21452

Davidson County DEEDWARR
Recvd: 03/10/06 15:12 4 pgs
Fees:23.00 Taxes:6935.73
20060310-0028270

(1)
Box 36

RECORD & RETURN TO:
FILE BOX 36, Davidson County

WARRANTY DEED

STATE OF TENNESSEE, COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS $1,874,520.51.

Rick Blackburn
Affiant

Subscribed and sworn to me on March 7, 2006.

NOTARY PUBLIC

NOTARY PUBLIC
AT LARGE
Richard W. Sebastian
Commission Expires
March 22, 2008
STATE OF TENNESSEE

THIS INSTRUMENT WAS PREPARED BY:
Richard W. Sebastian
ORTALE, KELLEY, HERBERT & CRAWFORD
200 Fourth Avenue North
Nashville, TN 37219-0375
Our File #21452SP

NAME/ADDRESS OF NEW OWNER:	SEND TAX BILLS TO:	MAP – PARCEL #
Lenox Village I, LLC 6026 Nolensville Road Nashville, TN 37211	SAME ADDRESS AS NEW OWNER	173-220 (PART OF) 173-73 (PART OF) 173-224 (PART OF)

FOR AND IN CONSIDERATION of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named Grantees, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, McGowan Family Limited Partnership, a Tennessee Family Limited Partnership and Lenox Village II, LLC, a Tennessee Limited Liability Company, hereinafter called **"GRANTORS,"** have bargained and sold, and by these presents do transfer and convey unto Lenox Village I, LLC, a Tennessee Limited Liability Company, hereinafter called **"GRANTEE,"** its successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

Being a 49.567 more or less acre tract of land lying in the 31st Councilmanic District of Davidson County, Tennessee, and being portions of the properties conveyed to McGowan Family L.P. as evidenced by deeds of record at Instrument No. 20010403-0032171 and Instrument No. 20010815-008262, Register's Office Davidson County, Tennessee, and a portion of the property conveyed to Lenox Village II, LLC, as evidenced by deed of record at Instrument No. 20020404-0041445, Register's Office Davidson County, Tennessee, and being more particularly described as follows:

Beginning at a point on the southerly right-of-way of Rigden Mill Drive at its easterly terminus, as shown on the plan of Lenox Village, Phase Seven, of record at Instrument No. 20051028-0130418, Register's Office Davidson County, Tennessee; Thence with the easterly line of said plan of Lenox Village, Phase Seven, North 20 Degrees 32 Minutes 37 Seconds East a distance of 567.31 feet to an iron pin set at the most southeasterly

corner of the Thomas S. & George L. Albright Property of record in Deed Book 9659, page 933, Register's Office Davidson County, Tennessee; Thence with the easterly line of said Albright Property, North 00 Degrees 03 Minutes 35 Seconds West a distance of 242.00 feet to an iron pin set in the southerly line of an open space tract on the plan of Barnes Cove, Section Two, of record at Instrument No. 20040604-0065966, Register's Office Davidson County, Tennessee; Thence with the southerly line of said plan of Barnes Cove, Section Two, the following five calls: North 88 Degrees 49 Minutes 53 Seconds East a distance of 278.00 feet to an iron pin;

