Prepared by:
Brokers Escrow Services, Inc.
211 Donelson Pike, Suite 2
Nashville, TN 37214

Send Tax Bill to:
Pinnacle National Bank
150 Third Ave. S., Ste 900
Nashville, TN 37201

Davidson County DEEDWARR
Recvd: 03/03/11 10:49 6 pgs
Fees:32.00 Taxes:0.00
20110303-0016974

BK/PG:1433/518-523
11440322

6 PGS : DEED	
JACQUE DILLARD 213051 - 11440322	
03/03/2011 - 10:09 AM	
VALUE	976800.00
MORTGAGE TAX	0.00
TRANSFER TAX	3614.16
RECORDING FEE	30.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	3647.16

STATE of TENNESSEE, WILSON COUNTY
JOHN B SPICKARD
REGISTER OF DEEDS

GENERAL WARRANTY **DEED** (In **Lieu** of **Foreclosure**)

THIS INDENTURE, made this 25th day of February, 2011, between **R J York Homes, LLC** *(hereinafter called "Grantor")* and **Pinnacle National Bank** (hereinafter called "Grantee"), whose address is 150 Third Avenue S., Suite 900, Nashville, TN 37201.

WITNESSETH

Grantor, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration paid to Grantor, the receipt and sufficiency of which is hereby acknowledged, have granted, bargained and sold, and by these presents does grant, bargain and sell unto Grantee and its successors and assigns forever all that certain parcels of land located in Wilson County and Davidson County, Tennessee (hereinafter called the "Property"), more particularly described as follows:

Attached Exhibit "A", "B" and "C"

Subject to any and all valid and subsisting restrictions, easements, rights of way, mineral and royalty reservations, maintenance charges, zoning laws, ordinances of municipal and other governmental authorities, covenants and conditions, if any, applicable to and enforceable against the property and property of record in Wilson County, and Davidson County, Tennessee, and taxes for the year 2011 and thereafter.

This Warranty Deed is being executed, delivered and accepted in **lieu** of **foreclosure** and the same shall be interpreted and construed as a PARTIAL release of the Note dated March 18, 2009, in the original principal amount of One Million, Nine Hundred Twenty-Five Thousand Dollars and 00/100 ($1,925,000.00) secured by a Mortgage of even date filed for record on March 25, 2009, and recorded in Book 1344, page 919, of the Register's Office of Wilson County, Tennessee, and Instrument No. 20090325-0026813 of the Register's Office for Davidson County, Tennessee, which Note and Mortgage were given by Grantor to Grantee. The remaining outstanding deficiency is Three Hundred Ninety-Four Thousand, Five Hundred Ninety-Eight Hundred Dollars ($394,598.00). It is further agreed between the parties that this is an absolute conveyance to Grantee of all right, title and interest in the property including specifically, but without limitation, any equity or rights of redemption of Grantor in the property.

Notwithstanding the above PARTIAL release of Grantor under the liens and security interests evidencing or securing payment of the Note, the Mortgage shall remain valid and in full force and effect unless and until released by Grantee, it being the intention of the parties that there shall be no merger of any said liens with the title or other interest of Grantee by virtue of this conveyance, and the parties provide that each such interest in the liens on one hand and the title on the other shall be and remain at all times separate and distinct.

TO HAVE AND TO HOLD FOREVER and Grantor does covenant with Grantee, except as noted above, that Grantor is well seized of the property, that Grantor had good right and title to convey, that the property was free from encumbrances, that Grantee shall have principal and quiet possession thereof, that Grantor does fully warrant the title and will defend same against lawful claims of all persons whomsoever, and Grantor will make such further assurance to perfect the fee simple title in Grantee and its heirs and assigns as may be reasonably required.

NOT WITHSTANDING THE FOREGOING THE REMAINING OUTSTANDING DEFICIENCY OF BORROWER IS Three Hundred Ninety-Four Thousand, Five Hundred Ninety-Eight Hundred Dollars ($394,598.00).

IN WITNESS WHEREOF, Grantor has hereunto set his/her hand and seal the day and year first above written.

R J York Homes, LLC

By: Robin J. York, Manager

State of Tennessee)

County of Davidson)

Personally appeared before me, the undersigned, a Notary Public in and for the State and County aforesaid, Robin J. York, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged himself or herself to be the Manager, and as such officer with the authority to so do, executed the within instrument for the purposes therein contained by signing the name of the Limited Liability Company by himself or herself as such authorized signer.

WITNESS my hand, at office this 25th day of February, 2011.

