File Box 39

5846/sm 8/11/86

FORM FORM FORM FORM FORM FORM

THIS INSTRUMENT PREPARED BY:
THOMAS C. MCNEILL
ÆTNA LIFE INSURANCE COMPANY
LAW DEPARTMENT
CITYPLACE
HARTFORD, CONNECTICUT 06156

SPECIAL WARRANTY DEED

BOOK 6958 PAGE 611

| Address New Owner(s) | Send Tax Bills To | Map-Parcel Number(s) |
|---|---|---|
| Mortgage Growth Investors<br>One Post Office Square<br>Boston, MA 02109<br><br>ATTN: Robert Ware, Sr.<br>Vice-President | Same | 163 # 208<br>ROU 17192 |

FOR AND IN CONSIDERATION OF THE SUM OF TEN ($10.00) DOLLARS, and other good and valuable consideration, receipt of all of which is hereby acknowledged, Aetna Life Insurace Company ("Grantor"), has this day bargained and sold, and does hereby transfer and convey unto Mortgage Growth Investors ("Grantee"), certain real property in Davidson County, Tennessee, described as follows:

See Exhibit A attached hereto and by this reference incorporated herein.

IDENTIFICATION REFERENCE

FELIX Z. WILSON, REGISTER
DAVIDSON COUNTY, TN
AUG 25 2 30 PM '86

35010

The above described real estate is the same property conveyed to Grantor by deed of record in Book 5458, page 850, Register's Office of said County and is conveyed subject to such limitations, restrictions, and encumbrances as may affect said property including the following matters arising through or under Grantor:

See Exhibit B attached hereto and by this reference incorporated herein.

TO HAVE AND TO HOLD the said real property together with all appurtenances and hereditaments thereunto belonging or in any wise appertaining to Grantee, his heirs [successors] and assigns, forever.

GRANTOR further covenants and binds himself, his heirs and representatives [successors] to warrant specially and forever defend the title to said real estate to Grantee, his heirs [successors] and assigns, against the lawful claims of all persons claiming through and under Grantor (other than claims arising out of the matters set forth above), but not further or otherwise.

As used herein, the singular number shall include the plural, and the masculine gender all other genders.

IN WITNESS WHEREOF, Grantor executed this instrument on this 12th day of August, 1986.

ÆTNA LIFE INSURANCE COMPANY

By: Rodney C. Dimock

Its: VICE PRESIDENT

STATE OF Connecticut )
COUNTY OF Hartford )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Rodney C. Dimock, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the Vice President of Ætna Life Insurance Company the within named bargainor, a corporation, and that he, as such officer, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as such officer.

Witness my hand and official seal at Hartford, Connecticut, this 12th day of August 1986.

Susan E. Mehl
Notary Public
My Commission expires: 3/31/91

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideratrion or value (whichever is greater) for this transfer is $ 4,200,000.00.

Lois A. Block
Affiant

Subscribed and sworn to before me, this 12th day of August, 1986.

Notary Public

My Commission Expires:

10/1/89

5832/czc 05/06/86



EXHIBIT "A"

Legal Description

A parcel of land in the 1st Civil District, Nashville, Davidson County, Tennessee, bounded on the West by Hickory Hollow Lane and on the South by Hickory Hollow Parkway, being Tract K-3 on the Plan of Hickory Hollow Mall, Section Two (2nd Revision), a plat of which is of record in Book 5200, page 34, and revised in Book 5210, page 92, Register's Office for said County, and being more particularly described in a survey made by Barge, Waggoner, Sumner and Cannon, dated April 10, 1978, (File No. 4420-19) as follows:

BEGINNING at a point in the northerly margin of Hickory Hollow Parkway 516.64 feet southeasterly from the centerline of Hickory Hollow Lane; thence, northwesterly with a curve to the right having a central angle of 09° 15' 08", a radius of 600.00 feet and a distance of 96.89 feet to a point; thence N 43° 08; 11" W, 354.75 feet to a point, the beginning of a curve to the right; thence, with said curve to the right having a central angle of 90° 00' a radius of 35.00 feet and a distance of 54.98 feet to a point in the southeasterly margin of Hickory Hollow Lane; thence with margin of the same; N 46° 51' 49" E, 90.81 feet to a point, the beginning of a curve to the left; thence, with said curve having a central angle of 26° 41' 49", a radius of 330.00 feet and a distance of 153.76 feet to a point; thence N 20° 10' E, 101.56 feet to a point, the beginning of curve to the right; thence, with said curve having central angle of 45° 20', a radius of 320.00 feet and a distance of 253.19 feet to a point; thence, N 65° 30' E, 197.35 feet to a point; thence leaving said Lane S 24° 30' E, 105.15 feet to a point; thence, S 58° 45' E, 354.97 feet to a point; thence, S 25° 10' W, 266.35 feet to a point; thence, N 83° 33' 42" W, 107.60 feet to a point; thence, S 31° 15' W, 286.00 feet to a point; thence, S 49° 53' 54" W, 259.62 feet to the point of beginning, containing 9.80 acres, more or less.