Thence South 29 Degrees 00 Minutes 33 Seconds East a distance of 340.00 feet to an iron pin; Thence North 69 Degrees 47 Minutes 40 Seconds East a distance of 130.00 feet to an iron pin; Thence North 20 Degrees 12 Minutes 20 Seconds West a distance of 25.00 feet to a point; Thence North 74 Degrees 13 Minutes 23 Seconds East a distance of 140.00 feet to an iron pin; Thence with the westerly line of the Greystone Properties, L.L.C. Property of record at Instrument No. 20010404-0033122, Register's Office Davidson County, Tennessee, South 15 Degrees 05 Minutes 36 Seconds East a distance of 672.00 feet to a Point; Thence with the southerly line of said Greystone Properties, L.L.C. Property, North 86 Degrees 52 Minutes 27 Seconds East a distance of 231.04 feet to an iron pin (old) at the most southwesterly corner of the Greystone Properties, L.L.C. Property of record at Instrument No. 20010821-90011, Register's Office Davidson County, Tennessee, said point also being the most northwesterly corner of Open Space "C" on the plan of Addition to Sugar Valley, Section Three, of record at instrument No. 20050629-0074915, Register's Office Davidson County, Tennessee; Thence with the westerly line of said plan of Addition to Sugar Valley, Section Three, South 07 Degrees 16 Minutes 07 Seconds West a distance of 1174.05 feet to an iron pin (old); Thence continuing South 84 Degrees 12 Minutes 12 Seconds East a distance of 83.99 feet to an iron pin (old); Thence continuing South 19 Degrees 05 Minutes 03 Seconds East a distance of 190.47 feet to an iron pin (old); Thence continuing South 09 Degrees 04 Minutes 56 Seconds East, passing the southeast corner of said plan of Addition to Sugar Valley, Section Three at 52.89 feet, and continuing with the westerly line of the plan of Addition to Sugar Valley, Section Two, of record at Instrument No. 20040622-0073636, Register's Office Davidson County, Tennessee, a total distance of 628.16 feet to a point in the northerly line of Sugar Valley, Section Six, of record at Instrument No. 20040622-0073636, Register's Office Davidson County, Tennessee; Thence with the northerly line of said plan of Sugar Valley, Section Six, North 81 Degrees 04 Minutes 41 Seconds West a distance of 341.95 feet to a Point; Thence leaving the line of Sugar Valley, Section Six, and with the easterly line of Lenox Village II, Section Two, of record at Instrument No. 20030203-0014134, Register's Office Davidson County, Tennessee, the following five calls: North 41 Degrees 53 Minutes 50 Seconds West a distance of 34.93 feet to a point; Thence North 31 Degrees 55 Minutes 11 Seconds West a distance of 397.27 feet to a point; Thence North 22 Degrees 28 Minutes 04 Seconds West a distance of 141.76 feet to a point; Thence North 34 Degrees 02 Minutes 22 Seconds West a distance of 325.07 feet to a point; Thence North 19 Degrees 03 Minutes 24 Seconds West a distance of 54.00 feet to a point; Thence with the northerly line of said plan of Lenox Village II, Section Two, North 84 Degrees 12 Minutes 12 Seconds West a distance of 46.48 feet to a point; Thence with the westerly line of the plan of Lenox Village, Phase Five, the following five calls: Thence North 26 Degrees 47 Minutes 48 Seconds West a distance of 274.20 feet to a point; Thence North 35 Degrees 25 Minutes 55 Seconds West a distance of 389.15 feet to a point; Thence North 33 Degrees 12 Minutes 50 Seconds West a distance of 270.48 feet to a point; Thence North 54 Degrees 45 Minutes 47 Seconds West a distance of 108.27 feet to a point;

Thence North 67 Degrees 42 Minutes 52 Seconds West a distance of 60.26 feet to a point; Thence with the southeasterly line of the afore-said plan of Lenox Village, Phase Seven, the following five calls: North 55 Degrees 22 Minutes 22 Seconds East a distance of 116.85 feet to a point; Thence North 00 Degrees 44 Minutes 22 Seconds West a distance of 67.87 feet to a point; Thence North 15 Degrees 24 Minutes 19 Seconds East a distance of 69.33 feet to a point; Thence North 08 Degrees 18 Minutes 08 Seconds West a distance of 52.63 feet to a point; Thence North 33 Degrees 08 Minutes 46 Seconds East a distance of 27.07 feet to the Point of Beginning, containing 49.567 acres or 2,159,157 square feet, more or less.