Notary Public; My Commission Expires: 2-3-2015

JEANETTA WATSON STATE OF TENNESSEE NOTARY PUBLIC WILSON COUNTY

STATE OF TENNESSEE) COUNTY OF DAVIDSON)

The actual value or consideration, whichever is greater, for this transfer is ~~$394,598.00~~ $976,800.00

AFFIANT

Subscribed and sworn to before me on this 25th day of February, 2011,

Notary Public; My Commission Expires: 2-3-2015

JEANETTA WATSON STATE OF TENNESSEE NOTARY PUBLIC WILSON COUNTY

Exhibit "A"

A tract or parcel of land located in the 22nd Civil District of Wilson County, State of Tennessee, and being more particularly described as follows, to-wit:

Being Lot No. 10 as shown on the plat entitled "Tucker Gap Meadows" as prepared by Robert Lee Spears, dated September 15, 1987 and revised on June 7, 1988, of record in Plat Book 18, page 470, Register's Office of Wilson County, Tennessee, to which plat reference is here made for a more complete description.

Being part of the same property conveyed to R J York Homes, LLC by deed from Debra D. York, of record in Book 1212, page 1581 , Register's Office for Wilson County, Tennessee.

Map and parcel: 80 H A 9.0

Exhibit "B" (Tract 12 and 13 below for a total of 35.89 acres +/-)

Being Tract No. 12 consisting of 17.01 acres, more or less as shown on the Boundary Survey of the Ben T. Hagan and Nannette Fizette Property, as of record in Plat Book 25, page 446, Register's Office for Wilson County, Tennessee, to which reference is made for a more complete and accurate description of said property.

Being the same property conveyed to the R. J. York Homes, LLC by Deed from Mike Beckman and wife, Carol Beckman by deed of record in Book 1191, page 1101, Register's Office for Wilson County, Tennessee.
Map and parcel: 79 51.05

AND

Being Tract No. 13 consisting of 18.88 acres, more or less as shown on the Boundary Survey of the Ben T. Hagan and Nannette Fizette Property, as of record in Plat Book 25, page 446, Register's Office for Wilson County, Tennessee, to which reference is made for a more complete and accurate description of said property.

Being the same property conveyed to the R. J. York Homes, LLC by Deed ~~by deed~~ of record in Book 1123, page 1428, Register's Office for Wilson County, Tennessee.
Map and parcel: 79 51.04

BEGINNING at a found concrete monument in the southwest corner of Fairway View Subdivision, Section One, as recorded in Deed Book 3106, page 111, Register's Office of Davidson County; thence South 83 degrees 36 minutes 05 seconds East for a distance of 327.60 feet to a found concrete monument, the southeast corner of Fairway View, Section One, the west line of Fairway View, Section Two; thence South 12 degrees 45 minutes 01 seconds West for a distance of 173.80 feet to a found concrete monument; thence South 15 degrees 57 minutes 00 seconds East for a distance of 1337.93 feet to a found concrete monument; thence south 23 degrees 12 minutes 00 seconds East for a distance of 80.53 feet; thence South 32 degrees 31 minutes 00 seconds East for a distance of 396.60 feet; thence South 29 degrees 34 minutes 00 seconds East for a distance of 590.05 feet; thence North 59 degrees 30 minutes 00 seconds East for a distance of 294.63 feet to the south margin of Hurst Drive; thence South 30 degrees 29 minutes 00 seconds East for a distance of 213.86 feet; thence South 72 degrees 26 minutes 00 seconds; East for a distance of 431.60 feet to the west bank of a branch; thence South 02 degrees 07 minutes 00 seconds East for a distance of 152.90 feet; thence South 05 degrees 50 minutes 00 seconds West for a distance of 52.80 feet; thence South 25 degrees 30 minutes 00 seconds West for a distance of 221.50 feet; thence South 33 degrees 16 minutes 00 seconds West for a distance of 140.20 feet; thence South 43 degrees 20 minutes 00 seconds West for a distance of 151.00 feet; thence South 50 degrees 02 minutes 00 seconds West for a distance of 113.50 feet; thence South 34 degrees 52 minutes 00 seconds West for a distance of 114.70 feet; thence south 00 degrees 52 minutes 00 seconds West for a distance of 113.50 feet; thence South 33 degrees 29 minutes 00 seconds East for a distance of 28.60 feet; thence South 03 degrees 16 minutes 00 seconds,East for a distance of 94.10 feet; thence South 25 degrees 23 minutes 00 seconds West for a distance of 82.90 feet; thence South 32 degrees 47 minutes 16 seconds West for a distance of 1025.44 feet to a found iron pin on the bank of the Cumberland River; thence North 71 degrees 42 minutes 45 seconds West for a distance of 137.65 feet to a found iron pin, thence North 39 degrees 29 minutes 57 seconds West for a distance of 754.03 feet to a found iron pin;t hence North 41 degrees 12 minutes 12 seconds West for a distance of 1109.20 feet to a found iron pin on the bank of said river; thence North 06 degrees 55 minutes 55 seconds East for a distance of 3124.02 feet to the point of beginning. Said property contains 116.1269 acres more or less.