INCLUDED in the above description, BUT EXPRESSLY EXCLUDED FROM THIS CONVEYANCE, is an out parcel, being part of Section Six Hickory Hollow Mall, Tract K-3, as of record in Book 5210, page 92, Register's Office for Davidson county, Tennessee, more

particularly described as follows:

BEGINNING at a point in the northerly margin of Hickory Hollow Parkway, 516.64 feet from the centerline of Hickory Hollow Lane; thence, northwesterly with a curve to the right having a central angle of 09° 15' 08", a radius of 600.00 feet and a distance of 96.89 feet to a point; thence, N 43° 08' 11" W, 39.46 feet to a point; thence, N 46° 51' 49" E, 126.44 feet to a point; thence, S 58° 45' E, 149.89 feet to a point; thence, S 49° 53' 54" 159.20 feet to the point of beginning, containing 0.46 acre, more or less.

Exhibit B



) Declaration of Protective Covenants, including but not limited to assessments, liens, architectural requirements, uses and other undertakings all as set out enumerated in instrument of record in Book 5125, page 769, as amended by an amendment to Declaration of Protective covenants, of record in Book 5189, page 947, Register's Office for Davidson County, Tennessee, and as amended by Second Amendment to Declaration of Protective Covenants for Hickory Hollow, of record in Book 5337, page 933, Register's Office for Davidson County, Tennessee, which do not contain a reverter clause.

) Easement granted by Molly Morton, a widow, to Gulf Interstate Gas Company in an instrument of record in Book 2243, page 635, Register's Office for Davidson County, Tennessee, for the installation of pipe lines together with the right to install multiple and additional lines from time to time together with rights of access and maintenance, specific reference to said instrument being here made for the pertinent data, relating to the rights and interest therein contained.

By instrument of record in Book 4457, page 373, Register's Office for Davidson County, Tennessee, Brentwood Estates, Inc. granted to Columbia Gulf Transmission Company, Successor to Gulf Interstate Gas Company, a right of way for the construction and maintenance of pipe lines above or below the ground for the transporation of gases or liquids, or alter the route thereof, wherein the grantor undertook to limit the former rights and those granted by the latter instrument also, to 3 existing liens designating the width and area.

Thereafter, an instrument of record in Book 4629, page 150, Register's Office for Davidson County, Tennessee, Columbia Gulf Transmission Company, Successors to Gulf Interstate Gas Company, ratified the instrument of modification and agreed that rights are defined and amended by said instrument of record in Book 4457, page 373, Register's Office for Davidson County, Tennessee.

) The Plan of record in Book 5210, page 92, said Register's Office shows an owner's certificate, 10-ft. easement for public utility and landscape purposes alongthe southerly, westerly and northerly lines of lot; a 31 foot public utility easement across the entire easterly portion of said lot, a Columbia Gulf Pipe Line easement of varying widths across the northeasterly rear portion of said lot, and a notation that ramps are permitted only at points shown, and a joint access easement in the southwesterly portion of said lot.

) Easement granted to Gulf Interstate Gas Company of record in Book 2203, page 577, Register's Office for said County and conveyed to Columbia Gulf Transmission Company of record in Book 2875, page 299, said Register's Office and modified by instrument of record in Book 5118, page 792, said Register's Office, for the installation of pipe lines and other utility installation, together with the possible right to install multiple and additional lines from time to time, together with possible rights of access and maintenance, specific reference to said instrument being here made for the pertinent data, relating to the rights and interest therein containined.

) The property has public access by roadways duly dedicated and accepted by the Metropolitan Government of Nashville and Davidson County, Tennessee, said access being limited to across those curb cuts shown on the survey by Barge, Waggoner, Sumner & Cannon dated May 22, 1979 and revised on May 29, 1979, June 8, 1979, June 21, 1979 and June 29, 1979.

) Reciprocal Easement Agreement dated June 29, 1979, between Kimco of Hickory Hollow, Inc. and Aetna Life Insurance Company of record in Book 5458, page 855, Register's Office for Davidson County, Tennessee.

08/25 17:39.50-CHECK

**OFFICIAL RECEIPT**
**FELIX Z. WILSON, II**
**REGISTER OF DAVIDSON COUNTY**
**NASHVILLE, TENNESSEE**

RECEIVED OF _____

FOR _____

BOOK 6958 PAGE 616

| | | |
|---|---|---|
| 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 |
|---|---|---|---|---|
| 8/25 | WD | 4,200,000.00 | | |
| | | | 1,760.00 | CSTAX |
| | | | .50 | PRFEE |
| | | | 15.00 | WDEED |
| | | | CHECK | 1775.50 |
| 3546A08/25/86 | | | BAL | .00 |

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

35010

IDENTIFICATION REFERENCE

AUG 25 2 30 PM '86

FELIX Z. WILSON REGISTER
DAVIDSON COUNTY TN

**No.** 286938