RETURN TO: J. GREER CUMMINGS, JR
ATTORNEY AT LAW
FIRST AMERICAN CTR
NASHVILLE, TN 37238
BOX 37

ADDRESS NEW OWNER AND SEND TAX BILLS TO:

BVT Whitland House, Ltd.
c/o Willie K. Davis
First Management Services, Inc.
Suite 1010, Nashville City Bank Building
315 Union Street
Nashville, Tennessee 37201

MAP-PARCEL NUMBERS:
103-16
Par 36 Js

BOOK 5949 PAGE 551

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten ($10.00) Dollars, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, GEORGE GIANIKAS and wife, MARY ELLEN GIANIKAS, and FRANK S. KING, JR., TRUSTEE, with full power to sell, mortgage or convey, without the joinder of any beneficiary (the "Grantors"), have this day bargained and sold, and by these presents do transfer and convey unto BVT WHITLAND HOUSE, LTD., a Tennessee limited partnership (the "Grantee"), its successors and assigns, certain real estate in Davidson County, Tennessee, being more particularly described in Exhibit A, which is attached hereto and incorporated herein by reference, together with all improvements, buildings and structures located thereon, and all right, title and interest of Grantors in and to easements and rights-of-way adjoining or abutting said real estate (the "Property").

This conveyance of the Property, and all covenants and warranties contained herein, are made expressly subject to the exceptions and other matters set forth in Exhibit B, which is attached hereto and incorporated herein by reference.

This is improved property known as Whitland House Apartments, 3901 Whitland Avenue, Nashville, Tennessee 37205.

TO HAVE AND TO HOLD the Property, with the appurtenances, estate, title and interest thereto belonging, to the said Grantee, its successors and assigns, forever.

And Grantors covenant with Grantee that they are lawfully seized and possessed of the Property in fee simple, that they have a good right to convey it, and that the same is free from all encumbrances made or suffered by them, except to the extent otherwise set forth in Exhibit B hereto.

10/13 2657.50- CHECK
3823

Grantors further covenant and bind themselves, their successors, heirs and representatives, to warrant and forever defend the title to the Property to the said Grantee, its successors and assigns, against the lawful claims of all persons claiming by, through, or under them.

IN WITNESS WHEREOF, Grantors have caused this Deed to be executed this 11 day of October, 1982.

GEORGE GIANIKAS

MARY ELLEN GIANIKAS

FRANK S. KING, JR., TRUSTEE

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Myra K. Medlock, a Notary Public in and for said County and State, George Gianikas and wife, Mary Ellen Gianikas, the within named bargainors, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, this 12th day of October, 1982.

Myra K. Medlock
Notary Public
My commission expires: 7/27/85

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Myra K. Medlock, a Notary Public in and for said County and State, Frank S. King, Jr., Trustee, the within named bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, this 11th day of October, 1982.

Myra K. Medlock
Notary Public
My commission expires: 7/27/85

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

BOOK 5949 PAGE 553

The actual consideration or value, whichever is greater, for this transfer is $1,020,000.00.

Affiant

Subscribed and sworn to before me, this the 12th day of October, 1982.

Notary Public
My commission expires: 7/22/85

EXHIBIT A

A tract of land in Davidson County, Tennessee, being Lots Nos. 10, 11 and 12 of the Rainbow Subdivision, of record in Book 421, page 183, Register's Office for said County, and more particularly described according to a boundary survey prepared by A & A Engineers, Inc., dated September 1982, as follows:

BEGINNING with an iron pin located in the southern right-of-way margin of Whitland Circle, also being the common corner of Lots Nos. 12 and 19 of the said Rainbow Subdivision; thence in the northwestern direction and with a curve to the right having a radius of 260.0 feet and a length of 180.0 feet and with the call of the chord of said curve N 63° 42' 03" W 176.43 feet to a point, also being the common corner of Lots Nos. 9 and 10 of said Subdivision; thence with the common line of Lots Nos. 9 and 10, S 41° 04' 02" W 223.0 feet to an iron pin; thence S 63° 54' 52" E 213.0 feet to a point; thence N 77° 53' 16" E 115.0 feet to an iron pin; thence N 0° 20' 03" E 159.6 feet to the point of beginning, said tract containing 1.12 acres, more or less.

