



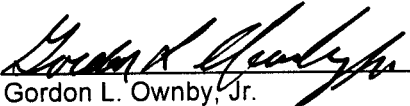
SCHEDULE A COMMITMENT

Application Number: 88278

Commitment Number: 88278

1. Commitment Date: August 20, 2007 at 08:00 AM
2. Policy (or Policies) to be issued: Policy Amount
 - (a) OWNER'S POLICY (ALTA Own. Policy (06/17/06))
Proposed Insured:
TO BE DETERMINED
 - (b) LOAN POLICY (ALTA Loan Policy (06/17/06))
Proposed Insured:
3. Fee Simple interest in the land described in this Commitment is owned, at the Commitment Date, by:
Farragut Holdings, LLP
4. The land referred to in this Commitment is described as follows:
SEE SCHEDULE C ATTACHED HERETO

TENNESSEE VALLEY TITLE INSURANCE CO.

By: 
Gordon L. Ownby, Jr.

**SCHEDULE B-SECTION I
COMMITMENT**

REQUIREMENTS

File Number: 88278

Commitment Number: 88278

The following requirements must be met:

1. Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.
2. Payment of all premiums and charges for policies, endorsement and services.
3. Furnish a properly executed Owner's Affidavit on attached form.
4. Furnish an accurate, current survey and surveyor's inspection report on attached form.
5. Cancellation and release of record those lots described herein from the lien of the Builder Construction Deed of Trust, Assignment of Rents and Security Agreement from Farragut Holdings LLP to FMLS, Trustee for AmSouth Bank, in the original amount of \$2,426,500.00, dated May 19, 2006, and recorded in Instrument #200605220097761; as modified by Modification of Promissory Note and Deed of Trust increasing indebtedness to make a total principal indebtedness of \$3,100,000.00, dated June 28, 2007, and recorded in Instrument #200707020000381, both in the Knox County Register's Office. (INCLUDES OTHER PROPERTY.)
6. Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:
 - a. Properly executed and acknowledged Deed from Farragut Holdings, LLP, a Tennessee limited liability partnership, vesting fee simple title in purchaser(s) to be determined.

NOTE: We must be furnished a copy of the partnership agreement and all amendments thereto and other evidence satisfactory to the Company that Farragut Holdings, LLP is a valid and existing partnership under the laws of Tennessee, and that all necessary consents, authorizations, resolutions, notices and partnership actions relating to the sale and the execution and delivery of the deed as required under applicable law and partnership agreements have been conducted, given or properly waived.

NOTE: 2006 Knox County taxes in the amount of \$4,609.00 have been paid.

2007 Knox County taxes will become due and payable on October 1, 2007 in the amount of \$4,609.00 (Includes other property.)

SCHEDULE B-SECTION II COMMITMENT

EXCEPTIONS

File Number: 88278

Commitment Number: 88278

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof, but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. The dower, curtesy, homestead, community property, or other statutory marital rights, if any, of the spouse of any individual insured.
3. Rights or claims of parties in possession not shown by the public records.
4. Easements, or claims of easements, not shown by the public records.
5. Any discrepancies, conflicts, encroachments, servitudes, shortages in area and boundaries or other facts which a correct survey would show.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: Upon receipt of satisfactory Owner's Affidavit as required under Schedule B - Section 1, Items 3 and 6 hereinabove may be amended and/or deleted.

NOTE: Upon receipt of satisfactory survey and surveyor's inspection report as required under Schedule B - Section 1, Items 4 and 5 hereinabove may be amended and/or deleted.

7. Taxes for the year 2007, a lien, but not yet due or payable, and all taxes for subsequent years.
8. Matters depicted or disclosed by maps of record in Instrument #200706180103901, and in Instrument #200707180005612, both in the office of the Knox County Register of Deeds.
9. Covenants and restrictions for Berkeley Park filed of record in Deed Book 2313, page 388, as amended in Instrument #200504130081440, in the office of the Knox County Register of Deeds, 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.
10. Covenants and restrictions as set forth in Declaration of Covenants and Restrictions of The Battery at Berkeley Park, filed of record in Instrument #20070620106066, as amended in Instrument #_____, in the office of the Knox County Register of Deeds, 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.
11. The policy, when issued, will affirmatively insure access to the pool and club house located on Lot 90, in Berkeley Park.

**SCHEDULE C
COMMITMENT**

PROPERTY DESCRIPTION

File Number: 88278

Commitment Number: 88278

The land referred to in this Policy is described as follows:

SITUATED in District Six of Knox County, Tennessee, within the corporate limits of the Town of Farragut, and being more particularly described as follows:

BEING Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, 30, 32, 33, 34, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, and 62, The Battery at Berkeley Park, as shown on plat of record in Instrument #200707180005612, in the Knox County Register's Office; said lots being more particularly bounded and described as shown on plat of record aforesaid, to which plat specific reference is hereby made for a more particular description.

BEING part of that property conveyed to Farragut Holdings, LLP, a Tennessee limited liability partnership, by Quit Claim Deed of record in Instrument #200504130081441, in the Knox County Register's Office.