Being part of the same property conveyed to McGowan Family Limited Partnership, a Tennessee limited partnership, by Deed from Paul E. Johnson, Jeffrey P. Johnson, Lori J. Kelley, Buford Carter and wife, Stacy Carter, of record as Instrument No. 20010403-0032171, in the Register's Office for Davidson County, Tennessee, and by Deed from Patricia Taylor, Gary Taylor, Ronald Taylor, Steven Taylor and Dennis Taylor, of record as Instrument No. 20010815-0088262, in said Register's Office. Also being part of the same property conveyed to Lenox Village II, LLC, a Tennessee limited liability company, by Deed from Hurley-Y, a Tennessee general partnership, of record as Instrument No. 20020404-0041445 in said Register's Office.

The conveyance of the above-described parcel of land is subject to the following:

1. 2006 Davidson County taxes which have been assumed by the Grantee; and
2. Declarations of Covenants, Conditions and Restrictions, of record as Instrument No. 20020315-0032826, as amended in Instrument No. 20021226-0158458, Register's Office for Davidson County, Tennessee; and
3. Master Deed Restrictions for Lenox Village of record as Instrument No. 20020315-0032825 as supplemented by Instrument No. 20021226-0158459, Register's Office for Davidson County, Tennessee; and
4. Agreements for Dedication of Easement for Sanitary Sewers and/or Storm Drainage of record as Instrument No. 20010918-0100849 and Instrument No. 20010918-0100851 in said Register's Office; and
5. Easement for sanitary sewer, storm drainage and water main with appurtenances of record in Instrument No. 20010918-0100850 and Instrument No. 20010918-0100852, Register's Office for Davidson County, Tennessee; and
6. Easement for storm drainage agreement of record in Instrument No. 20020722-0087469, Register's Office for Davidson County, Tennessee; and
7. Stormwater detention agreement of record in Instrument No. 20020628-0078164, Register's Office for Davidson County, Tennessee; and
8. Charter of Homeowner's Association of record in Instrument No. 20010412-0045831, Register's Office for Davidson County, Tennessee; and
9. Subject to any and all zoning regulations, building restrictions, setback lines, if any, and easements and rights of way for public utilities applicable to this property.

This property is also known as unimproved property located at 49.567 acres +/-, to be proposed Phase 8, Lenox, Nashville, TN 37211.

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, its successors and assigns, forever, and GRANTORS do covenant with the said GRANTEE that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out; and GRANTORS do further covenant and bind itself, its successors and assigns, to warrant and forever defend the title to the said land to the said GRANTEE, its successors 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 our hands on March 7, 2006.

McGowan Family Limited Partnership:

BY: _____
David McGowan, Jr., General Partner

Lenox Village II, LLC:

BY: _____

TITLE: _____

STATE OF TENNESSEE, COUNTY OF DAVIDSON

Before me, the undersigned authority, of the State and County aforesaid, personally appeared David McGowan, Jr., with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, swore to and acknowledged himself to be the General Partner of McGowan Family Limited Partnership, the within named bargainor, and that he as such General Partner executed the foregoing instrument for the purposes therein contained, by signing the name of the family limited partnership by himself as General Partner.

Witness my hand, at office, on March 7, 2006.

RICHARD W. SEBASTIAN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

NOTARY PUBLIC
AT LARGE
Richard W. Sebastian
My Commission Expires
March 22, 2008
STATE OF TENNESSEE

_____
Notary Public

STATE OF TENNESSEE, COUNTY OF DAVIDSON

Before me, the undersigned authority, of the State and County aforesaid, personally appeared _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, swore to and acknowledged himself to be the Lenox Village II, LLC, the within named bargainor, and that he as such _____ executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as _____.

Witness my hand, at office, on March 7, 2006.

RICHARD W. SEBASTIAN NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

NOTARY PUBLIC
AT LARGE
Richard W. Sebastian
My Commission Expires
March 22, 2008
STATE OF TENNESSEE

_____
Notary Public