Tax Map 97

Parcel 87

BOOK 5355 PAGE 925

PREPARED BY:
J. C. Livingston
4300 Six Forks Road
Raleigh, North Carolina 27609

SPECIAL WARRANTY DEED

THIS INDENTURE, made and entered into this 20th day of October, 1978, by and between CAMERON-BROWN INVESTMENT GROUP, a Massachusetts business trust, party of the first part, and ARBOUR EAST ASSOCIATES, a Massachusetts limited partnership, having Alexander H. McNeil as its sole general partner, party of the second part.

WITNESSETH: That for and in consideration of the sum of Ten Dollars ($10.00) cash in hand paid, and other good and valuable considerations, receipt of all of which is hereby acknowledged, the said party of the first part has bargained and sold and does hereby bargain, sell, convey, and confirm unto the said party of the second part all that piece, parcel or tract of real estate situated and being in Davidson County, Tennessee and more particularly described in Exhibit A attached hereto and incorporated herein by reference.

TOGETHER with all and singular rights, members, hereditaments and appurtenances belonging or in any way incident or appertaining thereto.

The foregoing property is conveyed subject, however, to the following:

a. All taxes and assessments not yet due and payable;

b. Leases and tenancies of apartment units entered into in the ordinary course of business;

c. Restrictions, covenants, conditions, easements, rights-of-way, reserved royalty and mineral interests, and other matters of record;

d. Applicable zoning laws and regulations, ordinances, statutes and any other body of law of any governmental authorities having jurisdiction over the property; and

e. Rights of parties in possession, encroachments, overlaps, overhangs, unrecorded easements, violated restrictions, deficiency in quantity of ground, boundary line disputes, or other matters, whether of record or not, which would be disclosed by an accurate survey and inspection of the property.

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 party of the second part, its heirs, successors and assigns in fee simple forever.

The said party of the first part does hereby covenant with said party of the second part that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons claiming by, through or under it, but not further or otherwise.

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

The name "Cameron-Brown Investment Group" means the Trustees, as trustees, but not individually or personally, under a Declaration of Trust dated September 4, 1969, which is hereby referred to and a copy of which has been filed with the Secretary of the Commonwealth of Massachusetts. The obligations of Cameron-Brown Investment Group entered into in the name or in behalf thereof by any of the Trustees, officers or agents are made not individually, but in such capacities, and are not binding upon any of the Trustees, shareholders or officers of the Trust personally but bind only the trust estate.

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

CAMERON-BROWN INVESTMENT GROUP,
a Massachusetts business trust

(SEAL)

ATTEST: _____
Assistant Secretary

By: _____
W. J. Smith, Jr.
President and Managing Trustee

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Before me, the undersigned Notary Public in and for the County and State aforesaid personally appeared W. J. Smith, Jr. and Harold P. Fortner with whom I am personally acquainted and who upon oath acknowledged themselves to be the President and Managing Trustee and Assistant Secretary, respectively of CAMERON-BROWN INVESTMENT GROUP, a Massachusetts business trust the within named bargainor, and they as such President and Managing Trustee and Assistant Secretary being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the Trust by the said President and Managing Trustee and attesting the same by the Assistant Secretary.

WITNESS my hand and official seal af office this 20th day of October, 1978.

TERESA LYNN HORTON NOTARY PUBLIC WAKE COUNTY N.C.

Teresa Lynn Horton (Zimmerman)
Notary Public

My commission expires:
12/4/80

The actual consideration paid or value, whichever is greater, for this transfer is $6,260,000.

_____
Affiant

Subscribed and sworn to before me, this 20th day of October, 1978.

My commission expires: 12/4/80
(SEAL)

TERESA LYNN HORTON NOTARY PUBLIC WAKE COUNTY N.C.

