

8/04/06 10:07:36
BK 535 PG 726
DESO TO COUNTY, MS
W.E. DAVIS, CH CLERK

This instrument prepared by:
Fearnley & Califf, PLLC
6389 Quail Hollow Rd. Suite 202
Memphis, Tennessee 38120
Phone Number (901) 767-6200
Facsimile Number (901) 682-8345

Prepared by and return to:
Southern Trust Title Company
6465 Quail Hollow, Suite 401
Memphis, TN 38120
901-751-7955
File No. 1282466

WARRANTY DEED

THIS INDENTURE made and entered into this 27th day of July, 2006, by and between, SHELBY DEVELOPMENT, INC., a Tennessee Corporation, party of the first part, and J. SWEENEY HOMES, LLC, a Tennessee Limited Liability Company, party of the second part,

WITNESS: That for and in consideration of ten and no/100 Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, said party of the first part has bargained and sold and does hereby bargain, sell, convey, and confirm unto said party of the second part the following described real estate, situated and being in the County of DeSoto, State of Mississippi, to wit:

Lots 18, 40, 41, 42, 43, 44, 45, 46, 47, 50, 51, 53, 54, 55, 56, and 57, Section "A", Fox Creek East Subdivision, Section 29, Township 1 South, Range 5 West, as shown on plat of record in Plat Book 96, Pages 37, in the Chancery Clerk's Office of DeSoto County, Mississippi, to which plat reference is hereby made for a more particular description of said property.

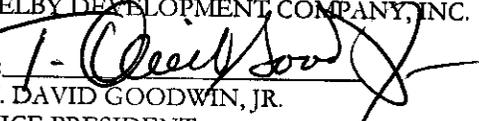
Being part of the same property conveyed to the party of the first part herein by Warranty Deeds of record in Deed Book 355, Page 537, Book 355, Page 539, Book 355, Page 541, in the Office of Chancery Clerk, DeSoto County, Mississippi.

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

Said party of the first part does hereby covenant with the said party of the second part that it is lawfully seized in fee of the aforescribed real estate; that it has a good right to sell and convey the same, and that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons, and that the same is unencumbered except for 2006 DeSoto County real property taxes, being a lien not yet due and payable (which party of the first assumes and agrees to pay); Subdivision Restrictions, Building Lines, and Easements of record in Plat Book 96, Page 37; and Easements of record in Book 216, Page 680, Book 216, Page 683, Book 216, Page 685, and Book 216, Page 687; Declaration of Covenants, Conditions, and Restrictions of record; and Charter and Bylaws of Fox Creek East Homeowners' Association, Inc; all of record in said Chancery Clerk's office.

The word "party" as used herein shall mean "parties" if it refers to more than one person or entity, and pronouns shall be construed according to their proper gender and number according to the context hereof.

IN WITNESS WHEREOF, party of the first part has caused this instrument to be executed the day and year first above written.

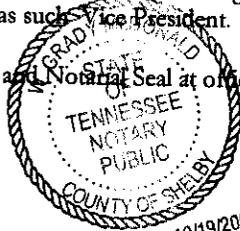
SHELBY DEVELOPMENT COMPANY, INC.
BY: 
T. DAVID GOODWIN, JR.
VICE PRESIDENT

So. Trust Title Fed

STATE OF TENNESSEE
COUNTY OF SHELBY

On this 27th day of July, 2006, before me, the undersigned Notary Public in the State and County aforesaid, personally appeared T. David Goodwin, Jr. with whom I am personally acquainted and who, upon oath, acknowledged himself to be the Vice President of Shelby Development Company, Inc., the within named bargainer, a corporation, and that he as such Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as such Vice President.

WITNESS my hand and Notary Seal at office the day and year above written.



W. Goodwin
NOTARY PUBLIC

My Commission Expires:

Grantor's Mailing Address:
6112 Macon Rd.
Memphis, TN 38134
Phone # na

Grantee's Mailing Address:
1000 Brookfield, Ste 200
Memphis, TN 38119
Phone # na