

STATE MS. - DESOTO CO.

WARRANTY DEED

FEB 5 1 33 PM '97

BK 312 PG 168
W.E. DAVIS CH. CLK.

STATE OF MISSISSIPPI
COUNTY OF DESOTO

THIS INDENTURE, made and entered into this 31st day of January, 1997, by and between HEARTLAND HOMES LIMITED PARTNERSHIP, AN OKLAHOMA LIMITED PARTNERSHIP, of the first part, and DAVID WAYNE TERRY, unmarried, of the second part;

WITNESSETH: That for the consideration hereinafter expressed the said party of the first part has bargained and sole and does hereby bargain, sell, convey and warranty unto the said parties of the second part the following described real estate, situated and being in Olive Branch, County of DeSoto, State of Mississippi, to wit:

Lot 5, Fox Hunt, in Section 26, Township 1 2 South, Range 6 West, Desoto County, Mississippi, as per plat thereof recorded in Plat Book 50, Pages 8-9, in the office of the Chancery Clerk of Desoto County, Mississippi.

TO HAVE AND TO HOLD The aforesaid real estate, together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said parties of the second part, their heirs and assigns in fee simple forever.

THE CONSIDERATION for this conveyance is as follows:
Ninety Nine Thousand Eight Hundred Forty and No/100-----
(\$99,840.00)-----

WITNESS the signature of the said party of the first part the day and year first above written.

HEARTLAND HOMES LIMITED PARTNERSHIP
BY HEARTLAND HOMES, INC. GENERAL PARTNER
BY: [Signature]
Robert A. Frey, Attorney in Fact to
Mark Livingston, Vice President

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned Notary Public in the State and County aforesaid, personally appeared Robert A. Frey, Attorney in Fact for Mark Livingston, Vice President, with whom I am personally acquainted and who, upon oath, acknowledged himself to be the Vice President, of Heartland Homes, Inc., the within named bargainor, a corporation, in that he as such Vice President, being authorized so to do, executed the foregoing instrument for the purposes contained therein by signing the name of the corporation by himself as such Vice President.

Further, Robert A. Frey, Attorney in Fact for Mark Livingston, as Vice President, of Heartland Homes, Inc. acknowledged said corporation to be the General Partner of Heartland Homes Limited Partnership, the within named bargainor, a limited partnership, and that it as such General partner, executed the foregoing Instrument for the purpose contained therein, by signing the name of the partnership by itself as General Partner.

Witness my hand and seal, this 31st day of January, 1997.

Linda F. Manley
NOTARY PUBLIC

My Commission Expires: *2/23/2000*

Grantor's Mailing Address:
Heartland Homes
2753 Mendenhall Road S. #30
Memphis, TN 38115
(901) 363-5016

Grantee's Mailing Address:
David Wayne Terry
10054 Fox Hunt Drive
Olive Branch, MS 38654
(901) 763-2735 (Home)
(901) 396-2121 (work)

THIS INSTRUMENT PREPARED BY AND RETURN TO:
Fidelity Title and Escrow, Inc.
1709 Kirby Parkway
Memphis, TN 38120
(901) 755-5400