Teresa Lynn Horton (Zimmerman)
Notary Public

Send tax bills to:
C/o CAMERON-BROWN
Company
4300 SIX FORKS RD.
RALEIGH, N.C. 27609

OCT 26 3 30 PM '78
REGISTER OF DEEDS
FEE
DATE
ID
TAX IDENTIF. REFERENCE

E 9 6 3 2

OCT26 78 CONV * 6,260,000.00
OCT26 78 S'TAX B 16,276.00
OCT26 78 PR'FEE B* .50
OCT26 78 W'DEED B* 6.00 *16,282.50

EXHIBIT "A"

SITUATED in the First (1st) Civil District of Davidson County, Tennessee and without the corporate limits of the City of Nashville, Tennessee and being the Arbour East Apartment Site as shown by deed of record in Book 4460, page 91, in the Register's Office for Davidson County, Tennessee, and being more fully bounded and described as follows:

BEGINNING at a concrete monument in the eastern margin of Old Hickory Boulevard as widened in the Southwest corner of the tract herein described, said monument being located at the northern terminus of the curve formed by the intersection of the Eastern margin of Old Hickory Boulevard and the northern margin of Bell Road; thence with Old Hickory Boulevard North 07 deg. 04 min. 57 sec. West 301.37 feet to a concrete monument; thence with a curve to the left, said curve having a radius of 2,904.68 feet, in a northerly direction an arc length of 783.47 feet to a concrete monument; thence with a curve to the right, said curve having a radius of 40 feet, in a northerly direction an arc length of 61.82 feet to a concrete monument in the southerly margin of Lake Parkway; thence with said Parkway the following calls and distances; North 66 deg. 00 min. 56 sec. East 34.88 feet to a concrete monument; thence from said concrete monument with a curve to the right, said curve having a radius of 202.08 feet, in an easterly direction an arc length of 196.10 feet to a concrete monument; thence from said concrete monument with a curve to the left, said curve having a radius of 377.34 feet; in an easterly direction an arc length of 109.54 feet to a concrete monument; thence South 75 deg. 01 min. 05 sec. East 487.61 feet to a concrete monument; thence from said concrete monument with a curve to the left, said curve having a radius of 439.61 feet, in an easterly direction an arc length of 231.71 feet to a concrete monument; thence from said concrete monument with a curve to the right, said curve having a radius of 25.00 feet, in a southerly direction an arc length of 36.31 feet to a concrete monument in the southwesterly margin of an unnamed street; thence with said street South 22 deg. 00 min. 04 sec. East 136.22 feet to a concrete monument; thence South 22 deg. 00 min. 04 sec. East 345.43 feet to a concrete monument; thence with a curve to the right, said curve having a radius of 508.34 feet, in a southerly direction an arc length of 219.88 feet to a concrete monument; thence South 02 deg. 46 min. 58 sec. West 349.09 feet to a concrete monument; thence from the concrete monument with a curve to the right, said curve having a radius of 45.82 feet, in a southwesterly direction an arc length of 71.81 feet to a concrete monument; thence with the northwest margin of Bell Road, and with a curve to the left, said curve having a radius of 3,540.00 feet, in a southwesterly direction an arc length of 597.35 feet to a concrete monument; thence continuing with the northwest margin of Bell Road South 82 deg. 55 min. 05 sec. West 167.75 feet to a concrete monument; thence from said concrete monument with a curve to the right, said curve having a radius of 200 feet, in a northwesterly direction an arc length of 314.16 feet to a concrete monument, the point of BEGINNING, and containing 28.01 acres, more or less, according to a survey of Lewis R. Mefford, Jr., of Southern Land & Associates, Inc., Surveyors, dated July 14, 1978, and revised September 21, 1978 and October 24, 1978.

~~BEING the same property conveyed to Arbour East Associates, a Massachusetts Limited Partnership comprised of Alexander H. McNeil, sole general partner, by Warranty Deed of record in Deed Book _____, page _____, in the Register's Office for Davidson County, Tennessee.~~

Being the same property conveyed to Cameron-Brown Investment Group, a Massachusetts Business Trust by deed from Arbour Development Company, a general partnership of record in Book 4855, page 208, and re-recorded in Book 4863, page 49, Register's Office for Davidson County, Tennessee.

EXCEPTING herefrom a certain 150 foot TVA easement shown of record in Book of Deeds 1129, page 668 and Book 1237, page 94, in the Register's Office for Davidson County, Tennessee, and a certain 20 foot public utility easement across the Northwest corner of the premises.