manager and _____ being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing the name of the ~~corporation~~, by the said Bob L. Rymer as such Chief Manager LLC, and attesting the ~~same~~ by the said _____ as such _____.

Witness my hand and official seal at office at Nashville on this the 27th day of Oct, 2005.

My commission expires _____

Notary Public

DANIEL PATRICK NIZNIK STATE OF TENNESSEE NOTARY PUBLIC SUMNER COUNTY, TENN. My Commission Expires 10-02-07

LEGAL DESCRIPTION CONTINUATION

Drive (being 25 feet from the centerline),

7. thence along the northern margin of Warren Drive (parallel and 25 feet from the centerline), South 49 deg. 07 min. 52 sec. West, 201.41 feet to a new iron pin,

8. thence continuing along the northern margin of Warren Drive (parallel and 25 feet from the centerline), along a curve with a radius of 75.00 feet, an arc length of 122.84 feet, and a chord being South 02 deg. 12 min. 30 sec. West, 109.56 feet to a new iron pin, in the eastern margin of Keeton Avenue (being 25 feet from the centerline),

9. thence along the eastern margin of Keeton Avenue (parallel and 25 feet from the centerline), South 44 deg. 42 min. 52 sec. East, 101.93 feet to a new iron pin, the northeast corner of the Myers E. Brown property of record in Book 5402, Page 974, R.O.D.C.T.,

10. thence along the line with Myers E. Brown, South 58 deg, 08 min. 57 sec. West, 2630.31 feet to a new iron pin at a fence post corner, on the easterly bank of the Cumberland River,

11. thence along the eastern bank of the Cumberland River, North 19 deg. 23 min. 48 sec West, 1504.86 feet to a fence post corner, the southwest corner of the Myers E. Brown property of record in Book 5658, Page 778, R.O.D.C.T.,

12. thence along the line with Myers E. Brown, North 72 deg. 02 min. 55 sec. East, 3050.33 feet to the beginning, containing 73.034 acres, more or less, as surveyed by Burns and Associates, Inc. under Tennessee License No. 1053, dated 07-14-2002

Being the same property conveyed to Charles Rhoten d/b/a/ Rhoten Developement by deed dated 07-14-03 from Gene H. Scott and wife, Sandra M. Scott, filed for record on 07-21-03 in Instrument No. 200307210101685, Register's Office for Davidson County, Tennessee.

It is understood and agreed that part of the consideration for the transfer of this property is the agreement of the Grantee(s) to assume the unpaid balance of a note for $520,000.00 secured by a first mortgage Deed of Trust payable to Gene H. Scott and wife, Sandra M. Scott filed for record on 07-21-03 in Instrument No. 20037210101686, Register's Office for Davidson County, Tennessee. The unpaid principal balance as of October 27, 2005 is $520,000.00.

This conveyance is subject to: (1) Easement of record in Book 4859, Page 950, RODC, TN. (2) Easement to Old Hickory Utility District, as set forth in instrument of record in Book 8274, Page 619 and in Book 8274, Page 624, RODC, TN. (3) Greenbelt Assessment of record in Book 8962, Page 705, Register's Office for RODC, TN. and any additional restrictions and easements; (4) zoning regulations; (5) taxes that have been assumed by the Grantee herein.