

2.

Deed

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**COPY**

Instrument: 2006100500229  
 Book and Page: GI 8106 180  
 Conveyance Tax \$2,755.88  
 Deed Recording Fee \$15.00  
 Data Processing Fee \$2.00  
 Probate Fee \$1.00  
 Total Fees: \$2,773.88  
 User: KHOWARD  
 Date: 05-01-2006  
 Time: 02:50:38 P  
 Contact: Pam Hurst, Register  
 Hamilton County Tennessee

NAME/ADDRESS OF NEW OWNER(S):	SEND TAX BILLS TO:
CMC Investors II, LLC	SAME
112 Lee Parkway, Suite 103	
Chattanooga, TN 37421	
TAX MAP PARCEL NUMBER(S):	Part of 148E-A-047

135681

IN CONSIDERATION of the sum of One Dollar (\$1.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged;

9  
2006

VICTORIAN PROPERTIES, LLC, a Tennessee Limited Liability Company, does hereby sell, transfer and convey unto CMC INVESTORS II, LLC, a Tennessee Limited Liability Company, the following described Real Estate:

IN THE CITY OF CHATTANOOGA, HAMILTON COUNTY, TENNESSEE:

Unit Two Hundred One (201), in Victorian Gardens, a Tennessee Horizontal Property Regime created pursuant to the Tennessee "Horizontal Property Act" as set forth in Chapter 27, at Sections 66-27-101, et seq., in the Tennessee Code Annotated, by that certain Master Deed For Victorian Gardens Horizontal Property Regime of record in Book 8106, page 110, in the Register's Office of Hamilton County, Tennessee, with said Unit being more particularly shown on Revised Plat of Victorian Gardens Condominiums of record in Plat Book 83, pages 67 and 68, in the Register's Office of Hamilton County, Tennessee.

TOGETHER WITH the exclusive use of the Limited Common Elements that are designated as appurtenant to said Unit 201 by the terms and provisions of said Master Deed For Victorian Gardens Horizontal Property Regime.

TOGETHER WITH the appurtenant undivided interest in the Common Elements that is provided for said Unit 201 by the terms and provisions of said Master Deed For Victorian Gardens Horizontal Property Regime.

REFERENCE is made for prior title to Deed of record in Book 7667, page 216, in the Register's Office of Hamilton County, Tennessee.

SUBJECT TO Easement recorded in Book 3212, page 242, in the Register's Office of Hamilton County, Tennessee.

SUBJECT TO Easement recorded in Book 3403, page 217, in the Register's Office of Hamilton County, Tennessee.

SUBJECT TO Quitclaim Parking And Access Easement recorded in Book 3450, page 237, in the Register's Office of Hamilton County, Tennessee.

SUBJECT TO easement conveyed to City of Chattanooga, Tennessee, by document of record in Book 7392, page 461, in the Register's Office of Hamilton County, Tennessee.

SUBJECT TO Declaration Of Restrictive Covenants recorded in Book 4232, page 439, in the Register's Office of Hamilton County, Tennessee, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

SUBJECT TO Master Deed For Victorian Gardens Horizontal Property Regime of record in Book 8106, page 110, in the Register's Office of Hamilton County, Tennessee.

Prepared By:  
 Hale, Hale & McInturff  
 Attorneys at Law  
 724 Cherry Street  
 Chattanooga, TN 37402

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SUBJECT TO Governmental zoning and subdivision ordinances or regulations in effect thereon.

No boundary survey of the within land was made at the time of this conveyance, and the description of the within land is not different from previous deed(s).

TO HAVE AND TO HOLD the said described Real Estate unto the said CMC INVESTORS II, LLC, a Tennessee Limited Liability Company, its successors and assigns, forever in fee simple.

VICTORIAN PROPERTIES, LLC covenants that it is lawfully seized and possessed of said described Real Estate; has good right and lawful authority to sell and convey the same; that the title thereto is clear, free and unencumbered, except as hereinabove set out; and, it will forever warrant and defend the same against all other lawful claims.

IN WITNESS WHEREOF VICTORIAN PROPERTIES, LLC has hereunto caused its official name to be signed by its duly authorized officer, on this the 4th day of October, 2006.

VICTORIAN PROPERTIES, LLC

By: David F. Moore  
Name: David F. Moore  
Title: President

STATE OF TENNESSEE  
COUNTY OF HAMILTON

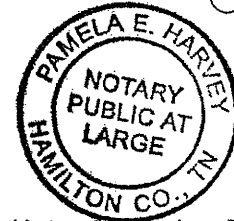
On this the 4<sup>th</sup> day of October, 2006, before me personally appeared David F. Moore, with whom I am personally acquainted, and who upon oath acknowledged himself to be the President of VICTORIAN PROPERTIES, LLC, the within-named bargainer, and that he, as such officer being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the said bargainer, by himself as such officer.

IN WITNESS WHEREOF I have hereunto set my hand and Notarial Seal.

Pamela E. Harvey  
NOTARY PUBLIC

My Commission Expires:

9-22-07



STATE OF TENNESSEE  
COUNTY OF HAMILTON

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$ 744,832.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

X [Signature]  
AFFIANT - Grantee

Subscribed and sworn to before me on

this 4<sup>th</sup> day of October, 2006.

Pamela E. Harvey  
NOTARY PUBLIC

My commission expires:

9-22-07

