Prepared by:
Centennial Title Company, Inc.
30 Burton Hills Blvd., #165
Nashville, TN 37215

RECORD AND RETURN TO:
Mitchell A. Watts, Attorney
2400 Crestmoor Road #102
Nashville, TN 37215

39-B
File #07-1287

Davidson County DEEDWARR
Recvd: 10/01/08 13:58 4 pgs
Fees:23.00 Taxes:2512.30

20081001-0099760

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars, cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned Cherokee Crossing Partnership, a Tennessee Partnership comprised of Radius Group, LLC, general partner and Lone Row, LLC, general partner, hereinafter called the Grantor, has bargained and sold, and by these presents does hereby transfer and convey unto George M. Hornberger and wife, Joan Z. Hornberger, hereinafter called the Grantee, Grantee's heirs and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows: To Wit:

Land in Davidson County, Tennessee, being Lot No. 11 on the Plan of Cherokee Crossing of record in Instrument No. 20050328-0032338, Register's Office for said County, to which plan reference is hereby made for a more complete and accurate description.

Being part of the same property conveyed to Cherokee Crossing Partnership by Warranty Deed from Aline P. Brown, now known as Aline P. Brown Taylor, a married person dated January 11, 2005 of record as Inst. No. 20050112-0004675 , furthermore being the same property conveyed to Aline P. Brown by Warranty Deed dated September 19, 1987 of record in Book 7382, Page 828, Register's Office, Davidson County, TN and being part of the same property conveyed to Cherokee Crossing Partnership by Warranty Deed from Geny's Supply, Inc. dated January 10, 2005 of record in Inst. No. 20050112-0004676, furthermore being the same property conveyed to Geny's Supply, Inc. by Warranty Deed dated September 15, 2004 of record in Inst No. 20040915-0111100 and 20040915-0111101 and Warranty Deed dated May 1983 of record in Book 6059, Page 19 and Book 2452, Page 221, all of record in the Register's Office, Davidson County, TN.

The Grantor hereby grants and conveys to the Grantee, Grantee's heirs and assigns, an adjoining permanent easement to run with the land for a "2.50' wide outdoor living space and fence easement over Lot 12 for the benefit of Lot 11", as identified, set out, and shown on the drawing attached hereto and identified as Exhibit "A" Cherokee Crossing - Lot 12, by Wamble & Associates, PLLC dated July 2, 2008, which is attached to this Warranty Deed and incorporated herein, and as set out in the Warranty Deed to said adjoining Lot No. 12 of record as Instrument No. 20080709-0070375, to which reference is hereby made.

The property conveyed herein is subject to matters, including easements, shown on the recorded plan referenced above, to Restrictive Covenants and By-Laws incorporated therewith, as of record as Instrument No. 20051215-0150402, RODC, to applicable public utility easements, and property taxes for 2008 which have been prorated between the parties.

The property conveyed herein is subject to a permanent easement to run with the land for "Outdoor living space & fence easement over Lot 11 for the benefit of Lot 10, includes all the land between the lot line and the outside face of the house wall on Lot 11" as identified, set out, and shown on the drawing attached and identified as Exhibit "B" Cherokee Crossing - Lot 11, by Wamble & Associates, PLLC, dated Sept. 26, 2007, which is attached to this Warranty Deed and incorporated herein, and as set out in the Warranty Deed for said adjoining Lot No. 10 of record as Instrument No. 20071004-0118523, to which reference is hereby made.

This is improved property, known as: 264 Cherokee Station Drive, Nashville TN, 37209.

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, Grantee's heirs or assigns, forever. Grantor covenant with the said Grantee that Grantor is lawfully seized and possessed of said land in fee simple, has good right to convey it, and the same is unencumbered, unless otherwise herein set out. Grantor further covenants and binds Grantor, Grantor's heirs and representatives, to warrant and forever defend the title to the said land to the said Grantee, Grantee's 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 THE EXECUTION HEREOF this 30th day of September, 2008.