TRACT II:

Beginning on an iron pin in a line on the Southerly Edge of The Old Hickory Golf Course Land and located a distance of One (1) Ft. West of the Westerly edge of a Rock Walled W.P.A. Drainage Ditch and running in a Westerly Direction along said golf course Southerly Edge a distance of Four Hundred Thirty-Three (433) Ft. to a One (1) Ft. Square Concrete Monument; thence

Continuing in a Northerly direction along the South-Westerly margin of said golf course land N.30.58 W a distance of One Hundred Ninety-Four (194) F. to a point marked by an iron fence post; thence

In a South-Westerly direction a distance of Fifty (50) Ft. to a point marked by an iron pin located in the North-Easterly margin of The Caldwell and Perry Land; thence

In a South-Easterly Direction and continuing along the North-Easterly Margin of the Caldwell and Perry land S.30.59.E a distance of Two Hundred Fourteen (214) Ft., to an iron pin; thence

Continuing in an Easterly direction along the Northerly Margin of the Caldwell and Perry Land, South 73.00 E., a distance of Four Hundred Thirty Three (433) Ft., to a point marked by an iron pin located One (1) Ft., distant from the Westerly edge of the Rockwalled W.P.A. Drainage Ditch; thence

In a Northerly direction along the said line One (1) Ft. distant from the Westerly edge of the said W.P.A. Drainage Ditch a distance of Fifty (50) Ft., to an Iron Pin in the Southerly edge of The Old Hickory Golf Course Land, and the Point of Beginning, and contain by Plan-O-Meter Calculation, Seventy-Four One Hundredths (.74) Acres, More or Less.

Included in the above description but EXCLUDED from this conveyance is that portion of the above described property conveyed to Jerry Lemons by deed from York Construction LLC, of record in Book 10879, page 458, Register's Office for Davidson County Tennessee, and described more particularly below:

Land lying in the Eleventh Councilmanic District of Davidson County, Tennessee, being all of tract 2 and a part of tract 1, as recorded in Deed Book 10539, Page 342, R.O.D.C.,TN, and being further described according to a survey by Sanders Surveying, dated April 03, 1998, as follows:

Beginning at an old concrete monument in a southerly line of the Old Hickory Country Club property of record in Deed Book 7611, Page 68, R.O.D.C.,TN, said monument being 243.50 feet from the end of and parallel to, the easterly margin of Hurst Drive, as shown on the map of Fairway View Subdivision, Section 2, of record in Plat Book 2900, Page 100, R.O.D.C.,TN;

Thence, with the line of Old Hickory Country Club, S 72° 07' 26" E - 406.74 feet to an old planted rail in a paved WPA drainage ditch;

Thence, leaving the country club's line, S 11° 43' 32" W - 48.83 feet to an old planted rail at a fence corner on the westerly bank of the paved ditch;

Thence, with a fence, S 00° 20' 47" W - 152.65 feet to a new iron pin;

Thence, continuing with said fence, S 04° 17' 05" W - 52.09 feet to a new iron pin;

Thence, continuing with said fence, S 27° 10' 59" W - 319.02 feet to a new iron pin;

Thence, continuing with said fence, S 38° 35' 53" W - 102.45 feet to a new iron pin;

Thence, continuing with said fence, S 47° 17' 13" W - 183.76 feet to a new iron pin;

Thence, continuing with said fence, S 36° 04' 44" W - 141.23 feet to a new iron pin;

Thence, S 01° 19' 12" E - 142.17 feet to an old iron pipe;

Thence, S 06° 11' 04" E - 129.53 feet to a new iron pin at a fence corner;

Thence, with a fence, S 65° 06' 29" W - 55.75 feet to a new iron pin;

Thence, continuing with said fence, S 31° 27' 53" W - 60.03 feet to a new iron pin;

Thence, leaving said fence and with a new line, N 48° 42' 17" W - 295.48 feet to a new iron pin;

Thence, with a new line, N 40° 30' 21" E - 390.14 feet to a new iron pin;

Thence, with a new line, N 35° 26' 15" W - 883.16 feet to a new iron pin;

Thence, passing over the southwesterly and southeasterly corners of the Robert Wilson property of record in Deed Book 3649, Page 430, R.O.D.C.,TN, N 59° 50' 35" E - 594.69 feet to a new iron pin;

Thence, S 30° 06' 26" E - 193.50 feet to the point of beginning.

Containing 15.50 Acres.

Being the same property conveyed to R. J. York Homes, LLC by Deed from York Construction, LLC of record in Instrument No. 20040123-0008889, Register's Office for Davidson County, Tennessee.

CERTIFICATION

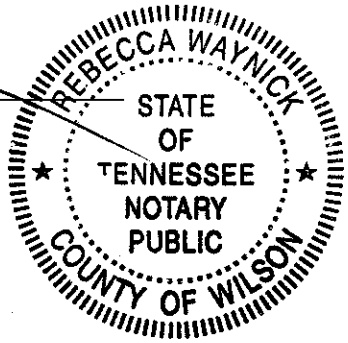
I, Toni Waynick, do hereby make oath that I am the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Toni Waynick

State of Tennessee;County of Davidson

On this 3rd day of March, 2011, personally appeared before me, Rebecca Waynick, a notary public for this county and state, Toni Waynick, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Rebecca Waynick
My Commission Expires:



MY COMMISSION EXPIRES:
JULY 24, 2011