BILL GARRETT, Davidson County
Trans:T20090060947 DEEDTRS
Recvd: 09/04/09 07:52 4 pgs
Fees:23.00 Taxes:1850.00
20090904-0083331

This Instrument prepared by:
Bobby D. Davis
Attorney at Law
101 Shepherd Hills Dr.
Madison, Tennessee 37115

Name and Address of New Owner:
Rhoten Development Company Inc.
101 Shepherd Hills Dr.
Madison, TN 37115

Send Tax Bills to:
Same

Map and Parcel #
Map 43-4-A-
2,4,8,10,23,25,33,34,
36,40
Map 34
Part of Parcel

SUBSTITUTE TRUSTEE'S DEED

This Deed made on this 24th day of November 2008, by and between Bobby D. Davis Substitute Trustee (hereinafter called the "grantor"), and Rhoten Development Company Inc. (hereinafter called the "grantee ").

Whereas default having been made in the terms and conditions of a Deed of Trust of record in instrument no. 20051205-0145704 recorded on December 5th 2005 by Lakewood/R3, LLC and Substitute Trustee being appointed in instrument no. 200810070101702 R.O.D.C. foreclosure after being duly published was held and as a result the grantee was the highest bidder and therefore;

Witnesseth: That the said grantor, Bobby D. Davis Substitute Trustee, for and in consideration of the sum of one ($1.00) dollar cash in hand paid by the said grantee,Rhoten Development Company Inc. and other good and valuable considerations, the receipt of which is hereby acknowledged, has bargained, sold, transferred and conveyed, and do hereby bargain, sell, remise and convey unto Rhoten Development Company Inc. its heirs, assigns and successors, all of their interest in and to the following described property to wit:

Land in Davidson County, Tennessee and described as follows:

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., 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. the James K. Sharp Jr. property of record in Book 20020130, Page 13413, R.O.D.C.;

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.D.C.;

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 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, and 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.;

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.;

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;

The following properties are hereby excluded from this sale;

That property shown on the final plat of river landing Section I, Phase I, which is of record in instrument no. 20060728-0091763 and on the first revision, final plat of river landing,

Section I, Phase I, (formerly known as Winstar Estates) of record in instrument no. 20060918-0115492 R.O.D.C.;

Lots no. 47, 85, 3, 5, 6, 7, 9, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 26, 27, 28, 29, 30, 32, 38, 39, 40, 41, 42, 43, 44, 45, 46, as well as, the roadways in those instruments, and the property identified as the open space shown to the North in such plats and instruments, which borders that property conveyed to Myers E. Brown and or record in Book 5658, Page 778 R.O.D.C.;

Being part of the same property conveyed to Charles Rhoten d/b/a Rhoten Developement by deed dated 07/14/2003 from Gene H. Scott and wife, Sandra M. Scott, filed for record on 07/21/2003 in instrument no. 200307210101685, R.O.D.C.;

Being part of the same property conveyed to Lakewood/R3, LLC by deed from, Charles Rhoten d/b/a Rhoten Dev., of record in instrument no. 20051205-0145703 R.O.D.C.

These are unimproved properties known as SWING BRIDGE RD.

This conveyance is subject to such things as the public records may reflect.

This deed is being prepared solely from the information furnished by the parties and neither has requested that a title search be done. No advice is given as to the current statue of the title to the property.

To have and to hold this property and land, with the estate, right, title, appurtenances and interest thereto belonging to the said grantees, their heirs, successors or assigns, forever. And we do covenant with the said grantees that we are lawfully seized and possessed of the said land in fee simple and that we have the good right to convey it, and the same is unencumbered, except as appears of record.

And we do further covenant and bind ourselves and 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.

Witness my hand and seal this 4th day of Sept, 2008.

Bobby D. Davis

State of Tennessee }
County of Davidson }

Personally appeared before me, a notary public in and for the state of Tennessee, the above named, Bobby D. Davis, with whom I am personally acquainted and who, upon oath, acknowledged that he has executed the deed for the purposes therein contained.

Sworn to and subscribed before me this 4th day of Sept, 2008.

Notary Public
My Commission Expires: 1-9-12

TIMOTHY P. HILL STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

State of Tennessee }
County of Davidson }

The actual consideration or value, whichever is greater for the transfer is $500,000.00.

Affiant

Sworn to and subscribed before me this 4th, day of Sept, 2008.

Notary Public
My Comm. Expires: 1-9-12

TIMOTHY P. HILL STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.