Execution appears on page 2

Cherokee Crossing Partnership, a Tennessee Partnership

BY: Radius Group, LLC, General Partner

Eric L. Alldredge, Chief Manager

BY: Lone Row, LLC, General Partner

Steven C. Kirby, Chief Manager

State of Tennessee)
County of Davidson)

Personally appeared before me, the undersigned authority, a duly commissioned Notary Public in and for the State and County aforesaid, Eric L. Alldredge, 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 Chief Manager of the within named Radius Group, LLC, which is a general partner of the within named Cherokee Crossing Partnership, and that he executed the within instrument as the chief manager of Radius Group, LLC for the purposes therein contained by signing and executing this instrument on behalf of Radius Group, LLC as a general partner of Cherokee Crossing Partnership.

Witness my hand at office this the 30th day of September, 2008.

Notary Public

My Commission Expires: 5/22/10

ANGELA P. WILLIAMSON NOTARY PUBLIC STATE OF TENNESSEE DAVIDSON COUNTY, TENN.

State of Tennessee)
County of Davidson)

Personally appeared before me, the undersigned authority, a duly commissioned Notary Public in and for the State and County aforesaid, Steven C. Kirby, 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 Chief Manager of the within named Lone Row, LLC, which is a general partner of the within named Cherokee Crossing Partnership, and that he executed the within instrument as the chief manager of Lone Row, LLC for the purposes therein contained by signing and executing this instrument on behalf of Lone Row, LLC as a general partner of Cherokee Crossing Partnership.

Witness my hand at office this the 30th day of September, 2008.

Notary Public

My Commission Expires: 5/22/10

ANGELA P. WILLIAMSON NOTARY PUBLIC STATE OF TENNESSEE DAVIDSON COUNTY, TENN.

State of Tennessee)
County of Davidson)

The undersigned declares under oath that the actual consideration or value, whichever is greater, for this transfer is: $ 679,000.00.

Affiant

Sworn and subscribed before me on this the 30th day of September, 2008.

