Box 36
@
25164

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 $4,786,920.48.

Affiant

Subscribed and sworn to me on October 5, 2011.

NOTARY PUBLIC

BOBBIE COOPER STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

NOTARY PUBLIC
Bobbie Cooper
My Commission Expires
November 7, 2012
STATE OF TENNESSEE

BILL GARRETT, Davidson County
Trans:T20110062817 DEEDWARR
Recvd: 10/07/11 14:47 3 pgs
Fees:18.00 Taxes:17711.61
20111007-0078288

THIS INSTRUMENT WAS PREPARED BY:
Douglas A. Brace, Esq.
ORTALE, KELLEY, HERBERT & CRAWFORD
200 Fourth Avenue North
Nashville, TN 37219-0375
Our File #25164SP

NAME/ADDRESS OF NEW OWNER:	SEND TAX BILLS TO:	MAP – PARCEL #
Lincoya, LLC 421 E. Iris Drive, Suite 300 Nashville, TN 37204-3140	SAME ADDRESS AS NEW OWNER	109-009 109-01-B-001 CO (#3200) 109-01-B-002 CO (#3202) 109-01-B-003 CO (#3204) 109-01-B-004 CO (#3206) 109-01-B-005 CO (#3208) 109-01-B-006 CO (#3210) 109-01-B-007 CO (#3212) 109-01-B-008 CO (#3201) 109-01-B-009 CO (#3203) 109-01-B-010 CO (#3205) 109-01-B-011 CO (#3207) 109-01-B-012 CO (#3209) 109-01-B-013 CO (#3211) 109-01-B-026 CO (#3215) 109-01-B-028 CO (#3219) 109-01-B-029 CO (#3221) 109-01-B-030 CO (#3223) 109-01-B-031 CO (#3225) 109-01-B-032 CO (#3227) 109-01-B-021 CO (#3228) 109-01-B-033 CO (#3229) 109-01-B-034 CO (#3231) 109-01-B-035 CO (#3233) 109-01-B-036 CO (#3235) 109-01-B-037 CO (#3237) 109-01-B-040 CO (#3243) 109-01-B-042 CO (#3247) 109-01-B-043 CO (#3249) 109-01-B-044 CO (#3251)

FOR AND IN CONSIDERATION of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named Grantee, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, 70 South Associates, LLC, a Tennessee Limited Liability Company, hereinafter called **"GRANTOR,"** has bargained and sold, and by these presents does transfer and convey unto Lincoya, 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:

Land in the 3rd Civil District of Davidson County, Tennessee, described according to a survey made by Barge, Waggoner and Sumner, Engineers, dated January 6, 1971, as follows:

Beginning at an iron pin in the east margin of Pleasant Hill Road, said point being 635.37 feet south of the south line of the U.S. Government property, thence South 81 deg. 01 min. 11 sec. East, 1,295.87 feet to a point; thence South 8 deg. 22 min. 40 sec. West, 571.76 feet to a point; thence North 79 deg. 44 min. 13 sec. West 759.79 feet to a point; thence North 81 deg. 34 min. 50 sec. West 535.71 feet to a point in the east margin of Pleasant Hill Road; thence Northerly 560 feet along the east margin of Pleasant Hill Road to the point of beginning, and containing 16.68 acres, more or less.

Being part of the same property conveyed to 70 South Associates, LLC, by Warranty Deed from Laura Lee James Lee and Grizeldra Stroud, sole heirs-at-law of Clarence Richmond Lee, and Mary P. Harbour, Izora Hurd, Leithelia Frierson, Alfred Lee, Gabrielle Lee, James Lee and Grizeldra Stroud, sole heirs-at-law of Lora Lee Bibbs, of record as Instrument No. 20060929-0120894 in the Register's Office for Davidson County, Tennessee.

INCLUDED in the above description, but EXPRESSLY EXCLUDED THEREFROM, are the following:

Land in Davidson County Tennessee, being Units Nos. 3245, 3253 and 3255 of Building "A"; Units Nos. 3241 and 3239 of Building "B"; Units Nos. 3213 and 3217 of Building "C", and Units Nos. 3214, 3216, 3218, 3220, 3222, 3224, 3226, 3230, 3232 and 3234 of Building "F" on the Plan of Lincoya Bay townhomes, a Horizontal Property Regime with Private Elements, created under Title 67, Section 27-101, et seq., as amended, Tennessee Code Annotated, and established by Declaration of Covenants, Conditions and Restrictions for Lincoya Bay Townhomse, a Horizontal Property Regime with Private Elements, of record as Instrument No. 20081003-0100953 in the Register's Office for Davidson County, Tennessee, including without limitation the By-Laws appended thereto, together with the undivided percentage interest in the Common Elements appurtenance to each Unit, as set forth in said Declaration of Covenants. Reference is made to the Plan of Lincoya Bay Townhomes, placement of Units, as shown on Exhibit "C" to the Declaration for a more complete identification and description of said units.

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

1. 2011 Davidson County taxes which have been prorated by the parties and assumed by the Grantee.
2. Matters shown on plan of record as Exhibit "C" to Declaration of Covenants, Conditions and Restrictions of record as Instrument No. 20081003-0100953 in the Register's Office for Davidson County, Tennessee.
3. Inspection and Maintenance Agreement for Private Stormwater Management Facilities of record as Instrument No. 20071108-013985 in the Register's Office for Davidson County, Tennessee.
4. Easement for storm drainage of record as Instrument No. 20071108-0132021 in said Register's Office.
5. Easements for Sanitary Sewers and/or Storm Drainage, Water Mains, Pumps and Appurtenances of record as Instrument No. 20090723-0068990 and Instrument No. 20090723-0069029 in said Register's Office.
6. Grant of Easement to Comcast of Nashville I, of record as instrument No. 20081114-0112483 in said Register's Office.
7. Subject to all matters set forth in the Declaration of Covenants, Conditions and Restrictions for Lincoya Bay Townhomes, a Horizontal Property Regime with Private Elements, of record as Instrument No. 20081003-0100953 in said Register's Office.
8. Charter of the Lincoya Bay Townhouse Corporation of record as Instrument No. 20090424-0037145 in said Register's Office.
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 located at Lincoya Creek Drive & Bell Road, Nashville, TN.

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 GRANTOR does covenant with the said GRANTEE that it is 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 GRANTOR does further covenant and bind itself, its successors and assigns, to warrant and forever defend the title to the said land to the said GRANTEE, their 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 October 5, 2011.

70 South Associates, LLC

By: _____
Carl A. Neuhoff, Jr.
Title: Authorized Representative

STATE OF TENNESSEE, COUNTY OF DAVIDSON

Before me, the undersigned authority, of the State and County aforesaid, personally appeared Carl A. Neuhoff, 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 Authorized Representative of 70 South Associates, LLC, the within named bargainor, and that he as such Authorized Representative executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as Authorized Representative.

Witness my hand, at office, on October 5, 2011.

NOTARY PUBLIC
Douglas A. Brace
My Commission Expires
May 6, 2013
STATE OF TENNESSEE

_____
Notary Public

My commission expires: _____