Lot No. 10: Being the same property conveyed to Charles R. Shacklett, an undivided one-half (1/2) interest, and to George Gianikas and wife, Mary Ellen Gianikas, a one-half (1/2) undivided interest, by deed from Dave C. Anderson, Jr. and wife, Marguerite Anderson, of record in Book 4400, page 434, Register's Office for Davidson County, Tennessee, and being part of the same property conveyed to Frank S. King, Jr., Trustee, with full power to sell, mortgage or convey, without the joinder of any beneficiary, as to an undivided one-half (1/2) interest, by deed from Charles R. Shacklett, of record in Book 4709, page 289, said Register's Office.

Lot No. 11: Being the same property conveyed to Charles R. Shacklett, an undivided one-half (1/2) interest, and to George Gianikas and wife, Mary Ellen Gianikas, a one-half (1/2) undivided interest, by deed from Louis C. George and wife, Maybelle George, of record in Book 4400, page 430, Register's Office for Davidson County, Tennessee, and being part of the same property conveyed to Frank S. King, Jr., Trustee, with full power to sell, mortgage or convey, without the joinder of any beneficiary, as to an undivided one-half (1/2) interest, by deed from Charles R. Shacklett, of record in Book 4709, page 289, said Register's Office.

Lot No. 12: Being the same property conveyed to Charles R. Shacklett, an undivided one-half (1/2) interest, and to George Gianikas and wife, Mary Ellen Gianikas, a one-half (1/2) undivided interest, by deed from Joseph L. Murphree and wife, Bertha H. Murphree, of record in Book 4400, page 432, Register's Office for Davidson County, Tennessee, and being part of the same property conveyed to Frank S. King, Jr., Trustee, with full power to sell, mortgage or convey, without the joinder of any beneficiary, as to an undivided one-half (1/2) interest, by deed from Charles R. Shacklett, of record in Book 4709, page 289, said Register's Office.

EXHIBIT B

PERMITTED EXCEPTIONS

1. 1982 real property taxes, which have been prorated and assumed by the Grantee;

2. Rights of tenants under unrecorded apartment leases;

3. Electrical line extending across southwesterly corner, water meter near the northeasterly corner, telephone line extending across southeasterly portion and also running along a portion of the southwesterly boundary line, transformer near the southeasterly line, and a transformer near the southwest corner, serving adjacent properties, as shown on the boundary survey of the property made by A & A Engineers, Inc., dated September, 1982;

4. Covenant of record in Book 4397, page 132, Register's Office for Davidson County, Tennessee; and

5. Sewer easement of record in Book 3464, page 278, said Register's Office.

H 1 2 4 3 0

T
IDENTIF. REFERENCE

OCT 13 10 43 AM '82

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

**OFFICIAL RECEIPT**

**FELIX Z. WILSON, II**

**REGISTER OF DAVIDSON COUNTY**
**NASHVILLE, TENNESSEE**

RECEIVED OF _____

FOR BOOK 5949 PAGE 556

| | | |
|---|---|---|
| CO - CONVEYANCE | CC - CERTIFIED COPY | MISC - MISCELLANEOUS |
| MO - MORTGAGE | REL - RELEASE | CO TX - STATE TAX CONVEY |
| WD - WARRANTY DEED | UCC - UNIFORM COMMERCIAL CODE | MO TX - STATE TAX MORT |
| TD - TRUST DEED | | PRFEE - PROBATE FEE |

| DATE | SYMBOL | VALUATION | TAX AND FEES | TOTAL PAID |
|---|---|---|---|---|
| | | | 1,020000.00- CO | |
| | | | 2652.00 CO TX | |
| | | | .50 PRFEE | |
| | | | 15.00 WDEED | |
| | | | CHECK 2667.50- | |
| 3823A | | 10/13/82 | BAL .00 | |

**RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK**

H 1:24:30

IDENTIF. REFERENCE

OCT 13 10 43 AM '82

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

**No.** 904516