Notary Public

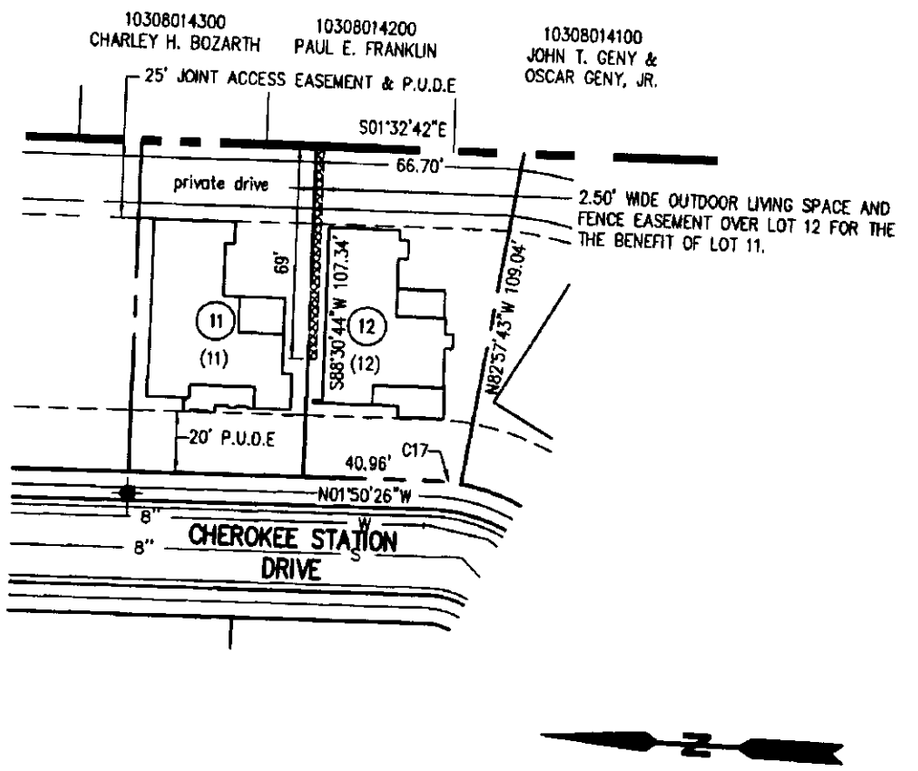
My Commission Expires: 9/20/09

MITCHELL A. WATTS STATE OF TENNESSEE NOTARY PUBLIC SUMNER COUNTY

NEW OWNER:
George M. Hornberger
264 Cherokee Station Drive
Nashville, TN 37209

RESPONSIBLE FOR TAX PAYMENT:
SAME

TAX MAP-PARCEL #:
103-8-D-11CO



GENERAL NOTES:

1. LOT NUMBERS SHOWN THUS (12) PERTAIN TO THE FINAL PLAT FOR CHEROKEE CROSSING AS OF RECORD IN INSTRUMENT NO. 20041216-0149685 R.O.D.C., TN.
2. PARCEL NUMBERS SHOWN THUS (0) PERTAIN TO DAVIDSON COUNTY PROPERTY MAP 103-08-D.

EXHIBIT "A"

CHEROKEE CROSSING-LOT 12

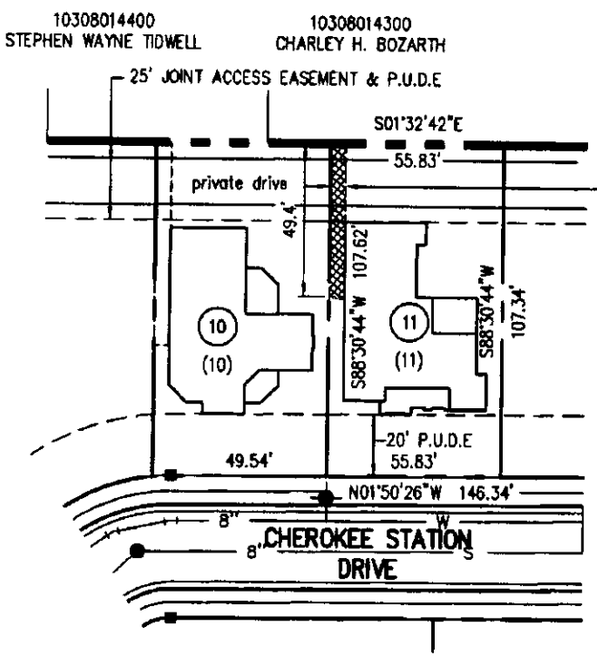
NASHVILLE, DAVIDSON COUNTY, TENNESSEE

DATE: JULY 2, 2008

40' 0' 40' 80'

SCALE IN FEET

Wamble & Associates, PLLC
40 Middleton St. Nashville, Tennessee 37210
Telephone (615)251-9555 Fax (615)251-9034
Civil Engineering · Land Surveying



OUTDOOR LIVING SPACE & FENCE EASEMENT OVER LOT 11 FOR THE BENEFIT OF LOT 10. INCLUDES ALL THE LAND BETWEEN THE LOT LINE AND THE OUTSIDE FACE OF THE HOUSE WALL ON LOT 11.

GENERAL NOTES:

1. LOT NUMBERS SHOWN THUS (11) PERTAIN TO THE FINAL PLAT FOR CHEROKEE CROSSING AS OF RECORD IN INSTRUMENT NO. 20041216-0149685 R.O.D.C., TN.
2. PARCEL NUMBERS SHOWN THUS (0) PERTAIN TO DAVIDSON COUNTY PROPERTY MAP 103-06-0.

EXHIBIT "B"

CHEROKEE CROSSING-LOT 11

NASHVILLE, DAVIDSON COUNTY, TENNESSEE

DATE: SEPT. 26, 2007

40' 0' 40' 80'

SCALE IN FEET

Wamble & Associates, PLLC
40 Middleton St. Nashville, Tennessee 37210
Telephone (615)251-9555 Fax (615)251-9034
Civil Engineering · Land Surveying